

Syracuse University

SURFACE at Syracuse University

Theses - ALL

Spring 5-15-2022

The 1980 Refugee Act and a New Type of National Apology

Shewit Mikael
Syracuse University

Follow this and additional works at: <https://surface.syr.edu/thesis>



Part of the [Speech and Rhetorical Studies Commons](#)

Recommended Citation

Mikael, Shewit, "The 1980 Refugee Act and a New Type of National Apology" (2022). *Theses - ALL*. 602.
<https://surface.syr.edu/thesis/602>

This Thesis is brought to you for free and open access by SURFACE at Syracuse University. It has been accepted for inclusion in Theses - ALL by an authorized administrator of SURFACE at Syracuse University. For more information, please contact surface@syr.edu.

Abstract

In immigrant and refugee discourse studies, the overwhelming focus is on how the nation state excludes certain groups through bureaucratic and legislative practices. This thesis seeks to investigate how power manifests through inclusionary immigration practices such as the 1980 Refugee Act. These intentional acts of allowing entry are, at times, driven by perceptions that the nation has created crises and, in this way, allowing entry might be seen as a form of remediation or reparation. In my investigation of the 1975 and 1980 Refugee Acts, these acts appear to respond to the refugee crisis created by US involvement in Vietnam, however, US officials were explicit in denying any connection to the war. Through my analysis, I argue these legal paths for entry can represent a type of covert apologia on behalf of the nation state. The US acted in ways that sought to ameliorate public criticism, hence apologia, while denying that their actions were connected to this past wrongdoing, hence covert. In analyzing the formal and public advocacy surrounding the 1975 and 1980 Refugee Acts, I seek to analyze how a language of denial and transcendence masks covert apologetic strategy. I then turn to how the commemoration of the 1980 Refugee Act in 2019 shifted the covert apologetic rhetoric into an explicit accusation aimed at the immigration and refugee policies of the Trump administration.

The 1980 Refugee Act and a New Type of National Apology

By

Shewit Mikael

B.A, University of Denver, 2018

THESIS

Submitted in partial fulfillment of the requirements for the Degree of Master of Arts in

Communication and Rhetorical Studies

Syracuse University

May 2022

Copyright © Shewit Mikael, 2022 All Rights Reserved

Acknowledgments

I would like to thank my advisor Dr. Kendall Phillips for being patient and helping me throughout this process. This year has been very difficult for me and I appreciate his generosity with his time and effort. I would also like to thank my committee members, Dr. Charles Morris, Dr. Keven Rudrow, and Dr. Kamala Ramadoss for agreeing to be a part of this journey with me.

I would also like to thank my family who gave me the inspiration for this thesis. Their love has given me a light in the darkest of times.

Table of Contents

<i>Introduction</i>	1
<i>Chapter One: Literature Review</i>	7
<i>Chapter Two: Apologia, Denial and Transcendence in the Advocacy of the 1980 Refugee Act</i>	20
<i>Chapter Three: Commemoration of the 1980 Refugee Act</i>	42
<i>Conclusion</i>	55

Introduction

The inspiration for this thesis came out of a conversation I had with my father the summer before I entered grad school. I had a realization that I would be moving across the country from Denver to New York in a matter of days, so I took the opportunity to try to get to know my dad in a new depth. My parents immigrated to the United States from Eritrea due to the Eritrean-Ethiopian war that raged for 12 years in the horn of Africa. This may be cliché to hear from a child of immigrants but often my parents were cagey about their experience immigrating. I was curious to discover new layers to their story before I was leaving across the country.

To test the waters, I asked my dad about a strange paradox I never understood about him. My dad was always a huge fan of Ronald Reagan for a reason that I couldn't explain understanding my dad's politics. When I finally asked, "What's up with your fascination with Reagan?" and he simply said if it wasn't for Reagan he wouldn't be in the United States. Although after some fact checking I learned that, that claim isn't necessarily true. It was not the Reagan administration, but rather the Carter administration that can be credited with the arrival of my dad and 300,000 refugees in the early 1980s, specifically due to the 1980 Refugee Act. My dad's misconception that the Reagan administration was the driver to the change in Refugee policy can be attributed to the Carter administration leaving office that year. Many of the other Eritreans in my local community in Denver that immigrated at the same time as my father also attributed Reagan to their arrival to the United States. So, I was curious on how the very products of the legislation have been so far removed from the conversation around the legislation and its memory?

I became fascinated with the Refugee Act. This can be attributed to some sentimentality I feel towards understanding why I'm able to live and exist in the United States but also in how the

very reasons the Refugee Act itself was written, the refugees, are so far removed from the document's legacy even today. In June of 2019, on the anniversary of the Refugee Acts passage the Carter Library held a commemoration event, to my dismay there was not one beneficiary of the 1980 Refugee Act speaking or featured at the event. What I primarily noticed at the event was a comparison occurring between the immigration policies of the 80s with the policy of the Trump administration at the time. I reflected after watching the commemoration event and the question that remained, was if we're not passing this legislation to hear about the lives and narratives of the very people it affects why what and whom are we commemorating? Why is the nation state creating pathways to citizenship in the first place?

In discovering the historical context surrounding the impetus of the 1980 Refugee Act, I noticed a rhetoric of rectification occurring. The Refugee Act emerged after the Vietnam War and the UN Geneva conference of 1979. The world was seeing an influx of refugees emerging from Asia and there was an initiative to help. Oftentimes the developed world's reaction to regional displacement is to offer solace through membership. In 2015, Germany expanded their refugee intake in reaction to the refugee crisis caused by the war in Syria. Although in 2016, the German parliament then introduced more legislation restricting the expansion of immigration (Funk, 2016). Similarly, the 1980 Refugee Act seemed like a reaction to the mass number of refugees fleeing from Vietnam, but it was also a broader policy shift that defined the concept of refugee and allowed for a wider path for refugees from around the world.

Unlike the German legislation, however, the US law enacted in 1980 was not framed as a response to the mass displacement of persons caused by US military involvement in Vietnam. The same was true for legislation passed by the US in 1975 that was specifically focused on the region of southeast Asia. This raises an interesting puzzle. Why would a nation pass a law in

response to, or at least in the immediate aftermath, of a crisis it had a hand in creating without acknowledging that law as an explicit step towards reparation? Further, what rhetorical justification would there be for a law designed to ease the suffering of people while explicitly denying any culpability for the conditions of that suffering? Because of the explicit stance of denial insisted upon by the US during passage of its two major refugee policies in the 1970s, these acts cannot really be understood as apologies for the crises caused by US military engagement in southeast Asia. Nor can these laws be thought of as reparations, since the US denied any responsibility for the suffering the laws sought to alleviate.

In this thesis, I seek to examine the complicated stance taken by US officials advocating for an official path for refugees during the 1970s. Since these efforts were explicitly not defined as reparations, I have chosen, instead, to understand them as a kind of rhetoric of rectification. As I will detail in the later chapters of this thesis, this effort to rectify human suffering arises out of a unique combination of two rhetorical strategies: denial of responsibility and the invocation of a higher, transcendent, set of principles. It is worth noting here that these two strategies – denial and transcendence – are traditional strategies in the rhetoric of apologia, or self-defense. Indeed, as I will detail in Chapter One, the rhetoric of these advocates could be seen as a form of apologia, albeit one that denied its stance as self-defense. Because of its complicated nature, I have chosen to term these a form of "covert apologia." Apologia, as I will discuss more fully below, is the ancient Greek term for rhetorics of self-defense and has been utilized by rhetorical scholars to examine various efforts to respond to accusations of injustice by individuals, corporations, and nations. I suggest that the Refugee Act can be understood as a form of apologia because one of its explicit purposes was to preserve the image of the United States as a benevolent and just actor on the world's stage. Additionally, because discussions of reparations

have tended to focus on benefits or payment given directly to those impacted by acts of injustice or their descendants, I have chosen the broader conception of rectification. Rectification, unlike reparations, suggests a broader frame for considering the ways changes in public policy might be framed as putting the nation back into alignment with its values.

In my reading, the Refugee Act functioned as a kind of rhetoric of covert apologia by combining the denial of responsibility for the refugee crisis in southeast Asia and elsewhere with the invocation of transcendent national values. In the end, the strategy of covert apologia allowed the US to not only deny the geopolitical consequences of its actions but also claim to be the hero of the global narrative. Given its function as a symbolic response to the perception of past injustices and mistakes, I am proposing to analyze the development of US refugee policies in the 1970s, in the form of the 1975 and 1980 Refugee Acts, as examples of a rhetoric of rectification through the frame of covert apologia. My proposed thesis seeks to explore this function by thinking about how immigration legislation can be seen as a kind of national impression management and how this positioning of immigration as rectification is remembered within the national context. I hope this thesis adds to a body of work growing in the discipline regarding immigration and refugee discourses.

In Chapter One, I will review existing scholarship related to refugee policy and, especially, the way scholars of rhetoric have inquired into the conception and practice of immigration and mobilities. In that chapter, I note the preponderance of rhetorical scholarship has focused on the exclusionary dimensions of immigration policies. Building upon that work, I seek to examine the ways rhetorics of immigration are also defined by the paths towards inclusion they construct. These paths towards residency and citizenship are, I will argue throughout this thesis, part of the construction of national identity and values, something

particularly important to the US as a nation who claims to be founded by immigrants and refugees. Because of its close tie to notions of national identity and the historical coincidence of US refugee policies with the war in Vietnam, I will also outline theories of apologia that provide a foundation for my thinking about covert apologies and rhetorics of rectification. At the end of Chapter One, I offer initial definitions of these key concepts and provide an overview of the texts I will analyze.

Chapter Two provides the first major step in analyzing the advocacy of refugee policies in the 1970s. Focusing on both the 1975 Refugee Act, which was focused exclusively on "Indochina," and the broader 1980 Refugee Act, I examine the persistent rhetorics of denial and transcendence that combined to craft the rhetoric of covert apologia. I also examine the ways that changing political conditions in the US led to a more explicit and broad deployment of these strategies in shaping the 1980 Act.

Chapter Three moves forward in time to focus on the commemoration of the 1980 Act held 39 years after its passage. As noted, the commemoration occurred during a period when the US administration took a much harsher stance towards immigration and refugees. In examining the commemoration of the 1980 Act, I attend to the ways the rhetorical strategies of denial and transcendence were transformed from covert apologia to explicit accusation as they became the basis of criticizing the policies of the Trump administration in 2019. The Conclusion draws together these rhetorical strategies and artifacts to think more deeply about the concept of rectification. The Conclusion also outlines some of the limitations of the present study and suggests future directions and implications for this project.

To understand the scope and long-term effect of a piece of legislation it's essential to understand why in political discourse it's employed in certain time periods over others. I hope that this thesis can spark a discourse that analyzes the seemingly altruistic and kind motivations of a powerful nation. Is it kind if the nation state cannot admit it's honest motivations?

Chapter One: : Apologia, Denial and Transcendence in the Advocacy of the 1980 Refugee Act

In this chapter I will outline the major terms that I will be exploring throughout the thesis such as immigration, immigration law in the United States, theoretical approaches across disciplines, and lastly what apologia is. This chapter also serves as a literature review of what contemporary scholars have noted regarding migration and refugee studies. Most importantly I will be discussing how my work fits into the discourse rhetorical scholars are having contemporarily. This chapter provides the theoretical background that is a foundation for the thesis.

What is immigration?

While humans have traveled over vast distances to find new homes throughout their existence on the planet, the rise of nation-states, and with them formal boundaries and notions of citizenship, has reframed human movement through the lens of immigration. The reason to search for new residence can be fueled by economic, political, and social reasons. The motivations for immigration and the policies governing it are different for each country. My focus here will be on the United States in an effort to establish the context for the passage and impact of the 1980 Immigration Act.

In the United States, the beginning of immigration is taught in early education with the voyage of Christopher Columbus and his “discovery” of North America. In 1776 Thomas Paine wrote in *Common Sense* (2003), “Europe, and not England, is the parent country of America. This new world hath been the asylum for the persecuted lovers of civil and religious liberty from every part of Europe,” about America during British colonialism (87). Then in 1790 the United States passed the first major piece of immigration legislation called The Naturalization Act of

1790 that granted any white person of good standing, citizenship. In what follows, I offer a brief survey of the historical development of immigration policies within the United States up to the 1980 Immigration Act, which is the primary focus of the present proposal. During the first thirty years of American independence, “immigrants were probably less significant to American history between 1770 and 1820, than any other periods, with exception of the 1930s” (Grabbe, 1989, p.190). The first major influx of immigrants occurred in 1815, with the Irish and Germans. In 1880 we saw the first exclusionary piece of immigration legislation that was focused on a single ethnic group. The Chinese Exclusion Act of 1880 focused on creating quotas on the number of Chinese immigrants that could enter the United States. This was predominantly put into place due to economic and racial tensions. Chinese immigrants were willing to work for cheaper rates and worse conditions and so employers hired them, instead of cracking down on employers the US government instead restricted the number of Chinese immigrants that could enter the country. The reason why in 1880 there was such an increase in Chinese immigrants is the economic deterioration of China after the British began to have more control over the country’s economy. In 1880, the British government drastically changed the economic landscape of China, thus forcing many Chinese to seek opportunity in a better place. For the early European immigrants to the United States, British colonial rule and lack of religious freedom forced them to find refuge in a new home. Between 1880 and 1924 more than 25 million immigrants arrived to the United States (Barrett, 1992). Immigrants predominantly from Europe fleeing religious prosecution and political turmoil. Although prior to 1880 the responsibility to allow immigrants to remain within the country fell onto the states (Orchowski, 2015). This means that the building of a national rhetoric on immigration for the nation state was not cohesive.

Another attempt in federal legislation to nationalize, bureaucratize, and eliminate measures of exclusion was the Immigration and Nationalization Act of 1965 (INA) or the Hart-Cellar Act. Under the Johnson administration the legislation's aim was to eliminate national origin quotas which had been in law since the 1920s. The origin quotas were rooted in Eugenics virtually barred immigrants from Africa and Asia, in fact is reserved 70% of visas from just three countries: Ireland, Germany, and Great Britain (Tichenor, 2016).

The public rhetorical framing of this new legislation was to get rid of laws that did not reflect American values. President Johnson said the following in a speech in NYC about the immigration quotas, "*This system violates the basic principle of American democracy -- the principle that values and rewards each man on the basis of his merit as a man. It has been un-American in the highest sense, because it has been untrue to the faith that brought thousands to these shores even before we were a country.*" (Johnson, 2011). The INA was a part of a growing liberalism and image crafting on behalf of the Johnson administration, introducing legislation that is "race neutral". As Chin (1996) states, "race neutrality was a significant development for American immigration law, which had been explicitly race conscious from the first substantive federal regulation of immigrants, to the Coolie Act of 1862 to Immigration and Nationality Act of 1962, passed only 13 years before the 1965 act" (276). The Civil Rights Act was passed one year prior to the INA, while scholars contend that the intentions of the INA are unclear (Chin, 1996). Historians have frequently mentioned that the passage of the INA in 1965 and the Civil Rights Act of 1964 lamented a legacy for Johnson as being a radical reformist, despite lack of evidence surrounding their intention, an image was built nonetheless (Cadava, 2015). Therefore, it is not novel that immigration legislation can function a methodology of image building in the United States. This brief history of American immigration legislation showcases that

immigration and the desire to settle in a new country is influenced by a desire to seek better opportunity and life, due to political and economic turmoil. Often caused by an imperial or larger power causing destabilization in the home country (Chang, 1999).

Theory of Immigration across disciplines

The study of immigration has been increasingly important in a world where globalization, economic mobility, and political instability are a trifecta of forces constantly working. Immigration policy refers to the openness and closeness of societies and nations (Hollifield, 2000). Immigration studies is a cross-disciplinary endeavor that branches across anthropology, sociology, psychology, and political science. In the field of political science, immigration policy and immigration is influenced by various schools of thought but it has predominantly been focused on the question of citizenship and rights. Hollifield notes, "Demographers are as interested as historians, anthropologists, and sociologists in the questions of who moves and when, but to answer these questions, they engage in the construction of predictive models" (79). These predictive models generally assess scarcity and choice. For example, what is scarce in an individual's home country and what are the choices they must fulfill this deficiency. These models then predict what scarcities would prompt someone to go far enough to move away from their home (Martin, 2014). For economists, financial reasons are the major fuel for immigration but "Anthropologists and historians argue that economic factors cannot and do not fully predict population movement when they are divorced from social and cultural context" (Hollifield, 2000, p.78). The study of immigration is essentially understanding behavioral patterns in economics, psychology, and anthropology. In general for scholars studying immigration and international migration their research questions follow these themes: "the role of the nation- state in controlling migration flows and hence its borders; a second is the impact of migration on the

institutions of sovereignty and citizenship, and the relationship between migration, on the one hand, and foreign policy and national security, on the other; a third is the question of incorporation, which raises a host of behavioral, normative, and legal issues" (Hollifield, 2000, p.81).

Rhetorical Approach to Immigration

In rhetorical studies, the current literature and scholarship is focused on how certain groups are othered and what mechanisms are at play that further alienate certain communities, and this is overwhelmingly focused on the southern border of the United States. This is consistent with the general focus on the United States across immigration scholarship in all disciplines. The southern border is the most urgent and exigent topic in the United States. While my thesis does not focus on the southern border, current rhetorical scholarship around the topic of immigration provides the foundation for my critical framework.

Within rhetorical scholarship, "Border Rhetorics" has been the predominant and growing study on immigration. *Border Rhetorics*, a series of essays written by scholars within rhetoric edited by them, "explores intersecting logics of race and nation, citizenship and belonging" (Dechaine, 2012, p.2). As Flores (2016) summarizes, "The border, as theorized in border rhetorics, is simultaneously a geo-political site, a boundary, a metaphor, and a constitutive force" (15). The border functions not only as a physical manifestation of rhetorical invention but a fluid space, dependent on our own conceptualization of citizenship, nationhood, and arbitrary creation of states. The border as a place is also another site of investigation within the discipline. Place being, "the location and production of the powerful, is the site where winnings are accumulated and is the sphere of the panopticon" (Dickinson, 2020, p.302). How do we negotiate the physical boundaries of the border within the confines of language, context, and contemporary doxa?

Kent Ono and John Sloop (2012) conduct some of the earliest work on immigration rhetoric regarding Proposition 187 through their book *Shifting Borders: Rhetoric, Immigration, and California's Proposition 187*. Ono and Sloop focused, “on contemporary media representations of migration in the United States” (2). In 1994 California Proposition 187, also known as the Save our State initiative prohibited undocumented immigrants from using state social services such as public education, non-emergency healthcare services, and EBT (electronic benefit transfer). This bill was predominantly focused on undocumented immigrants from the southern border. The debate that arose after the introduction of Prop 187 included inflammatory and heated debates regarding the growing number of undocumented immigrants. Ono and Sloop label the media's discussion of undocumented immigrants as outlaw rhetoric. Outlaw discourse is discourse that frames groups as outlaw and this discourse is seen as the correct epistemology in the mainstream. In *Shifting Borders* media and dominant discourse, “recreated demeaning depictions of undocumented workers, primarily from Mexico” (3). They see pollution and disease metaphors as the primary tactic of the media in framing Latino immigrants. An observation that is recurring throughout depictions of immigrants in the media as well as proven methodology of exclusion historically. The use of biomechanics and biomedical reasons to exclude immigrants is not novel. For example, in 1897 biopolitical methods were used to justify the “oriental problem”. Trachoma and fear that Asian immigrants would bring into the United States was a popular rhetoric. Trachoma is a contagious eye disease that can cause blurred vision and eye pain. Many Asian immigrants were turned away and rejected entrance into the United States due to treatable diseases like ringworm. Although the fear of disease was not long term it shows one of the methodologies that justified the exclusion of Asian Americans (Shin, 2014).

Ono and Sloop's depiction of disease metaphor to outlaw immigrants is historically significant and continues to the later half of the 20th century.

In *The Borders of AIDS: Race, Quarantine, and Resistance* Karma Chavez details how the HIV epidemic allowed the United States government to use the first generation of the AIDS crisis to limit the number of Haitian immigrants to enter the country and justify the quarantine of them on Guantanamo Bay (Chavez,2021). Outlaw discourse in the case of Proposition 187, the media's use of disease reflects concrete policies enacted historically. Chavez points out how alienizing logic is an extension of this outlaw discourse. Chavez coins the separation and quarantining of Haitians during the HIV epidemic as a marker of an alienizing logic applied to migrants. "The alienizing logic animates calls to quarantine alien citizen groups as quarantine begins to be applied to venereal disease", disease as a methodology to physically separate the migrant (Chavez, 2021, p.20). The conceptualization of the border is an interesting case in Chavez's work, here we see the border becomes expanded to include Guantanamo, functioning as a border within a border.

In *The Border Crossed Us: Rhetoric's of Borders, Citizenship, and Latina/o Identity*, Cisneros (2014) explores what citizenship means and "explores these and other efforts to restrict and expand U.S. citizenship and the borders of national belonging" (2). These efforts include Arizona's SB1070 law. This piece of legislation was passed in 2010 and is considered one of the strictest pieces of immigration law that's been passed. Cisneros's analysis is focused on the Southern United States border and Latinos.

The predominant discourse within our discipline focuses on the border as a site of establishing citizenship and nationhood. In other words, how can we begin to understand the rhetoric of citizenship and nationhood outside the southern border and citizenship as a pursuit

completely dependent on the immigrant or refugee. In our contemporary discussion of immigration in communication and rhetorical studies looks at how the rhetoric of immigrants are framed rhetorically by the media and government. What does it mean when the nation is attempting to frame itself as the savior or in other words, desires to include those who were traditionally excluded? Can approaching immigration through its rhetoric of inclusion provide a different perspective on the way governmental power circulates through the concepts of resident and citizen? In other words, how does a rhetoric of inclusion mask rhetoric's of apologia and accountability?

As this brief review of rhetorical scholarship around immigration suggests, most critical energy has been focused on the United States' southern border and on ways in which immigration policy has served to exclude others. Scholars like Ono, Sloop, Flores, Chavez, Cisneros, and others have explored the complex intersections of race, class, gender, and sexuality as they create the contexts through which certain bodies are deemed unacceptable and, therefore, marked as unacceptable and in some cases as "illegal." While the rhetorical processes the work to exclude categories of people from the immigration process are prominent and pressing, it is also worth recalling that the same immigration policies that create these rhetorics of exclusion also create the pathways that allow others to enter into the processes towards legal entry, residency, and citizenship. This thesis aims to explore this dimension of U.S. immigration policy by exploring the advocacy, enactment, and legacy of the 1980 Immigration Act, which expanded the definition of refugee and opened the process of legal immigration to many people around the world. As I will seek to establish throughout this thesis, immigration policy can be thought of as a response to past U.S. foreign policy failures and exclusionary policies and, thus, was designed to offer a kind of atonement for past acts of injustice by the U.S. government. This was

particularly true, as I will argue in Chapter 2, in relation to the policies enacted after the failed U.S. war in Vietnam. In order to more fully examine this aspect of the rhetoric of the 1980 Immigration Act, it is helpful to establish a clearer sense of how a rhetoric of self-defense, apology, and atonement function. I turn to this type of rhetoric in the next section.

Apologia

In a world where our words and actions can cause offense and harm, it is not surprising that we have developed forms of accounting for our actions, defending them, and, at times, asking forgiveness. Forgiveness, often requested through rectification. The ancient Greek's called this form of rhetoric *apologia* and while it serves as the root word for the English word "apology," the original conception encompassed all manner of responses to accusations of wrongdoing (Ware & Linkugel, 1973). Contemporary rhetorical scholars have continued the study of *apologia*, or a rhetoric of self-defense, and have increasingly conceptualized *apologia* as a form of image repair discourse, where the party responsible for causing pain or harm is attempting to rehabilitate their own appearance within the singular audience of the harmed individual or to an additional audience (Benoit, 1995; Koesten & Rowland, 2009). Image repair and maintenance is a fundamental piece of upholding the nation-state in an insular fashion (to maintain an image among its citizens) and on the world stage. Image repair is triggered when a person or organization is accused of wrongdoing and the accused responds in an attempt to repair their appearance. Although in this case the United States is not being overtly accused of wrongdoing rather this is insinuated. Benoit notes that one key assumption of image repair theory, "maintaining a positive reputation is one of the central goals of communication" (2015, p.305). The primary image repair strategy the United States is employing is denial. As Benoit

notes, the strategy of denial “asserts that the offensive act did not occur or that the accused did not commit the act” (2007, p.38). Denial is a form of image repair as is apologia. Benoit also notes that denial occurs by the following:

One may use simple denial to separate oneself from the offense or one can shift blame to the true culprit. A rhetor can try to evade responsibility for the wrongful act by pleading provocation (the offensive act was a reasonable response to an act committed against the rhetor), defeasibility (lack of information or power), accident (inadvertent harms), or good intentions (events went awry despite trying to do the right thing) (1995, 1997).

Threats to an image, “have two components: blame or responsibility, and offensiveness” (Benoit, 1995, 1997). There are five image repair strategies denial, evading responsibility, reducing offensiveness, corrective action, and mortification. I will be predominantly focusing on denial.

Transcendence is an appeal to a larger value system, but it can also mark that the wrongdoer was motivated by “other, more important” concerns. As Towner (2009) points out, “apologies contain critical elements that hold together the fabric of a society; they presuppose a set of social values and an underlying ideology that an offender is charged with fracturing” (431).

Understanding apologetic rhetoric often begins with examinations of the original accusation. Ryan, for example, suggests that analysis should begin with *kategoria* (or accusation) and *apologia* (or speech in defense). The complex interplay between accusatory and apologetic discourse does not necessarily end after the initial response. Stein, noted a third element of analyzing apologetic rhetoric, *antapologia*. “If the offended party has an issue with that account or response, he or she initiates a counteraccusation (an *antapologia*) specifically addressing the content or delivery of the *apologia* itself (Towner, 2009). In the study of apologetic rhetoric, it

has primarily focused on formal instances of apology in other words there is an overt recognition of wrongdoing by one party and formal address is made.

Early scholars of apologia, like Ware and Linkugel, focused primarily on individuals who sought to defend themselves against accusations. Later scholars shifted the focus of apologia studies towards organizations and institutions. Keith Hearit (2009), for example, examined the corporate rhetoric of Exxon after an Alaskan oil spill to examine the ways the company sought to maintain its social legitimacy. The most recent development in the study of apologia has seen an interest in the apologetic stances of nation states as they face charges of incompetence and injustice on the world stage. Given the focus on the present thesis, it is useful to delve deeper into this notion of national apologies in order to establish a clearer context for examining the ways the 1980 Immigration Act was framed and promoted.

Apologia rhetoric regarding the nation state has primarily concentrated on formal apologies that politicians have made in public addresses. “State apologies can be classified as ‘many to many’ or ‘many to one’” (Mihai, Thaler, 2014). Many to many categorizes apologies that include the state making an apology to a large number of people, the state being represented by a official or elected figure. Many to one refers to the state apologizing to one individual. In rhetorical studies, the study of formal many to many apologies has been of primary focus within politics. In the later half of the 20th century notable politicians began to publicly apologize. Ware and Linkugel investigate the moral and linguistic criteria of these forms of political apologies in their 1973 essay: “Richard Nixon, Adlai Stevenson, Harry Truman, and Edward Kennedy stood trial before the bar of public opinion regarding the propriety of some public or private action; each chose to take his case to the people in the form of an apologia”(273). The act of “self-

defense” has four postures that speakers can follow: absolution, vindication, explanation, and justification. These apply to formal addresses or speeches.

Political apologies in which the nation state is expressing some form of remorse is new to our conceptualization of apologies. While apologia by individual politicians for their perceived wrongdoing is common, the notion of national leaders formally offering an apology or even defense of their past wrongdoings is a relatively new phenomenon. As Celermaier (2009) notes, “Only twenty-five years ago the political apology had not even been on the menu of options political leaders considered for dealing with large-scale historical wrongs, from around the mid-1980s, we have seen a spate of apologies across the globe” (2). Nobles notes that apologies have the ability to redefine national membership. National membership includes legal, political, and affective in other words apologies functioning as a form of reparations through citizenship. According to John Torpey, the trend of political apologies can be traced to a shift to transitional justice and the emergence of a politics of reparation in the 1980s (2004). “Transitional justice refers nowadays to a set of adhoc institutions implemented in countries ending a period of massive violation of Human Rights, first experimented in South America in the 1980s but internationally recognized after the South-African’s experience of the Truth and Reconciliation Commission(TRC) in the early 1990s” (Bickford, 2004, p.1). This shift into a transitional justice can be connected to a global concern regarding human rights. In addition to conventions that the UN established which includes apology as a form of reparations. The UN Basic Principles and Guidelines on the Rights to Remedy and Reparation for Gross Violations of Human Rights has five categories of reparation. Apology falls under the fifth category which is ‘satisfaction’ (Cunningham, 2014). It is these historical changes that contribute to the rising trend of political apologies in the latter half of the 21st century.

The formal apology functions as a form of reparations but what if we rethink what we think of as apology? While one of the primary functions of apologizing is to alleviate guilt, it is also to repair image of the wrongdoer. Although this transcendence reveals itself again in the United States exit out of Southeast Asia and in its aid of refugees in the region. Apologizing means the nation state takes responsibility. What if a formal apology is never made? What if we began to think about the covert or pseudo-apologetic methodologies of the nation-state? What if apology did not encompass a traditional model as we know it? How are we to negotiate the complexity of nation-states effecting the well-being of other nations when it does not want to explicitly admit guilt?

In chapter 1 I will address the apology without a formal apology, which I am defining as covert apologia. Apologizing through legislation, specifically the 1980 Refugee Act. The trend of political apologies intertwines with memory and the public construction of memory. As Wilson and Bleiker note, “It is through its performative dimension that an apology is most likely to become an important collective memory” (2014, p.43). The performative event that this thesis is concerned with is commemorations and apologies. This is precisely what I will be addressing in chapter 3. These public apologies have lasting impacts and legacies, legacies that repaint the public’s imagination and memory.

Chapter Two

Apologia, Denial and Transcendence in the Advocacy of the 1980 Refugee Act

The 1980 Refugee Act was the first legislation to establish permanent definitions and procedures for America's refugee policy. The roots for this sweeping legislation, however, had

been established earlier in policies and legislation focused on refugee issues in South Asia, the Indochina Migration and Refugee Assistance Act (Public Law 94-23). The focus of this chapter is on the ways the rhetoric surrounding refugees shifted between the establishment of PL94-23 (Indochina Refugee and Assistance Program) or what I will call the 1975 Act and the passage of the 1980 Refugee Act. In particular, I attend to a peculiar dynamic in which these acts sought to engage refugee issues largely created by the US military involvement in Vietnam while offering stern denials of any responsibility or accountability for these refugees. This dynamic lies at the heart of what I am calling covert apologia wherein the apologetic state actor seeks to offer redress and reparations without accepting any culpability. As I will argue, this strategy of denial remains consistent across both the 1975 Act and the 1980 Refugee Act. This core strategy of denial was augmented during the push for the passage of the 1980 Refugee Act by a related rhetorical strategy of transcendence, by which advocates argued that the Act was justified by transcendent US values. In essence, advocates worked to answer the core puzzle of why the US government should address a problem if, by their own account, they had nothing to do with its creation. Where the 1975 Act advocates left this question largely unanswered, save for their insistence that passage was not connected to previous US military intervention, advocates for the 1980 Refugee Act directly answered this core question by invoking the need for US policy to be consistent with stated values of humanitarianism. This strategy of transcendence and the need for US moral leadership was, as I will observe, partially derived from the political context of the 1980 Democratic presidential primary contest.

The political and cultural landscape

The start of United States involvement in Vietnam or the formal beginning of the Vietnam War has been highly contested. This is due to a multitude of reasons: American diplomatic and military intervention was gradual, and Congress did not formally declare war. United States intervention in the region generally began in 1945 with the French exit of their colonial power in the region. The United States would not recognize the legitimacy of Vietnam's independence. By July of 1946 the Truman administration recognized the French controlled Vietminh governments by providing military aid and funding, a formal beginning of the United States involvement in the region (Kimball, 2005). The confluence of the French exiting Southeast Asia and the beginning of the Cold War, means the causes of the United States involvement is nuanced. Historian Jeffrey P Kimbell notes, "The widely varying answers that historians, political scientists, social scientists, policymakers, journalists, and novelists have given to the essential question of American involvement: Why did the US intervene diplomatically and militarily in Vietnam between 1945 and 1975?" (2005, p.xv). The inconclusive nature of why the United States was involved in Vietnam is a motif even in the aftermath of the war and how the United States responds to the refugee crisis that occurred in the region. If we cannot identify the reason the United States became involved in Vietnam, then a rhetorical strategy of denial fits in line with a motif of inculpability.

In the aftermath of the Vietnam war, southeast Asia was in political and social turmoil. The Vietnam War had created the exodus of over 6 million refugees over the course of ten years. The United States emphasized that the South Vietnamese government was in large part to blame for this exodus (Hohl, 1978). Opposition to the war accused the United States of having imperial motivations in the region (Schuman, 2000). This added to the war's increasing unpopularity, due

to the televised nature. The Vietnam War marked the first war in American history that was televised. The visual aspect of the crisis sparked a revolution where protest and advocacy surrounding the war was seen in a new way. College students across the country organized protests speaking out against the war, in fact Marvin Gaye famously wrote “What’s Going On?” in response to the skyrocketing deaths among US soldiers. As historian Walter Meyers notes, “Announcing itself continuously as a new category of American story in which the essential contrasts and contradictions were impossible to miss, the Vietnam War flashed across American television screens as tight concentrations of violent images, an often-surreal dreamscape in which language could never hope to keep pace with the cinematic potential of the event” (1988).

The images of refugees fleeing the region were recirculated throughout the 1970s. The moral obligation the United States had in resettling and helping refugees was a motif throughout media coverage. In an article in *the New Republic*, Michael Walzer advocated for the moral responsibility America has to resettle refugees. In this analysis the author makes sure to separate this moral obligation from the Vietnam War, consistent with the government’s stance. “The present wave of refugees’ is not connected with the Vietnam War and so it is not an American but ‘an international problem” (1979). The four other covers that featured refugees that year were also sympathetic to refugees and made a moral plea that America resettle them. *Time Magazine’s* July 1979 cover titled, “Agony of the Boat People” which featured a photo of bodies packed on a small boat captioning the photo “Refugees: Tragedy of the Homeless”. All these magazine and newspaper covers evoke sympathy for refugees. The “use of the mass of people imagery for refugees also gives the impression of large numbers of people, which raises concerns dealt with explicitly in the corresponding articles” (Chavez, 2001, p. 88). In May 19, 1979 *The Washington Post* dedicated their front page to the flow of migrants out of Vietnam with an article

titled “Vietnam Offers to Let 10,000 Leave Monthly.” (Weintraub, Dickey, 1979). The article emphasized that Hanoi’s policy of releasing refugees would be a growing problem for resettlement countries, especially the United States. The article detailed how the lack of consistent refugee policy or protocol, as well as growing tensions over which branch had authority to police refugee policy would be a challenge as President Carter increased the number of Southeast Asian boat people to be paroled into the United States. *The Washington Post* openly questioned America’s capacity to take in and resettle refugees, and how it would define who was and was not a valid refugee. *The Washington Post* was not alone, between 1975 and 1979 six magazine and newspaper covers featured refugees, 1979 having 5 of them (Chavez, 1979). The growing refugee crisis, the media’s emphasis on it, and the Carter administration’s commitment to human rights resulted in an overhaul of refugee policy, thus the 1980 Refugee Act.

Although the refugee crisis in Southeast Asia was beginning to elicit a global response. By 1979 there were 50,000 refugees fleeing by boat alone. Neighboring countries such as Malaysia, Thailand, Indonesia, Hong Kong, the Philippines, and Singapore were taking the brunt of this problem. In some cases, these nations would push refugees by boat back into the sea.

It’s estimated that 50,000 “boat people” perished throughout the refugee crisis (Nguyen, 2017). These countries were not only taking in refugees but also conducting rescues of boats that were capsizing or were caught in inextricable weather. Thailand and Malaysia were becoming increasingly reluctant to admit refugees if other nations were not doing the same. Stories of tragic drownings and ships actively passing these small boats were becoming common causing more pressure for the United States and other global superpowers to act (Hohl, 1978). Why were these refugees fleeing Vietnam despite the end of the war? The United States attributed the crisis to the deterioration of the South Vietnamese government, not the results of a war.

Why were these refugees fleeing? The fall of Saigon in 1975 fueled the exit of the United States military intervention in Vietnam but it also marked the beginning of political and social instability in the region. The North Vietnamese government had won the battle. Any affiliation with the South Vietnamese government or military meant imprisonment or torture. In fact it was common for former South Vietnamese soldiers to burn their uniforms, in order to ensure they would not be punished (Nguyen, 2017). Forced labor was also a common punishment for intellectuals, residents of what was the capital, Saigon, or anyone else that was perceived to be a threat to the revolution. While the North Vietnamese government is responsible for the restricting living conditions that pushed citizens of Vietnam to flee, the United States intervention and support of the North Vietnamese government is culpable for the instability and hostile reaction of the South Vietnamese government. “Boat people” also became a concerning phenomenon. South Vietnamese refugees were fleeing on small fishing boats, pleasure boats, and any open vessels. Neighboring countries such as Malaysia, Thailand, Indonesia, Hong Kong, the Philippines, and Singapore were taking the brunt of this problem. These countries were not only taking in refugees but also conducting rescues of boats that were capsizing or were caught in inextricable weather. Thailand and Malaysia were becoming increasingly reluctant of admitting refugees if other nations were not doing the same. Stories of tragic drownings and ships actively passing these small boats were becoming common causing more pressure for the United States and other global superpowers to act (Hohl, 1978).

In 1979 a number of international organizations organized conferences in Geneva to discuss a global intervention to the refugee crisis. Three conferences occurred in July of 1979: the International Council of Voluntary Agencies Voluntary Agency Consultation on the Indo-China Refugee Problem (ICVA) on the 18th and 19th; the United Nations Meeting on Refugees and Displaced Persons in South-East Asia (UN Meeting) convened by the Secretary General on

the 20th and 21st; and the World Council of Churches Consultation on Indochinese Refugees (WCC) on the 24th. The UN conference being the most notable, it established funds and a plan of action to address the influx of refugees from the region (Bronee, 1993). The UN Geneva Conference of 1979 also established a global commitment to addressing the growing refugee crisis in Indochina. The conference was able to achieve 64 governments to come together to create 240,000 new resettlement places, allocate \$300 million in new funding, protocols to rescue refugees at sea, and measures to help assimilate resettled refugees and to secure safe asylum in the region (Chapman et al, 1979). This same conference is what committed the United States to broaden and reestablish a broader refugee policy beyond existing refugee policy.

The 1975 Act (Indochina Migration and Refugee Assistance Act)

The existing refugee policy prior to 1980 in the United States was situational and reactionary. After the fall of Saigon, President Ford signed the Indochina Migration and Refugee Assistance Act (the 1975 Act). The 1975 Act allotted \$405 million for a two-year evacuation and resettlement system specifically in Cambodia, South Vietnam and Laos. The Vietnam War had created over 6 million refugees over the course of ten years. At the end of the war the US evacuation plan included taking 18,000 Vietnamese refugees. The evacuation showed that there was a larger need for refugees still needing aid. The first iteration of the 1975 Act authorized 200,000 refugees. Most of the provisions and standards of assistance were based on the 1966 Cuban Adjustment Act. The 1966 Cuban Adjustment Act was sponsored by Senator Ted Kennedy and granted work authorization to Cubans fleeing the Castro dictatorship and granted permanent residency (green card) to Cubans after working one year in the United States (Abraham, 2015). The 1975 Act borrowed provisions regarding adjustment periods for the start of residency in the United States from the Cuban Adjustment Act (Hohl, 1978).

The 1975 Act was met with opposition especially as the program was being renewed and was scheduled to expire on September 30, 1979. In September of 1979, Senator Dick Clark of Iowa, who was Chairman of the United States Coordinator for Refugee Affairs wrote a letter to the Judiciary Committee affirming the need for the refugee assistance program. The letter was in response to some members of congress openly opposing renewing the legislation. In the letter Senator Clark requested that Congress approve of the following updates to the 1975 Act:

- 1) “Adding a part to the definition “refugee” making such a possibility explicit”
- 2) “Permanent resident status should be granted to such refugees, in order to remove obstacles of employment”
- 3) Doubling the period for full federal funding cash and medical assistance to new refugees
- 4) The phase down of the special federal assistance to Cuban refugees
- 5) Increasing the emergency and migration and refugee assistance from \$25 million to \$50 million. “Refugee emergencies are by nature unpredictable and adequate funds are absolutely essential to respond to these challenges”

The last renewal of the 1975 Act was in 1979. As the 1980 Refugee Act came into fruition. The 1980 Refugee Act addressed some of the provisions asked in the letter Senator Clark wrote such as having a consistent definition of the term refugee. The 1975 Act and the global refugee crisis highlighted how a rehaul of the national refugee policy was exigent (Tempo, 2008). The 1975 Act was the antecedent to the 1980 Refugee Act but the differences are striking. Until 1975, through the 1975 Act, almost all refugee resettlement was conducted through the private sector by voluntary organizations (Silverman, 1980). In April 1975, President Gerald Ford summoned a committee to manage the resettlement of refugees. What’s key to this legislation was it was only deemed temporary and only focused on refugees in the Southeast Asia region (Congressional

record, 1979). When President Ford first signed the 1975 Act, the assistance was only meant for two years. Funding for the 1975 Act halted in the spring of 1981, likely due to the passage of the 1980 Refugee Act (Turner, Times, 1981). The Vietnam War ended the same month as the assistance program launched, May of 1975, yet in the advocacy for the legislation the United States attempts to absolve any responsibility it has in causing the influx of refugees in the region, this rejection of responsibility continues during the Carter presidency.

The 1980 Refugee Act

As we move into the latter half of the 1970s, President Carter's rhetoric of morality allowed a political environment where the 1980 Refugee Act could exist. Deborah Anker (1982) points out that the inspiration for the 1980 Refugee Act was to, "reconcile our rhetoric with our law, our national immigration policy and our international treaty obligations so that we could maintain a consistent posture towards the world as a nation with a strong humanitarian tradition and a unique historic role as a haven for persons fleeing prosecution" (89). The 1980 Refugee Act was "the first major reform of the refugee provisions of American immigration law in nearly three decades" (89). Prior to this legislation being passed, there had been no changes to refugee policy since the Eisenhower administration. The 1980 Refugee Act was sponsored and written by Senator Ted Kennedy. The goals of the act were as follows: repeal previously discriminatory law, previously the law only applied to refugees fleeing from communism or the middle east, raised refugee admission to 50,000 per fiscal year, created procedure for refugees that could not be resettled into the US, asserted congressional control over the refugee admission process, established an asylum provision, and created federal programs to help refugee resettlement such as the Office of Refugee Resettlement (Kennedy, 1981). President Carter signed the 1980 Refugee Act with unanimous support from Congress. The 1980 Refugee Act redefined the meaning of refugee under US law and created a new precedent for the next 30 years. Refugees

were now defined as persons with a “well-founded fear of persecution,” adopting the United Nations definition and applying it to US law.

The Act went into effect on April 1, 1980. By 1981 over 300,000 refugees originating from Vietnam, Ethiopia, Eritrea, Cuba and numerous other countries were able to immigrate to the United States after one of the most comprehensive updates to American Immigration policy was passed. It is also essential to note that sentiments regarding the act shifted significantly following the act’s passage. From April to October 1980, the US saw over 124,000 Cuban refugees otherwise known as the Mariel Boatlift (Aguirre, 2007). The event tested the Refugee Act’s promises and abilities, as well as the limits of American humanitarianism and open arms rhetoric. The act was a method of redemption for the US, for not legislatively adhering to its doctrine of ideals that have become synonymous with America — a land for any person searching for freedom thus enriching “the melting pot”.

Shifting Rhetorics in US Refugee Policy

Examined solely in terms of policy decisions, the development of U.S. refugee policies during the 1970s could be seen as a logical expansion of existing policies. In this chapter, however, my analytic focus is on the rhetorics deployed to advocate for these policies. How, in other words, did U.S. civil servants and politicians justify the implementation of policies for refugees in Southeast Asia without acknowledging the role of U.S. military intervention in creating the refugee problem. And relatedly, how did advocates justify shifting these initial policies, which were geographically and temporally specific, into permanent features in U.S. foreign policy. In the next section of this chapter, I focus on the rhetorical features of this advocacy by attending, first, to consistencies in both the advocacies for 1975 Act and the 1980 Act. The primary consistency, as I will detail below, was the rhetoric of denial in which U.S.

officials sought to create solutions to the refugee crisis in Southeast Asia while explicitly denying any culpability for the crisis itself. Next, I examine how the political context of the late 1970s led to the addition of a rhetorical frame of transcendence, a rhetorical strategy that sought to justify U.S. refugee policies not in terms of its past failures but as evidence of its overarching benevolence. Taken together, as I will develop at the end of this chapter, these strategies formed a rhetoric of rectification. In my view, rectification is rhetorical stance that allows the rhetor to make amends for injustices without admitting guilt. As developed in the previous chapter, this rhetoric of rectification differs from rhetorics of reconciliation or reparations in that the former maintains a stance of denial.

Denial in the advocacy of the 1975 Act and 1980 Act

Public advocacy for the 1975 Act and the 1980 Act shared a rhetorical strategy of denial, a denial that the United States has any hand in causing the refugee crisis out of Southeast Asia. For a nation that denies any responsibility for the crisis, why is there such a swift reaction to assist? At least part of the impetus to respond to a global crisis involves maintaining a strong national image and in the case of the 1975 Act, this maintenance of the U.S. image was complicated by the ramifications of the U.S. war in Vietnam. Because of this connection, the 1975 Act can be seen, at least in part, as a form of image repair. Advocates for both 1975 Act and the 1980 Act consistently employed this strategy of denial, which I detail below.

Senator Dick Clark of Iowa was appointed the United States Coordinator for Refugee Affairs during the Carter presidency and was the predominant spokesperson for the Indochina refugee program until the invention of the 1980 Refugee Act. In an interview with the *New York Times* Senator Clark stated the following, “The United States tends to be interested in refugees from particular parts of the world... We don’t resettle African refugees here, or very very few of

them. Most of the African refugees are not seeking resettlement elsewhere. They have every intention of returning to their homelands someday. That is certainly not the case in Indochina” (Congressional record, 1979). The irony of this interview is the United States continued (from 1975 to 1979) to focus on the Indochina region without directly addressing any responsibility or hand it had in the political instability in the Southeast Asia region. This interview is an attempt to promote and justify the United States focus on the Southeast Asia region but does not actually state any evidence that justifies the United States focus on Southeast Asia or negligence of other parts of the world. Instead, Senator Clark creates an overgeneralization about African refugees despite a refugee crisis emerging in the continent. Senator Clark did not answer why the United States only has an interest in sponsoring refugees from parts of the world. While this is not an example of overt denial, I suggest that this advocacy method of not addressing why the United States is so focused on the Indochina region is a part of a rhetoric of denying culpability indirectly.

While Senator Clark maintained the United States had a particular interest in Indochina region without providing a reason why, representatives from the Carter administration overtly denied the correlation. Vice President Walter Mondale of the Carter Administration stated the following on the senate floor after the UN Geneva conference, he “rejected the notion that the present refugees are the direct result of the war in Vietnam. He accurately pointed out that the refugees now leaving are doing so to escape from severe racial and religious discrimination, and not a result of U.S actions which ended 4 years ago” (Congressional record, 1979). The congressional record is ripe with language that affirms this denial, even in the quote above the congressional record is pointed in stating the Vice President, “accurately pointed out”. Benoit notes, “Shifting blame goes a step further and attributes the wrongful deed to another party” (Benoit, 2007). Vice president Mondale separates the United States from the refugee crisis at the

time by pointing out the Vietnam War has no bearing in this situation and rather is implicitly blaming the government in South Vietnam. The Vice President and therefore the federal government's stance that the United States is not responsible for the plight of refugees in the Vietnam region was highly contested during committee hearings. The loophole the United States emphasizes in this discourse is the temporality of the conflict. For example, during a 1967 hearing that Senator Kennedy spearheaded Don Luce who was the head of International Voluntary Services in Vietnam told the committee, "Until 1965, Vietnamese rural people became refugees to escape communist terrorism. Today [they] generally become refugees out of fear of American bombing or are forced to leave their farms during a search and destroy mission" (NYT, 1967).

Yet the United States was committed to not addressing how the Vietnam War had any connection to the creation of the 1980 Refugee Act. Vice President Mondale affirmed this notion not only in press conferences following the UN Geneva Conference but on the senate, floor stating, "the root cause of the present refugee problem is the direct result of action by the Government of Vietnam against some of its citizens" (Congressional record, 1979). This is an overt denial I also argue this is allows the rhetor to use such denial to pivot into a transcendent modality which, "allows rhetors to slip the boundaries of confining charges by bypassing them and centering the audience's attention on communal values" (Milford, 2019, p.328). The denial to connect the Vietnam war to the 1980 refugee act or the Geneva conference reflects a denial that then asks the audience to instead focus on how the object, the 1980 Refugee Act, is instead affirming communal American Values of humanitarianism.

Advocates refused to admit guilt or wrongdoing in the US prosecution of the war in Vietnam. An admission of guilt would then warrant an apology, which on the global stage "weakens" the position of a global superpower while also damaging President Carter's

administration. Carter's administration was also reeling from the failures of the Iran hostage crisis. In cases where the rhetor cannot or will not admit wrongdoing or cannot escape such charges but is faced with expectation or requirement of response, transcendence is employed. This expectation of a response has a number of causes, a) the Carter Administration's commitment to human rights, b) the commitment to the UN Geneva conference, and lastly c) to address the influx of refugees that will strain US resources and infrastructure. Milford (2019) argues that transformative transcendence occurs when the rhetor is in such a complex situation where apology is expected, "in order to shift the context in which the audience views it" (340). I concur with Milford's argument to my analysis of the implementation and advocacy surrounding the 1980 Refugee Act, that "the transformative power of transcendence may be applied to the rhetor or the context by bypassing the details of accusation and focusing on the audience's attention on a fundamental value" (2019). The media coverage surrounding the refugee crisis in the late 1970s further affirms the value of humanitarianism which allows the United States to further perform transformative transcendence. In the next section, I will unpack the transcendence that occurs throughout the advocacy of the legislation that seeks to deflect from the United States role in the region to a rhetoric of humanitarianism and equality.

Transcendence in the Advocacy of the 1975 and 1980 Acts

Ware and Linkugel define transcendence in apologia as the act of connecting, "some fact, sentiment, object, or relationship with some larger context within which the audience does not presently view that attribute," in order to "psychologically move the audience away [KP1] [SM2] from the particulars of the charge at hand in a direction toward some more abstract, general view of his character" (Ware, Linkugel, 1973, p.274). In my view, this rhetoric of transcendence combined with the rhetoric of denial to craft a rhetoric of rectification in which the U.S. government could respond to a refugee crisis it was, in part, responsible for while both avoiding

responsibility and presents itself in a benevolent light as living up to its own humanitarian values.

An early version of this rhetoric of transcendence was evident in the political wrangling over the 1975 refugee act. Facing skepticism in Congress, then President Gerald Ford chastised critics by invoking the deep relationship between immigrants and American national identity. During a news conference, President Ford complained, "I am primarily very upset because the United States has had a long tradition of opening its doors to immigrants of all countries," (Binder, 1975, p.20). For Ford, this historical interconnection between refugees and American identity extended into recent history in relation to policies towards eastern Europe and Cuba. Ford contended, "We didn't do it to the Hungarians, we didn't do it to the Cubans and, damn it, we're not going to do it now." Interestingly, this historical narrative both articulates a set of transcendent American values that extend to people throughout the world and reinforces the rhetoric of denial by equating the situation in southeast Asia other refugee situations not directly connected to U.S. military engagement.

The rhetoric of transcendence became central to the foreign policy of the next U.S. President, Jimmy Carter. Carter's presidency was marked by his consistent use of moral and religiously infused values. As scholar Keith Erickson (1980) observed, throughout the campaign Carter "depicted himself as a Christian whose moral strength and integrity was deeply rooted in spiritual faith" (p.221). During the 1976 presidential contest, Americans faced the aftermath of the failed war in Vietnam, the crisis of Nixon's resignation, and numerous on-going points of struggle. During this campaign, Erickson notes "Carter's religious-political discourse, addressing the transcendence of our spiritual crisis, struck a responsive chord with the electorate" (p.225). Carter's presidential campaign and leadership style were consistently marked by this reliance on transcendent principles grounded in his espoused religious beliefs.

Carter's rhetoric of morality created an atmosphere where an appeal to transcendent values would work in the passage of the 1980 Refugee Act. President Carter's presidency began with a clear and altruistic tone regarding refugee and immigration policy. On the 30th anniversary of the Universal Declaration of Human Rights, President Carter delivered a speech to the nation stating that, "Human rights is the soul of our foreign policy because human rights is the very soul of our sense of nationhood" (Carter, 1978). Carter's rhetorical reliance on transcendent values, however, ultimately hampered his efforts to guide U.S. policy. Denise Borstdorff (1992) analyzed the way this rhetoric of transcendence led to Carter's failure and declining approval ratings. In her analysis of the Iranian hostage crisis, Borstdorff noted the way that "Carter relied almost entirely upon idealistic discourse and rarely embraced pragmatic appeals." (p.17). In turn, as she contends, "this unabashed idealism of the President's talk encouraged public perceptions of his passivity and ineffectiveness" (17). This same dynamic was also evident in Carter's engagement with refugees. While guided by moral values, the Carter administration was often criticized for its lack of pragmatic effectiveness. The initial impetus for a more comprehensive approach to refugees was, as *The Washington Post* reported, the "poorly coordinated efforts to resettle new Indochinese refugees" but the development of what would become the 1980 Refugee Act was hampered by policy details (Nunes, 1980), including the costs of resettlement and how it should be overseen. Carter's lack of pragmatic steps to achieving this rhetoric was acknowledged by his own team. For example, national security advisor, Zbigniew Brzezinski stated to the president, "You need a more coherent vision of what we aim to accomplish, of what our priorities are".

This sense of tension between the Carter administration's transcendent rhetoric of ideals and the pragmatics of policy decisions was seized upon by Carter's primary challenger for the 1980 Democratic primary, Senator Edward Kennedy. In many ways, Kennedy positioned himself

as the main architect for the 1980 Refugee Act. This pragmatic transcendence was evident in Kennedy's proclamation that the 1980 Refugee Act was a method of creating equality throughout the refugee admission process. The legislative shift from a refugee policy that accommodates Southeast Asia to a refugee policy that then aims to, "assure greater equity in the treatment of refugees and more effective procedures in dealing with them" (Kennedy, 1979). Words such as equity and equality he evoke a practical need to revise refugee policy. In Senator Kennedy's advocacy of the legislation, he often leans on communal values such as those.

In Carter's bid for the 1980 Democratic primary, this rhetoric was tested by Senator Ted Kennedy, his opponent for the ticket. The Democratic presidential primary was primarily a contest between Senator Ted Kennedy and President Jimmy Carter. Senator Kennedy was of the American Kennedy dynasty and President Carter's administration was plagued with low approval ratings. In fact, Carter's approval rating is still historically one of the lowest in history (Woolley, 1999). The battle for the nomination was bitter and nasty, both politicians were open for their disdain for one another. When President Carter first heard that Senator Kennedy was going to challenge him in 1979, he told a group of representatives, "I'll whip his ass".

Carter's stance on immigration and international politics rhetorically framed the United States as apologists on the global stage, adding to the low approval rating. The 1980 Refugee Act appears to be an element that was meant to bolster Senator Kennedy's ability to pass major legislation into congress. In fact, the Act was also created to show how President Carter's administration was able to pass large-scale immigration legislation, which had not seen an overhaul in over 50 years. Hence a switch in the rhetoric regarding refugee policy from regionally specific to a broader scope.

Senator Kennedy embraced President Carter's stance on morality and used the 1980 Refugee Act to show this dedication through his work in congress. In fact, he stated that the 1980

Refugee Act would, “gave new statutory authority to the United States long standing commitment to human rights and its traditional humanitarian concern for the plight of refugees around the world” (Kennedy, 1981). Senator Kennedy often makes this rhetorical argument in his lobbying of the 1980 Refugee Act, that this Act is an appeal to a tradition. In the most extensive pieces of advocacy, Senator Kennedy wrote over 30 pages tracing the history of the Act in the *International Migration Review*. While the article is eye opening and reveals the narrative frame congress was creating surrounding the bill. The article tends to paint Senator Kennedy in a rather flattering light. For example, Senator Kennedy wrote the following regarding the lack of immigration legislation that congress was approving, “This cycle of inaction was finally broken in mid-1978 when it became clear that I would have the opportunity to become chairman of the full Judiciary Committee at the beginning of the full judiciary committee” (Kennedy, 1981). This explicit crediting of Kennedy for the passage and triumph of the bill is littered throughout the article. It became clear that political motivations were not only behind Senator Kennedy becoming the lead sponsor and writer of the Act but of also the narrative change regarding refugee policy in the United States.

In Kennedy’s advocacy of the Act, he often evoked how his work on 1980 Refugee Act legislation points to the ineffectiveness of President Carter’s administration. In a letter to Secretary of State Cyrus Vance, Kennedy noted how the contemporary handling of refugee policy in the Carter Administration was deficient. “He chafed at the cautious and stingy use of the parole power by successive administrations, leaving the United States, he believed, with an inadequate, piecemeal response to refugee crises around the world” (Martin, 1980, p.94). Kennedy lamented how the Carter administration was ineffective when refugee policy was ignored and President Carter used parole power, “adding to the tradition of a president bypassing refugee law in exigent circumstances” (Zucker and Zucker, 1987, p.64; Bon Tempo,

2008,p.183). President Carter continued to enact parole power instead of legislation even after the passage of the 1980 Refugee Act, with the Mariel boatlift. Kennedy vocalized his disdain for this throughout his campaign and in congress (Ward, 2019). Generally, Kennedy pointed to a rhetoric of ineffectiveness and incompetency when campaigning against Carter. In his campaign announcement Kennedy made it clear his feelings regarding the Carter administration's effectiveness stating, "For many months, we have been sinking into crisis. Yet we hear no clear summons from the center of power"(1980). Later while campaigning in San Diego, Senator Kennedy stated the following during an interview with CBS, "That is one of the basic problems, that we have not had competency in dealing effectively with our economic challenges and our foreign policy and I think the American people are entitled to an American president that is going to be competent in dealing with those central challenges" (CBS, 1980). While Carter may have been able to rhetorically frame his administration as purveyors of humanitarianism, Kennedy pointed out that the administration had no actual evidence of practically applying that. While Carter can deliver transcendent values, Kennedy was pragmatic in application.

c. Passage of the Bill

After the passage of the Act, President Carter framed the passage as a triumph to American values. In a statement after the signing President Carter stated, "The Refugee Act reflects our long tradition as a haven for people uprooted by persecution and political turmoil. In recent years, the number of refugees has increased greatly. Their suffering touches all and challenges us to help them, often under difficult circumstances" (1980). President Carter stating that the passage of the legislation is another triumph in affirming our values as Americans, which is a covert denial of any wrongdoing and rather a proclamation of humanitarianism.

Transcendent values were again employed to justify the 1980 Refugee Act especially in the face of a domestic crisis. The 1980 Act was tested in April to October 1980, the US saw over

124,000 Cuban refugees otherwise known as the Mariel Boatlift (Aguirre, 1994). The event tested the Refugee Act's promises and abilities, as well as the limits of American humanitarianism and open arms rhetoric. the Mariel boatlift became a constraint on the act and tested it's claims, therefore testing the American humanitarian rhetoric it was attempting to uphold. "For the Carter administration, the Mariel Boat-lift could not have come at a worse time" this is for several reasons (Hawk, Villela, Verona, Cifers, 2014, p.ix). President Carter was consumed by the Iran hostage crisis and the 1980 Refugee Act had just passed through congress two months earlier. Additionally, it was revealed that some of the early migrants on the boat were ex-criminals or psych ward patients that Castro's regime did not care to disclose or manage, although they were not most people on the boat. This information caused a constraint on the rhetoric of the bill which was meant to promote American open arm policy and rectify the error or missteppings of the Vietnam war. "At least in public opinion, 90 percent of these thousands of people were criminals and deviants" (Hawk, Villela, Verona, Cifers, 2014, p.64). The rhetoric of transcendence was being tested in the first month of the 1980 Act's passage. In response to the Cuban refugees at the shore in Florida, Carter stated we must "provide an open heart and open arms to refugees seeking freedom from Communist domination" (1980). Referring to the transcendent strategy involved in the advocacy of the Act.

Conclusion

In this chapter, I first outlined the contextual elements surrounding the creation and impetus for the 1980 Refugee Act. The Vietnam War and the global response to the refugee crisis tested the United States rhetoric of humanitarianism and Carter's platform of human rights, while the United States simultaneously denied any responsibility to the crisis. Why does a

country respond to a refugee crisis that they continue to deny any wrongdoing in? This denial is consistent in the advocacy of the 1970 Act (Indochina Refugee Assistance Act) and the 1980 Refugee Act. These transcendent values are affected by the democratic primary of 1980 and how the political aspirations of Senator Kennedy perpetuated these transcendent values.

The importance in analyzing the rhetoric of the advocacy behind immigration legislation in general is to critically examine how systems and nations of power frame their actions that are, on the surface, altruistic. While the expansion of refugee quotas and establishing legislation that provides avenues to admittance are humanitarian, in what ways does that deflect from the question at hand which is, what role does the United States have in this crisis? I argued that this move to transcendent values in the advocacy of both the 1975 Act and the 1980 Refugee Act are covert apologetic stances and the rhetor, the United States in this case, uses denial of any wrongdoing to pivot our attention to the real stakes at hand which is abandoning the fundamental and founding values of our nation such as humanitarianism, equality, and an open arms rhetoric. These covert apologetic moves are not enough. What is the objective in continuously apologizing through humanitarian aid or providing citizenship if the United States continues to do the same neoimperialist actions in underdeveloped nations? In the fall of 2021, as the war in Afghanistan was beginning to end and the United States and NATO forces were evacuating a growing rhetoric of covert apologia by expanding refugee admission to those in that region began. The Kabul airlift mission organized by the United States evacuated 123,000 civilians but more remained (BBC, 2021). The growing response in the media and by members of congress was to create avenues for citizenship. Although the same question remained for me, when will the United States discuss the role it had in creating this instability in the region? The same unanswered question I have regarding the 1980 Refugee Act.

In the next chapter, I will look at the commemoration of the 1980 Refugee Act in 2019. The will include a discussion on what the 1980 Refugee Act has done since it's inception. Did it actually expand refugee quotas and fulfill the promises proponents made over 30 years ago. In understanding the memory of the Refugee Act I will look at an event celebrating the anniversary of the Refugee Act. On July 19, 2019, the Carter Library organized a commemoration of the Refugee Act of 1980 in conjunction with HAIS (Hebrew Immigrant Aid Society) . This was the 39th anniversary of the bill. The commemorative event was televised on CSPAN and did not have President Carter in attendance. Although the event featured many administration officials and former legislators who were in office during the act's formation such as former member of Congress Elizabeth Holtzman, former State Department official David Martin, and Frank Loy former Director of the State Department's Bureau of Refugee programs. The commemorative event appeared to serve the following purposes, to discuss the politics regarding the bill, why the bill was created at the time it was, the problems that the bill exposed, and contrast the Trump administration's handling of the refugee process since the Act's passage. Multiple speakers during the event made references to the Trump administration and identified the exigence for such a discussion. Additionally, it is particularly peculiar that the event was held on the 39th anniversary rather than the normative temporal markers of celebration which are usually every tenth year. I will also be scrutinizing the shift from the 1979 and 1980 apologetic stance of the Refugee Act to the framing of the Refugee Act in the 2019 memorialization to points to a slight shift in its rhetorical framing and use. In 2019 the memorialization of the Refugee Act displays using the legislation as a new methodology of accusation. Asking the nation-state to look at how far it has reverted in its progress.

One of the inspirations for this thesis was a newspaper report about the 2019 Commemoration of the 1980 Act. I was intrigued by the way the Act was being celebrated,

especially during a political moment when immigrants and refugees were regularly being vilified by US political leaders. How could political leaders celebrate an act designed to ease the entry of refugees into this country while the federal government was actively trying to deny them entry? This puzzle led me to begin exploring the political and rhetorical dimensions of the advocacy for the 1980 Act, as discussed in Chapter 1, and to considering the ways the rhetoric of commemoration was framing and reframing the 39-year-old law.

As noted in the previous chapter, the advocacy for both the 1975 and 1980 Refugee acts worked to position these acts through a rhetoric of covert apologia. I defined covert apologia as a rhetorical frame that seeks to redress past wrongs, in this case the US war in Vietnam, while not acknowledging any responsibility or even involvement in those wrongs. In my analysis in Chapter 1, I found two consistent rhetorical strategies at play in advocacy for these two landmark refugee acts. First was a rhetoric of denial, which explicitly rejected any US culpability for the plight of refugees. Second was a rhetoric of transcendence that framed US refugee policy as more a matter of the nation's lofty goals and values than as compensation for global problems it had created.

In this chapter, I will be looking at the 2019 commemoration to see how this covert apologia transforms as a tool of accusation in the contemporary moment. I ask, how do those transcendental qualities that Senator Kennedy and President Carter employed become weapons of accusation towards the Trump administration? I will first outline the contemporary refugee situation leading up to the commemoration and where the United States fits into the crises diplomatically. Following that discussion, I will delve into what the 1980 Refugee Act looks like today, asking how quotas and management of the legislation has changed. In the section

following, I will then analyze the content of the commemoration to show how the politics of commemoration, apologia, and accusation lie in the rhetoric of the event.

Chapter Three

Commemoration of the 1980 Refugee Act

By 2016, the global refugee crisis had reached unprecedented levels. “The United Nations estimate that over 65 million persons worldwide are currently displaced by war, armed conflict or persecution. In total, 16.5 million fall under the mandate of the UNHCR. Although the flow has slowed somewhat, 3.2 million persons were displaced in 2016 alone, the leading source countries being Syria and South Sudan” (Silove, Ventevogel, Rees, 2017, p. 130). If global trends continue one in 100 people will be a refugee (United Nations Refugee Agency, 2016). Most refugees are considered “protracted situations” where they are living in refugee camps or unstable and insecure locations, in dense urban areas. Although this places a large “burden” on countries that neighbor countries or regions where there is a mass exodus of people.

Several factors have been identified as causing this refugee situation. The major push factors are war, conflict and persecution. By 2015 the single leading cause to the refugee crisis in Europe was the war in Syria. “There were 6.6 million internally displaced Syrians and 4.9 million Syrian refugees worldwide. They constituted the majority of irregular migrants to the EU in 2015, and were most numerous among people who applied for asylum” (Kugyiel, 2016, p.42). In the United States the majority of refugees are from Africa, predominantly from the Democratic Republic of Congo (Baugh, 2020). The refugee crisis in Europe awoke a global conversation regarding refugee policy and statehood. In 2016, Donald Tusk the president of the European Council at the time noted that the migration and refugee crisis is, “an existential challenge for the EU”. The rhetoric of “crisis” has been highly disputed by scholars, Chetail

notes that this crisis was rather a crisis of solidarity across Europe's migration policy, “the current situation in Europe is “first and foremost a policy crisis” that highlights the “continuing failure of the CEAS” (2016). Nevertheless, it is undisputed that global migration was happening at an unprecedented rate with Europe feeling the brunt of it.

During the Obama administration, the United States reaction to the crisis was providing humanitarian aid. In fact, the United States and the United Kingdom were the largest single state donors of humanitarian aid (Pierce, 2017). The United States committed \$2.9 billion to humanitarian aid to Syria and neighboring countries between 2012-2014. Refugee quotas remained relatively ordinary under the Obama administration, but the stark reaction of the Trump administration is what inspired the rhetoric and tone of the 2019 commemoration of the 1980 Refugee Act.

The Trump administration had a different tone to refugee and immigration policy from its predecessors. In fact, the refugee offices and bureaucratic systems invented by the 1980 Refugee Act virtually collapsed during Trump's time in office. Quotas were slashed significantly, with the Trump administration only allowing 18,000 refugees annually. To contrast, between the Carter and Obama administration 80,000 refugees were admitted annually on average (Packer, 2020). This cut to refugee numbers was administered through bureaucratic methodologies. The “extreme vetting” process which applied stringent requirements such as requiring migrants to provide the address of every location they had lived for more than 30 days for the previous 10 years as well as valid phone numbers. A difficult requirement for a group of people that have lived stateless and often in locations that were refugee camps or informal atmospheres. Additionally in the Fall of 2017, the Trump administration also instituted the “Refugee Ban” or also called the “Muslim ban” by suspending USRAP(United States Refugee Admissions

Program) through executive order. The justification for the suspension was so the Trump administration could conduct a 120 day review of the vetting practices at the time. The “Muslim ban” essentially banned residents of seven predominantly Muslim nations of entering the United States. This then resulted in a 91% decrease in the number of Muslim refugees admitted into the United States (Bier, 2018). In 2020, the ban was expanded to additional countries in Africa and Asia in February 2020 (Kanno-Youngs, 2020; Krogstad, 2019). The policy enacted through the administration cemented the anti-refugee sentiment that Trump was often preaching.

Outside of the Trump administration’s policy, rhetorical scholars have documented Trump’s anti-immigrant and anti-refugee rhetoric not only throughout his presidency but also during his campaign. Scholars Heuman and Gonzalez (2018) note, “We mark Donald J. Trump’s candidacy in 2015 as an emerging era of the new essentialism of racial logics at a time when false assumptions of living in a post-racial society were shaken with his official entrance onto the political arena” (327). They argued that “Trump’s rhetoric of new essentialism enables him to make overtly racist judgments while claiming to not have race as a consideration” (327). For example, during his announcement of his candidacy in 2015 Trump said, “When Mexico sends its people, they’re not sending their best. They’re not sending you. They’re not sending you. They’re bringing drugs. They’re bringing crime. They’re rapists. And some, I assume, are good people.” Although refugee admission has always been political and, “one of the most common criticisms is that the refugee admissions process—i.e., who gets admitted, from which countries, and for what reasons—is subject to political manipulation (Beers, 2020, p.6).

The 1980 Refugee Act gave the president power to set quota numbers in consultation with congress but the use of executive orders during the Trump administration usurped congress,

bringing refugee immigration to the lowest it had ever been since the 1980 Refugee Act's inception. Although until Trump's presidency the promises of the 1980 Refugee Act were mainly upheld: the office of refugee resettlement remained open, refugee admittance had never hit below 80,000, and the 1980 Act is still in law.

Understanding the hostile tone towards refugees in the Trump administration is essential to note in order to understand the accusatory nature of the 2019 Commemoration. In the next section, I will define what the 2019 Commemoration was about and its purpose. Discuss the apologetic and transcendental qualities that were then used as a moment of accusation towards the Trump administration. Then I will discuss the politics of commemoration to discuss how commemorations can become the rhetorical space to make political accusations and position one party as morally superior to another.

The 2019 Commemoration

In order to commemorate the 1980 Refugee Act, the President Carter library in conjunction with HAIS (Hebrew Immigrant Aid Society) held a commemorative panel on July 19, 2019, on the 39th anniversary of the bill. The commemorative event was televised on CSPAN and did not have President Carter in attendance due health issues he was having at the moment. Although the event featured many administration officials and former legislators that were in office during the act's formation such as former member of Congress Elizabeth Holtzman, former State Department official David Martin, and Frank Loy former Director of the State Department's Bureau of Refugee programs. In the description for the event, HAIS stated the purpose of the commemoration as, "The Refugee Act of 1980, which codified refugee rights under United States law, established the US Refugee Resettlement Program and set the tone for

the country's refugee policy for the next four decades, should be considered a signature achievement of the Carter Administration... a distinguished group of former government officials, refugee rights leaders, and supporters of refugee protection gathered at the Jimmy Carter Presidential Library & Museum in Atlanta for a celebration of the Refugee Act of 1980".

Although the commemorative event appeared to serve the following purposes, to discuss the politics regarding the bill, why the bill was created at the time it was, the problems that the bill exposed, and contrast the Trump administration's handling of the refugee process since the Act's passage. Multiple speakers during the event made references to the Trump administration and identified the exigence for such a discussion. What was glaringly missing from the event was any beneficiaries from the Act, a shocking omission since there was no testimony from a former refugee that was directly impacted by the 1980 Act. This omission also served to underscore the transcendent rhetoric of the event, a point I will discuss in more detail below. Although it became clear that the purpose of the commemoration was mainly as an accusatory tool and to remind audience members that the contemporary refugee policies are not an accurate representation of the United States.

Another evident purpose for the event was to solidify the 1980 Act's place in the legacy of President Carter. Mark Hetfield's, President and CEO of HAIS, observed the omission of the Act in most remembrances of Carter when discussing his visit to the Carter library and Museum: "My son, Moses, and I came to the museum and I was very excited because I knew of all of the accomplishments of the Carter administration that ambassador Peters just described. I was looking forward to seeing all of the exhibits about all that President Carter did for refugees and asylum seekers. All there was in this museum was a single photograph of Rosalind Carter visiting the refugee camp." Hetfield was not alone in this remark, other speakers at the event

also suggested that the 1980 Refugee Act did not get the attention it deserved, considering it was a groundbreaking piece of legislation. I chose this commemoration as a text of analysis for this same logic. This 2019 commemoration is one of the few ceremonies or performative spaces that was dedicated to the 1980 Act.

In my analysis, I will be focusing on the rhetoric of the speakers on the mainstage. This includes congressional representatives who were in office during the Acts passage and organizers of the event who work on behalf of the Carter library. In the next section, I will delve into the politics of commemoration.

The Politics of Commemoration

Commemorative events and sites are important rhetorical tools for reinventing the memory of major events, people, and history. They are sites of public memory, public reckoning and nostalgia. Carol Blair notes that commemorations, “are perhaps the most obviously rhetorical...destinations of historical significance and civic socialization, summoning tourists as citizen pilgrims to partake of their typically inspirational messages” (2008). These commemorative practices are crucially tied into the very notion of the nation state As John Gillis (1994) notes, "national memory is shared by people who have never seen or heard of one another, yet who regard themselves as having a common history"(p. 7) and these collective recollections serve to reinforce both national identity and a shared set of values. These spaces of commemoration also serve as a symbolic representation of transitional justice which is defined as, “a field of academic inquiry, as well as political practice, concerned with the aftermath of conflict and large-scale human rights abuses” (Elcheroth, Guy, and Neloufer de Mel, 2022,). The 2019 commemoration is a confluence of sharing a national memory and disseminating national values and reckoning after a national tragedy and global instability.

The 2019 commemoration can be seen, in part, as reinforcing the transcendent national values inscribed into the 1980 Act. Given the political context of the Trump administration, the commemoration can also be seen as a form of accusation against the contemporary moment. In this section, I'll refer to the two rhetorical elements of commemorative events that appear within the commemoration of the 1980 Refugee Act: commemoration invigorating political nostalgia, and political nostalgia as a tool for political accusation. In other words, the covert apologetic rhetoric during the inception and justification of the 1980 Refugee Act are then repackaged in 2019 to highlight how the United States has strayed from transcendental qualities like humanitarianism, devotion to human rights, and equality.

Political Nostalgia and a Call to Return

Shawn J. Parry-Giles and Trevor Parry-Giles (2000) note that nostalgia can be used “to enhance and restore political image in the face of significant challenges and threats. In this way, this address exemplifies the role of the rhetorical presidency in the political manipulation of collective memory” (418). The significant challenge and threat in this case is the overt hostility towards refugees and refugee policy in the Trump Administration. This stance that the commemoration and speakers have taken is skeptical to me, as refugee policy has not been equal across all racial and ethnic groups even prior to the Trump administration. For example, in April, 1980 the Mariel Boatlift tested this rhetoric of equality that Senator Kennedy and Carter promoted. The US saw over 124,000 Cuban refugees otherwise known as the Mariel Boatlift (Aguirre, 1994). It was revealed during this time that Haitian refugees had received different vetting practices and treatment than Cubans, both groups migrating from the Caribbean region. “While the Cuban refugees were offered asylum and economic support as soon as they landed on US shores in the 1980s, Haitians were incarcerated and forced to return back to Haiti” (Pierre-

Louis, 2013, p.26). I note this example to showcase that one of the 1980 Act's main goals was to establish equality throughout refugee admission policy, this was not clearly the case.

It would be naive to think that all refugee admission discrimination disappeared after the passage of the 1980 Act but the essential point is, Senator Kennedy and President Carter rhetorically framed the 1980 Act as if it was. It is those in power that write and frame history and thus this commemoration allows for that. Did at any point of the commemoration, were the failures and gaps of the 1980 Refugee Act mentioned? Of course not, because this was a moment to showcase the altruism and true American qualities that we have strayed far from in 2019. What if we did not live up to these qualities in the first place and continue to do so?

Political nostalgia or remembering how great the United States once was, is a method of "introducing America to the new Americans". Browne(2009) notes, "The world was giving purpose and effect to the ceremonial oration, and through its aggressive application not only would new Americans be coached into new memories; old Americans were to be reminded of the stakes involved in the successful completion of this process" (177). Browne is referring to the use of commemoration early in American history to indoctrinate "old Americans" into the very foundation and values we have drifted from and introduce those values to "new Americans". In the case of the 2019 commemoration of the 1980 Act this was set to remind Americans that the current policies of the Trump administration is not what America was meant to be. Speakers note this through a multitude of different ways. Mary Ann Peters, CEO of the Carter Center first contrasts Carter to Trump by referring to Carter's presidential diary: "For President Carter the plight of refugees was an issue that touched him personally. In his White House Diary, this is thanks to Dr. Hawkman's work, there are frequent comments and reflections about the refugees

at the time. He worries about refugees in Sudan and Eritrea, but his greatest concern was Indochinese refugees” Additionally, former Senator Elizabeth Holtzman stated the following: “Ted Kennedy understood the moral dimension of accepting refugees and the advanced stature it gave the United States all those years ago”.

One function of this nostalgic rhetoric was to remind the audience of the values once held by Americans. Biesecker (2009) noted a similar nostalgia in the commemorations for WWII, noting the way, "these extraordinarily well-received reconstructions of the past function rhetorically as civics lessons for a generation beset by fractious disagreements about the viability of U.S. culture and identity"(394). The same can be said regarding the 2019 commemoration. The commemorations at the Carter Library functions as a civic lesson for a country that is seeing **overt** discriminatory immigration practices. I emphasize the word overt because these types of practices did not disappear even after the 1980 Refugee Act, rather they were covert in their rhetoric and application. The accusatory nature of the commemoration towards the Trump administration is rather an accusation veiled in it's own nuances of diplomatic discriminatory practices versus overt xenophobia. In the next section, I will point out specific instances where the rhetoric of the commemoration uses political nostalgia, which is primarily reliant on the transcendent values the covert apologia of the 1980 Act is built on, to accuse the Trump administration of not adhering to American values such as humanitarianism, human rights, and equality.

Transcendence and Political Nostalgia as Political Accusation

The first speaker of the event was Mary Ann Peters, CEO of the Carter Center. Peter's opening remarks set the tone for the event. Peters notes that the 1980 Refugee Act, despite being

one of the biggest achievements of the Carter administration, has yet to be documented or discussed in any of President Carter's 32 books or archival letters that the Carter library has access to. The 1980 Act was passed during the Iran hostage crisis which created a dark shadow on the Carter administration regarding foreign policy. Thus this commemoration is a dedication to emphasizing the importance of the Act, something it did not get in its heyday.

Congresswoman Elizabeth Holtzman of New York served in the House for 8 years (1973-1981). She was one of the House members that voted for the 1980 Refugee Act. During this same period Holtzman was the Chairperson of the House Subcommittee on Immigration, Refugees, and International Law and introduced the legislation to Congress with Senator Kennedy, and Congressman Rodino in March of 1979. Indeed, Senator Kennedy noted that it was thanks to leadership of Rodino and Holtzman that the Act passed the house relatively unscathed (Kennedy, 1981). Congresswoman Holtzman was asked to speak at the 2019 commemoration of the Act as one of the remaining members of Congress that saw and worked on the Act in its early stages, in fact she was the first speaker outside of representatives from the Carter library and HAIS. In her opening remarks she stated the following:

Today's anti immigrant and anti foreign fury shows that progress is not inevitable, over the past 2 and a half years we have hurdled backwards as a nation, repeating some of the most bigoted moments of our history. Amazingly this new, old bigotry has no shame. It is bold and brazen...The bigotry culminated horrifically at the highest levels of our government by separating children from parents at the southern border. (cite)

It is in this opening remark that Congresswoman Holtzman sets the tone and affirms why a commemoration is being held at the contemporary moment. The commemoration is used as a foil to the contemporary Trump Administration-using this commemoration as a method to point to

the United States that we should again employ “covert apologia” to return to our transcendent values (humanitarianism and an “open arms” rhetoric).

Holtzmann then highlighted the anti-immigrant and anti-refugee policy and treatment from the Trump administration: “Just as an example, a woman was recently arrested for giving water to three thirsty Mexican boys on the roadside. US governments heartless conduct today is exactly what our government condemned in the countries of Southeast Asia during the boat people exodus of Indochina” (cite). Here Holtzmann compares the Trump administration to the the North Vietnamese government, which as previously noted, imprisoned, and tortured any citizens that were affiliated with the South Vietnamese army or government. The actions of the North Vietnamese government and instability of the region is what, the United States proclaims, caused the mass exodus of refugees. Holtzman crafts the nostalgic contrast between the values of the America that enacted the 1980 act to alleviate this suffering and the current Trump policies which are depicted as creating the same kind of suffering.

Having compared the Trump administration to the "cause" of the refugee crises of the 1970s, Holtzman worries that this kind of "un-American" stance is permeating into the culture : “Too many Americans see immigrants and refugees as threats and not a resource. They see the differences not our common humanity, they are blind to the striving, the courage, and yes the idealism of many refugees and immigrants who see the promise of America. The refugees don’t see an America that needs to be made great again. This is why we need to revisit and celebrate the refugee act. It shows a very different America.” In this rhetorical construction, Holtzman suggests that the refugees being turned away by the Trump administration are better representatives of traditional American values than those Americans who support these policies.

The rhetoric of nostalgia reaches its conclusion as Holtzman calls Americans to return to those values and, thereby, embrace the true values of the nation. She argues, “In stark contrast to today, the US government leads the world in solving the problem. First it urged countries bordering on Vietnam not to push the refugees back out to sea. Telling them to be patient and that the US would work to get other countries to resettle the refugees. Next an international conference was held in Geneva. Because the US agreed to accept a large number of refugees and set an example, set an example. Other countries followed suit. Almost all of the refugees were resettled. In one of the most successful efforts of it’s kind in history, maybe the most successful” (cite).

Holtzman's speech enacts a nostalgic rhetoric that transforms the apologetic stance of the 1980 act into an accusation against the current administration. While her remarks, and the event as a whole, is notable for the way it omits refugee voices and elides past US injustices, it does demonstrate the ways that apologetic stances can be transformed into accusation. As noted earlier, the politics of commemoration often involve what Parry-Giles coin ‘political nostalgia’ and, in this way, commemoration can be more directly focused on the present than on the past being commemorated. Thus, a third rhetorical strategy can be observed, which is using both political nostalgia and the revisiting of public memory to rewrite history to frame the United States as purely humanitarian in its motivations for the 1980 Act. This rewriting of history and glossing over of the discriminatory treatment of immigrants and refugees that still continued after and during the 1980 Act and before the Trump administration, serves as an accusatory stage towards the Trump administration. This accusatory strategy is rooted in the transcendence rooted in the advocacy of the 1980 Act. The active denial of the United States role in the Vietnam war and instability in the Southeast Asian region allowed for the rhetors, in this case representatives

of the Federal government like Carter and Kennedy, to emphasize transcendence in the creation of the 1980 Act.

Conclusion

Commemoration is a powerful tool of political nostalgia and political manipulation. In the 2019 Commemoration of the 1980 Refugee Act it served two purposes: to “finally” give the 1980 Act the praise it did not receive in the 1980s and to foil the contemporary Trump administration response to refugees and immigrants. In this analysis of the rhetoric of the 2019 commemoration it’s key to note that the transcendent values of humanitarianism and human rights are not explicitly stated but rather insinuated as values of the United States.

The irony of this is the Trump administration’s treatment of refugees, with the “Muslim ban” and halt of USRAP, is not novel to the United States nor did the discriminatory treatment of refugees halt after the passage of the 1980 Act such as the Mariel boatlift and Haitian migration. This rhetorical strategy of the apologetic stance becoming accusatory fails to honestly highlight the nuances of refugee treatment and how the rhetoric and public image of an administration affects what is portrayed. For example, multiple speakers at the 2019 commemoration noted that the 1980 Refugee Act was fairly ignored in the media in the 1980s nor did President Carter write or highlight the legislation in his own writing. This is predominantly due to the Iran hostage crisis and the public image of the Carter administration; therefore, the treatment of Cubans and Haitians also fell into the shadows. This is to say that the denial of the United States involvement in Vietnam while actively aiding the region begs the question, why is a nation that refuses responsibility for wrongdoing feel obligated to help? This commemoration begs a similar question, why have we not mentioned the United States role in the Vietnam War in the

discussion of the 1980 Act and rather only highlight how the 1980 Act is an exemplar of our transcendent values.

Conclusion

While writing my proposal in the summer of 2021, the Kabul airlift and the evacuation of Afghanistan was all over the news. The 17-day airlift was the largest noncombatant evacuation organized by the US Military in history. Over 124,000 Americans, Afghans and other foreign nationals were evacuated and images of the evacuation soon began to be circulated throughout the media. Specifically, images and videos of Afghans running to attempt to jump on planes and fighting to be included in the evacuation. It was clear that Afghanistan would be in disarray after the United States' exit from the region. The images of Afghans running to catch and squeeze onto these airlift planes inspired a discourse throughout the media of expanding refugee quotas. This same discourse pertained as the conflict in Ukraine began to turn into a war between Ukraine and Russia in the winter of 2022. Headlines that included rhetoric such as "Sharing responsibility" for the Ukraine refugee crisis began to circulate. While the United States relationship with Russia and Ukraine is tangential to the regional conflict in that area of Europe, the discourse emerging from regarding Afghan refugees echoed the same questions I had regarding the 1980 Refugee Act. How can the United States, which is directly implicated in the conflict in Afghanistan and the destruction of the political apparatus, begin to rectify its actions in the region? The media's response to the terrifying images echoed the very same reactions the media had in the late 1970s to the "boat people" of the Southeast Asian region.

As I am writing this conclusion, the crisis in Ukraine wages on. In February of 2022, Russia officially invaded Ukraine as an ongoing event in the Russo-Ukrainian war which began in 2014. The Western response has been shock that such an event can occur in a Western nation.

For example, CBS news correspondent foreign correspondent Charlie D'Agata while reporting on the state of Ukraine said, "This is a relatively civilized, relatively European city where you wouldn't expect that or hope that it is going to happen." saying Ukraine is not "Iraq or Afghanistan" (CBS News, 2022). The Western reaction to the mass exodus of Ukrainians has been to expand refugee admissions. In response, President Biden announced that the refugee crisis is not something, "That Poland or Romania or Germany should carry on their own," and "This is an international responsibility". The lack of direct political influence the United States has on the conflict the transcendent values such as humanitarianism and an open arms rhetoric were again employed. Both of these conflicts reminded me that the questions and political phenomena discussed in this thesis are still relevant today. The US is again embracing a kind of transcendent set of values while downplaying and, in ways, explicitly rejecting its own responsibility in the broader global tragedies playing out in Afghanistan and Ukraine. The need for careful analysis of the rhetorics surrounding the concept of refugees, in other words, remains pressing even to the present day.

While I consider myself an optimist, I recognize that my skepticism to performances of altruism come from my positionality despite a rhetoric of benevolence. Of course, many are likely to benefit from these rhetorics, just as my family did. This benevolent rhetoric offers material support, and, yet, because of my positionality, I remain = skeptical of the motives underlying such gestures. This is why I chose, to investigate the rhetorics surrounding the 1980 Refugee Act, the very piece of legislation that opened the door for my life in America. Framing the advocacy for this law not as simply policy argumentation, but as a form of national self-defense against the implicit and explicit accusations against the US war in Vietnam and other

policies. I found within the advocacy for the 1980 Act, and its predecessor, a complex combination of apologetic strategies of denial and transcendence.

In Chapter 1, I sought to position my study in relation to existing rhetorical scholarship around immigration and refugees. I noted the understandable tendency of most rhetorical scholars to focus on US policies towards the southern border and on the various ways in which immigrants from the Global South are vilified and excluded through these policies. I positioned my study as a different perspective on this process by focusing on the rhetorical stance taken by those who want to create, rather than obstruct, a path into the nation. I also provided a review of the ancient concept of *apologia* and the ways this concept has evolved from being about individual self-defense to a concept now used to examine corporate and even national self-defense.

In Chapter 2, I investigated the formal advocacy from federal representatives surrounding refugee policy spanning from the 1970s to the early 1980s. I specifically looked at the formal interviews and speeches from former Senator Dick Clark of Iowa, Senator Ted Kennedy, and President Carter as they advocated for the 1975 and 1980 Refugee Acts. I found a persistent use of what I have labeled, *covert apologia*. This is a type of self-defense discourse that seeks to rectify a situation without accepting any responsibility for the situation. In practice, I found this *covert apologia* to involve a combination of consistent and explicit denial of responsibility accompanied by an invocation of transcendent values that provide a motivation for action. In these instances, advocates for refugee policies explicitly rejected any connection to the war in Vietnam while insisting that the policies embodied true American values. America was, in their narrative, simply doing the right thing (in spite of their past wrong actions that made the situation urgent).

In Chapter 3, I shifted to the contemporary moment by analyzing the 2019 commemoration of the 1980 Refugee Act. I looked at how the covert apologetics combination of denial and transcendence shifted from apologetic to accusatory when used to target the Trump administration. Interestingly, the emphasis on the transcendent values of the 1980 Refugee Act led to the commemoration focusing exclusively on the political leaders who championed the law and utterly neglecting those people who entered the country under its auspices. The commemoration of the law, in other words, served to further deny any US responsibility for the global conditions necessitating refugee travel and, instead, focus exclusively on the values of the national leaders.

Both rhetorical moments reveal the ways covert apologetic stances are manifested. In Chapter 1, the US denies being one of the causes of the refugee crisis in Southeast Asia. In this instance, a covert apologetic stance allows the US to not take responsibility for its errors on the global political stage and to publicly reassert its commitment to the transcendent values of the United States. In Chapter 2, covert apologetics is used to remind Americans about those traditional values by highlighting the goodness of our past through a commemoration that echoes the advocacy of the original 1980 Refugee Act. This strategy of denial while highlighting American humanitarianism in the 1980's allows for the rhetors of the commemoration to take an accusatory stance towards the Trump administration.

Limitations and Future Study

At the heart of this thesis lies the 1980 Refugee Act. A limitation of this thesis is I did not closely analyze the 1980 Refugee Act itself, rather I focused exclusively on the public statements of advocates pushing for this legislation. Rhetorical scholars have argued that legal analysis is

vital to understand the “centrality of language in the production, exercise and subversion of legal power.”(Conley, Conley, Barr, 2019). For future study, I recommend scholars look at the legislation itself to see how power moves through the complicated and confusing rhetoric of the law. Additionally, scholars might take up an analysis of the ways the 1980 Act was put into effect and the kinds of bureaucratic practices and policies it entailed.

While watching the 2019 commemoration of the 1980 Refugee Act, I noticed that speakers often referred back to President Carter’s personal diary that he meticulously kept up through his time in office. My exclusive focus on the public statements surrounding the 1975 and 1980 Refugee Acts ignored these more personal reflections and writings. Future researchers might benefit from researching the informal and archival statements of the officials most intimately involved in the creation of the 1980 Refugee Act, such as the diaries of President Carter during the creation of the 1980 Refugee Act. I suggest future study also look at these informal archive texts to reveal how denial and apologia may function throughout the legislative process. I recognize that focusing on the official public statements made by officials also neglects the rhetoric of the advocacy groups that were lobbying for or against refugee quota expansion. Particularly, since prior to the 1980 Refugee Act most of the refugee resettlement labor was conducted through private groups and organizations outside of the United States government. I chose to look at public statements from representatives of the federal government because of my interest in the question of national identity and apologia. Future research into the complex interplay of advocacy organizations may provide a broader sense of how these acts became law.

While watching the 2019 commemoration of the 1980 Refugee Act, my largest critique was the lack of refugee voices during the commemoration. How is it truly a commemoration if

the very beneficiaries of the legislation are not included. Although those same voices are missing from this thesis. I think future study would benefit by including the oral history of the first refugees that were admitted to the United States through the 1980 Refugee Act, to see how the rhetoric of “humanitarianism” manifested in the admission process and treatment of refugees being processed at that time. In the future, I look forward to seeing how the memory of the legislation has been discussed among the communities it touched the most. In fact that was my impetus for this thesis. I was curious about my fathers reflections on the politics of the 1980 Refugee Act. While this thesis did not explore that, I believe it would be beneficial to our understanding of immigration and refugees discourses.

Implications and Reflections

My hope in writing this thesis is to add to a growing discourse in our discipline regarding immigration and refugee discourses/rhetoric. Although my original goal of including refugee voices in this thesis did not work out, I hope this is a part of a body of work that opens the door to include the voices missing from this work and largely, in the discipline. I also hope that my thesis is adding to a body of work that asks us to analyze texts through a theoretical frame it has not been traditionally analyzed through.

In my future academic work and personal writing endeavors I look forward to writing the stories that I’ve heard growing up from my family and communities that I see absent and excluded in academia. I also recognize that a lot of the work in the discipline is overwhelmingly focused on the southern border, which is important and makes sense geographically for the United States, but I also hope to see a broader and more nuanced look at refugees and immigrants from all over the globe. Centering the southern border as the most exigent issue is

again an act of Americentrism, which I hope to see dismantled in academia. There is space for a more holistic and global criticism of refugee and immigrant discourses, and I hope this thesis reflects such a sentiment. Lastly, when I was working on this thesis, I continued to see the refugee crisis that sparked my research questions over and over again. In this sense, it made it difficult to negotiate with myself if the work I was doing was enough. Regardless, it showed me that my research question and the phenomena I was seeing in the 1970s and 1980s is still relevant.

I was also in a bind as I was writing. I was critiquing the very processes that I credit for my existence in this program, to write this thesis and my general presence in the United States. I knew that I wanted to dedicate this work to my people and their flight. When I say the phrase my people, I mean my family and the Eritrean diaspora, of whom would not be in the United States if it was not for the 1980 Refugee Act. So, while a mild mannered and self-motivated conversation with my father gave me the text I will be analyzing, my dedication to this project is for the immigrants and children of immigrants like me. In what other way could I be showing my gratitude to the United States by questioning its very motivations for legislation that has seemingly helped me? In this way I exercise a freedom to be critical that my parents never had in Eritrea, and for this I am thankful and impassioned.

References

- Abraham, D. (2015). *The Cuban Adjustment Act of 1966: Past and Future* (SSRN Scholarly Paper No. 2642451). Social Science Research Network. <https://papers.ssrn.com/abstract=2642451>
- Afghanistan: How many refugees are there and where will they go? (2021a, August 31). *BBC News*. <https://www.bbc.com/news/world-asia-58283177>
- Afghanistan: How many refugees are there and where will they go? (2021b, August 31). *BBC News*. <https://www.bbc.com/news/world-asia-58283177>
- Aguirre, B. E. (1994). Cuban Mass Migration and the Social Construction of Deviants. *Bulletin of Latin American Research*, 13(2), 155–183. <https://doi.org/10.2307/3338273>
- ANKER, D. (1982). The Refugee Act of 1980: An Historical Perspective. *In Defense of the Alien*, 5, 89–94.
- Annual Flow Report October 2019 Immigration Enforcement Actions: 2018*. (n.d.). 11.
- Annual Flow Report October 2019 Immigration Enforc.pdf*. (n.d.). Retrieved April 15, 2022, from https://cis.org/sites/default/files/2020-10/enforcement_actions_2018.pdf
- Annual Flow Report September 2020—Refugees and A.pdf*. (n.d.). Retrieved March 19, 2022, from https://www.dhs.gov/sites/default/files/publications/immigration-statistics/yearbook/2019/refugee_and_asylee_2019.pdf
- Annual Flow Report September 2020—Refugees and Asylees: 2019*. (n.d.). 10.
- Barrett, J. R. (1992). Americanization from the Bottom Up: Immigration and the Remaking of the Working Class in the United States, 1880-1930. *The Journal of American History*, 79(3), 996–1020. <https://doi.org/10.2307/2080796>

- Benoit, W. L. (2014). *Accounts, Excuses, and Apologies, Second Edition: Image Repair Theory and Research*. SUNY Press.
- Biesecker, B. A. (2002a). Remembering World War II: The rhetoric and politics of national commemoration at the turn of the 21st century. *Quarterly Journal of Speech*, 88(4), 393–409.
<https://doi.org/10.1080/00335630209384386>
- Biesecker, B. A. (2002b). Remembering World War II: The rhetoric and politics of national commemoration at the turn of the 21st century. *Quarterly Journal of Speech*, 88(4), 393–409.
<https://doi.org/10.1080/00335630209384386>
- Biesecker—2002—Remembering World War II The rhetoric and politic.pdf*. (n.d.-a). Retrieved March 21, 2022, from
<https://www.tandfonline.com/doi/pdf/10.1080/00335630209384386?needAccess=true>
- Biesecker—2002—Remembering World War II The rhetoric and politic.pdf*. (n.d.-b). Retrieved April 15, 2022, from
<https://www.tandfonline.com/doi/pdf/10.1080/00335630209384386?needAccess=true>
- Bostdorff, D. M. (1992). Idealism held hostage: Jimmy Carter’s rhetoric on the crisis in Iran. *Communication Studies*, 43(1), 14–28. <https://doi.org/10.1080/10510979209368356>
- Bronee, S. A. (1993). The History of the Comprehensive Plan of Action Focus on the Comprehensive Plan of Action. *International Journal of Refugee Law*, 5(4), 534–543.
- Browne, S. H. (1999). Remembering Crispus Attucks: Race, rhetoric, and the politics of commemoration. *Quarterly Journal of Speech*, 85(2), 169–187.
<https://doi.org/10.1080/00335639909384252>

Browne—1999—*Remembering Crispus Attucks Race, rhetoric, and t.pdf*. (n.d.). Retrieved March 20, 2022, from

<https://www.tandfonline.com/doi/pdf/10.1080/00335639909384252?needAccess=true>

Camelot's End—Google Books. (n.d.). Retrieved April 15, 2022, from

https://www.google.com/books/edition/Camelot_s_End/I8xbDwAAQBAJ?hl=en&gbpv=1&printsec=frontcover

Celermajer, D. (2009). *The Sins of the Nation and the Ritual of Apologies*. Cambridge University Press.

Chang, G. H. (1999). Writing the history of Chinese immigrants to America. *The South Atlantic Quarterly*, 98(1/2), 135–142.

Chapman, W., Jakarta, W. P. F. S. W. P. special correspondent P. Z. in, Indonesia, & report, contributed to this. (1979, July 19). Geneva Conference on Refugees Faces Divisions.

Washington Post. <https://www.washingtonpost.com/archive/politics/1979/07/19/geneva-conference-on-refugees-faces-divisions/fa6dd59b-2b5a-469a-86c6-866b41129ce3/>

Chávez, K. R. (2021). *The Borders of AIDS: Race, Quarantine, and Resistance*. University of Washington Press.

Chavez, L. R. (2001). *Covering Immigration: Popular Images and the Politics of the Nation*.

Chin, G. J. (1996). The Civil Rights Revolution Comes to Immigration Law: A New Look at the Immigration and Nationality Act of 1965. *North Carolina Law Review*, 75(1), 273–346.

Cisneros, J. D. (2014). *The Border Crossed Us: Rhetorics of Borders, Citizenship, and Latina/o Identity*. University of Alabama Press.

Commemorating the Refugee Act of 1980 at the Carter Center. (n.d.). HIAS. Retrieved April 6, 2022, from <https://www.hias.org/blog/commemorating-refugee-act-1980-carter-center>

Conley, J. M., O'Barr, W. M., & Riner, R. C. (2019). *Just Words: Law, Language, and Power, Third Edition*. University of Chicago Press.

Cunningham, M. (2014). The Apology in Democracies: Reflections on the Challenges of Competing Goods, Citizenship, Nationalism and Pluralist Politics. In M. Mihai & M. Thaler (Eds.), *On the Uses and Abuses of Political Apologies* (pp. 173–185). Palgrave Macmillan UK.
https://doi.org/10.1057/9781137343727_10

DeChaine, D. R. (2012). *Border Rhetorics: Citizenship and Identity on the US-Mexico Frontier*. University of Alabama Press.

Delivery.pdf. (n.d.). Retrieved February 23, 2022, from

<https://deliverypdf.ssrn.com/delivery.php?ID=546004070078005093031107112000126089100051017087011048030016026006113096113119124127032110017005027000016115126113072116029027020034057083043030119017093090081028024066081017120124090068086117014114087026000009014097115119081125098007001090075031001&EXT=pdf&INDEX=TRUE>

Dickinson, G. (2020). Space, Place, and the Textures of Rhetorical Criticism. *Western Journal of Communication*, 84(3), 297–313. <https://doi.org/10.1080/10570314.2019.1672886>

Dickinson—2020—Space, Place, and the Textures of Rhetorical Criti.pdf. (n.d.). Retrieved April 13, 2022, from <https://www.tandfonline.com/doi/pdf/10.1080/10570314.2019.1672886>

Eisikovits, N. (2017). Transitional Justice. In E. N. Zalta (Ed.), *The Stanford Encyclopedia of Philosophy* (Fall 2017). Metaphysics Research Lab, Stanford University.

<https://plato.stanford.edu/archives/fall2017/entries/justice-transitional/>

Elcheroth, G., & de Mel, N. (2022). *In the Shadow of Transitional Justice: Cross-national Perspectives on the Transformative Potential of Remembrance* (p. 257). Taylor & Francis.

- Extreme Vetting of Immigrants: Estimating Terrorism Vetting Failures* | Cato Institute. (n.d.). Retrieved April 15, 2022, from <https://www.cato.org/policy-analysis/extreme-vetting-immigrants-estimating-terrorism-vetting-failures>
- Flores, L. A. (2021). *Deportable and Disposable: Public Rhetoric and the Making of the “Illegal” Immigrant*. Penn State Press.
- Foreign Relations of the United States, 1977–1980, Volume I, Foundations of Foreign Policy—Office of the Historian*. (n.d.). Retrieved April 15, 2022, from <https://history.state.gov/historicaldocuments/frus1977-80v01/d101>
- Funk, M., & Shaw, S. (2021). “I Remember When Donald Trump Was Elected. It Broke a lot of Refugees’ Hearts”: Refugee Perspectives on the Post-2016 U.S. Political Climate. *Advances in Social Work, 21*(4), 1100–1123. <https://doi.org/10.18060/25184>
- Grabbe, H.-J. (1989). European Immigration to the United States in the Early National Period, 1783–1820. *Proceedings of the American Philosophical Society, 133*(2), 190–214.
- Hamlin, R., & Wolgin, P. E. (2012). Symbolic Politics and Policy Feedback: “The United Nations Protocol Relating to the Status of Refugees” and American Refugee Policy in the Cold War. *International Migration Review, 46*(3), 586–624.
- Hawk, K. D., Vilella, R., de Varona, A. L., & Cifers, K. (2014). *Florida and the Mariel Boatlift of 1980: The First Twenty Days*. University of Alabama Press.
- Hearit, K. M. (1995). “Mistakes were made”: Organizations, apologia, and crises of social legitimacy. *Communication Studies, 46*(1–2), 1–17. <https://doi.org/10.1080/10510979509368435>
- Heuman, A. N., & González, A. (2018). Trump’s Essentialist Border Rhetoric: Racial Identities and Dangerous Liminalities. *Journal of Intercultural Communication Research, 47*(4), 326–342. <https://doi.org/10.1080/17475759.2018.1473280>

HEW Criticizes Resettlement Aid For Indochinese—The Washington Post. (n.d.). Retrieved April 15, 2022, from <https://www.washingtonpost.com/archive/politics/1980/01/26/hew-criticizes-resettlement-aid-for-indochinese/3b634ae5-a962-4fd4-8c0c-773dd1cf0a2f/>

Hixson, W. L. (2000). *The Vietnam Antiwar Movement*. Taylor & Francis.

Hohl, D. G. (1978). The Indochinese Refugee: The Evolution of United States Policy. *The International Migration Review*, 12(1), 128–132. <https://doi.org/10.2307/2545636>

Hollifield, J. F. (2000). Immigration and Citizenship in Two Liberal Republics: A Review of “Migration and Refugees: Politics and Policies in the United States and Germany.” *German Politics & Society*, 18(1 (54)), 76–104.

How Should Historians Remember the 1965 Immigration and Nationality Act? | The American Historian. (n.d.). Retrieved April 13, 2022, from <https://www.oah.org/tah/issues/2015/august/how-should-historians-remember-the-1965-immigration-and-nationality-act/>

Indochina Migration and Refugee Assistance Act (1975). (n.d.). *Immigration History*. Retrieved February 23, 2022, from <https://immigrationhistory.org/item/1975-indochina-migration-and-refugee-assistance-act/>

John R. Gillis (Ed.). (1994). *Commemorations: The politics of national identity*. Princeton University Press.

Kanno-Youngs, Z. (2020, January 31). Trump Administration Adds Six Countries to Travel Ban. *The New York Times*. <https://www.nytimes.com/2020/01/31/us/politics/trump-travel-ban.html>

Kennedy, E. M. (1981). Refugee Act of 1980. *The International Migration Review*, 15(1/2), 141–156. <https://doi.org/10.2307/2545333>

- Kimball, J. P. (2005). *To Reason Why: The Debate about the Causes of U.S. Involvement in the Vietnam War*. Wipf and Stock Publishers.
- Koesten, J., & Rowland, R. C. (2004). The rhetoric of atonement. *Communication Studies*, 55(1), 68–87. <https://doi.org/10.1080/10510970409388606>
- Krogstad, J. M. (n.d.). Key facts about refugees to the U.S. *Pew Research Center*. Retrieved April 15, 2022, from <https://www.pewresearch.org/fact-tank/2019/10/07/key-facts-about-refugees-to-the-u-s/>
- Levy, B. S., & Sidel, V. W. (2000). *War and Public Health*. American Public Health Association.
- Looking beyond the Rhetoric of the Refugee Crisis: The Failed Reform of the Common European Asylum System by Vincent Chetail: SSRN*. (n.d.). Retrieved April 15, 2022, from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2898063
- Martin, D. A. (n.d.). *The Refugee Act of 1980: Its Past and Future*. 34.
- Martin, P. (2014). Economic Aspects of Migration. In *Migration Theory* (3rd ed.). Routledge.
- Martin—The Refugee Act of 1980 Its Past and Future.pdf*. (n.d.). Retrieved March 29, 2022, from <https://repository.law.umich.edu/cgi/viewcontent.cgi?article=1863&context=mjil>
- Mihai, M., & Thaler, M. (2014). *On the Uses and Abuses of Political Apologies*. Springer.
- Milford, M. (2019). Rhetorical Emancipation: Apologia and Transcendence on Death Row. *Western Journal of Communication*, 83(3), 326–344. <https://doi.org/10.1080/10570314.2018.1562563>
- Milford—2019—Rhetorical Emancipation Apologia and Transcendenc.pdf*. (n.d.). Retrieved April 15, 2022, from <https://www.tandfonline.com/doi/pdf/10.1080/10570314.2018.1562563>
- Myers, T. (1988). *Walking Point: American Narratives of Vietnam*. Oxford University Press.
- Nguyen, P. T. (2017). *Becoming Refugee American: The Politics of Rescue in Little Saigon*. University of Illinois Press.

- Ono, K. A., & Sloop, J. M. (2002). *Shifting Borders: Rhetoric, Immigration, and California's Proposition 187*. Temple University Press.
- Orchowski, M. S. (2015). *The Law that Changed the Face of America: The Immigration and Nationality Act of 1965*. Rowman & Littlefield.
- Ostrand, N. (2015). The Syrian Refugee Crisis: A Comparison of Responses by Germany, Sweden, the United Kingdom, and the United States. *Journal on Migration and Human Security*, 3(3), 255–279. <https://doi.org/10.1177/233150241500300301>
- Packer, G. (2020, October 24). *Donald Trump's Refugee Policy Is Bureaucratic Sadism*. The Atlantic. <https://www.theatlantic.com/ideas/archive/2020/10/donald-trumps-refugee-policy-is-bureaucratic-sadism/616840/>
- Paine, T. (2003). *Common Sense: And Other Writings*. Random House Publishing Group.
- Parry-Giles and Parry-Giles—2000—Collective memory, political nostalgia, and the rh.pdf*. (n.d.). Retrieved April 15, 2022, from <https://www.tandfonline.com/doi/pdf/10.1080/00335630009384308?needAccess=true>
- Parry-Giles, S. J., & Parry-Giles, T. (2000). Collective memory, political nostalgia, and the rhetorical presidency: Bill Clinton's commemoration of the March on Washington, August 28, 1998. *Quarterly Journal of Speech*, 86(4), 417–437. <https://doi.org/10.1080/00335630009384308>
- Peña, S. (2007). “Obvious Gays” and the State Gaze: Cuban Gay Visibility and U.S. Immigration Policy during the 1980 Mariel Boatlift. *Journal of the History of Sexuality*, 16(3), 482–514.
- Pierce and Selee—Immigration under Trump A Review of Policy Shifts.pdf*. (n.d.). Retrieved April 15, 2022, from https://www.migrationpolicy.org/sites/default/files/publications/TrumpatOne_FINAL.pdf

- Pierce, S., & Selee, A. (n.d.). *Immigration under Trump: A Review of Policy Shifts in the Year Since the Election*. 16.
- Pierre-Louis, F. (2013). Haitian immigrants and the Greater Caribbean community of New York City: challenges and opportunities. *Memorias: revista digital de historia y arqueología desde el Caribe*, (21), 22-40.
- Presidential Job Approval* | *The American Presidency Project*. (n.d.). Retrieved April 15, 2022, from <https://www.presidency.ucsb.edu/statistics/data/presidential-job-approval>
- Refugee Act of 1980 Statement on Signing S. 643 Into Law*. | *The American Presidency Project*. (n.d.-a). Retrieved March 29, 2022, from <https://www.presidency.ucsb.edu/documents/refugee-act-1980-statement-signing-s-643-into-law>
- Refugee Act of 1980 Statement on Signing S. 643 Into Law*. | *The American Presidency Project*. (n.d.-b). Retrieved April 15, 2022, from <https://www.presidency.ucsb.edu/documents/refugee-act-1980-statement-signing-s-643-into-law>
- Resende, E., & Budryte, D. (2013). *Memory and Trauma in International Relations: Theories, Cases and Debates*. Routledge.
- Silove, D., Ventevogel, P., & Rees, S. (2017). The contemporary refugee crisis: An overview of mental health challenges. *World Psychiatry*, 16(2), 130–139. <https://doi.org/10.1002/wps.20438>
- Silverman, E. B. (1980). Indochina Legacy: The Refugee Act of 1980. *Publius*, 10(1), 27–41. <https://doi.org/10.2307/3329800>
- States, U. (n.d.). *Immigrants under American Immigration Law*.
- Stein, B. (1979a). The Geneva Conferences and the Indochinese Refugee Crisis. *The International Migration Review*, 13(4), 716–723. <https://doi.org/10.2307/2545184>

- Stein, B. (1979b). The Geneva Conferences and the Indochinese Refugee Crisis. *The International Migration Review*, 13(4), 716–723. <https://doi.org/10.2307/2545184>
- Tempo, C. J. B. (2008). Americans at the Gate: The United States and Refugees during the Cold War. In *Americans at the Gate*. Princeton University Press. <https://doi.org/10.1515/9781400829033>
- The Border Crossed Us—Google Books*. (n.d.). Retrieved April 13, 2022, from https://www.google.com/books/edition/The_Border_Crossed_Us/HYLfAgAAQBAJ?hl=en&gbpv=1&dq=The+Border+Crossed+Us:+Rhetoric%E2%80%99s+of+Borders,+Citizenship,+and+Latina/o+Identity&printsec=frontcover
- The contemporary refugee crisis: An overview of mental health challenges—Silove—2017—World Psychiatry—Wiley Online Library*. (n.d.). Retrieved April 15, 2022, from <https://onlinelibrary.wiley.com/doi/full/10.1002/wps.20438>
- Tichenor, D. (2016). The Historical Presidency: Lyndon Johnson’s Ambivalent Reform: The Immigration and Nationality Act of 1965. *Presidential Studies Quarterly*, 46(3), 691–705. <https://doi.org/10.1111/psq.12300>
- Times, D. B. S. to T. N. Y. (1975, May 7). FORD ASKS NATION TO OPEN ITS DOORS TO THE REFUGEES. *The New York Times*. <https://www.nytimes.com/1975/05/07/archives/ford-asks-nation-to-open-its-doors-to-the-refugees-president-in-tv.html>
- Times, S. to T. N. Y. (1965, October 30). Laotian Refugee Centers Visited by Edward Kennedy. *The New York Times*. <https://www.nytimes.com/1965/10/30/archives/laotian-refugee-centers-visited-by-edward-kennedy.html>
- Torpey, J. (2004). *Politics and the Past: On Repairing Historical Injustices*. Rowman & Littlefield Publishers.

- Towner, E. B. (2009). Apologia, Image Repair, and Reconciliation The Application, Limitations, and Future Directions of Apologetic Rhetoric. *Annals of the International Communication Association*, 33(1), 431–468. <https://doi.org/10.1080/23808985.2009.11679093>
- Turner, W., & Times, S. T. the N. Y. (1981, April 2). HELP FOR REFUGEES FROM INDOCHINA CUT. *The New York Times*. <https://www.nytimes.com/1981/04/02/us/help-for-refugees-from-indochina-cut.html>
- Vetting-Report-2020.pdf*. (n.d.). Retrieved March 20, 2022, from <https://refugeerights.org/wp-content/uploads/2020/10/Vetting-Report-2020.pdf>
- Vietnam's Refugees. (1967, October 21). *The New York Times*, 30.
- Ward, J. (2019). *Camelot's End: Kennedy Vs. Carter and the Fight that Broke the Democratic Party*. Hachette UK.
- Ware, B. L., & Linkugel, W. A. (1973). They spoke in defense of themselves: On the generic criticism of apologia. *Quarterly Journal of Speech*, 59(3), 273–283. <https://doi.org/10.1080/00335637309383176>
- Woolley, J. T. (1999) *The American Presidency Project*. Santa Barbara, Calif.: University of California. [Web.] Retrieved from the Library of Congress, <https://lccn.loc.gov/2005616760>.
- Zucker, N. L., & Zucker, N. F. (1992). From Immigration to Refugee Redefinition: A History of Refugee and Asylum Policy in the United States. *Journal of Policy History*, 4(1), 54–70. <https://doi.org/10.1017/S0898030600006503>

Vita

Shewit Mikael attended the University of Denver, where she received her Bachelor of Arts degree in Communication Studies and Psychology with a minor in Marketing in 2018. During her time at Syracuse University, she grew an interest in refugee and immigrant discourses.

Shewit earned her Master of Arts degree from Syracuse University in May of 2022 and plans to continue her education in the Fall of 2023.