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ABSTRACT  Refugee resettlement policy in the United States has not been viewed in terms of market-based analytics in the same way that welfare policy has, despite their similarities. Both are antipoverty policies that originated in the neoliberalizing policy environment of the 1980s. The Refugee Act of 1980 was legislated just 1 year before the Omnibus Act of 1981, but it is largely neglected in analyses of social policies in the neoliberal context. Drawing from literature on welfare policy, this study examines policy discourse surrounding the Refugee Act—specifically devolution of authority, privatization, managerialism, and workfare—as elements of neoliberal governance. Its findings illustrate how discourse served to rationalize and promote neoliberal practice in refugee resettlement policy. Juxtaposing refugee policy with welfare policy in terms of its temporal dimensions raises questions about citizenship rights and obligations as articulated by market-oriented policy, both for refugees who are not citizens and for welfare recipients who are.

INTRODUCTION

Refugee resettlement policy in the United States has not been viewed in terms of market-based analytics in the same way that welfare policy has, despite the two policies’ shared functions and modes of poverty governance and temporal congruity. Both are public assistance and antipoverty federal policies, albeit targeting different groups of people. The modalities of resettlement policy, such as cash assistance, housing assistance, medical benefits, and support services for self-sufficiency and employment outcomes, mimic those of welfare policy. Temporally, the originating policies of the current forms of resettlement and welfare policy were legislated just 1 year apart, both out of the neoliberalizing policy environment of the early 1980s. The Refugee Act of 1980 is the landmark legislation that created federal refugee resettlement policy in the United States. A year after its passage, lawmakers
passed the Omnibus Budget Reconciliation Act of 1981, which is considered one of three policies in the 1980s signifying the eventual institutionalization of market-oriented state strategies in the United States (Prasad 2006). The Omnibus Act, as welfare policy, cut antipoverty programs, restricted public benefits, and allowed states to test out workfare options (Moffitt 1984; Moscovice and Craig 1984; Katz 2013), thus arguably laying the groundwork for welfare reforms 15 years later with the 1996 Personal Responsibility and Work Opportunity Reconciliation Act (Prasad 2006). The 1996 reforms, in turn, characterize the definitive deepening of a market-centered, work-centered ethos and materiality in American poverty governance (Prasad 2006; Wacquant 2009; Soss, Fording, and Schram 2011; Katz 2013).

The Refugee Act is largely neglected in analyses of policies forming out of the neoliberal policy environment. Michael Katz’s (2013) seminal social history of national poverty policy passes over refugee resettlement programs. It specifies Mexican immigrants, young black men, and single mothers as groups deemed to be the undeserving poor, but it does not include refugees in its analytic. Aihwa Ong’s (2003) examination of resettlement policy as site of disciplinarity, meanwhile, preceded her work on neoliberal governance, which has shifted away from the US domestic space. Monica Prasad (2006) considers taxation, industry, and welfare policy, but she overlooks refugee policy in her analysis of key US policies in the 1980s that signified the eventual institutionalization of neoliberal policies.

This gap presents critical issues. Welfare policies have been extensively examined as consolidating market-based logic in specific forms and thus compromising the full citizenship of vulnerable Americans (Bourdieu 1998; Wacquant 2009; Toft 2010; Soss et al. 2011; Katz 2013; Woolford and Nelund 2013). Without a similar theoretical framing, refugee policy escapes critical analyses that may specify the same market-oriented processes at work and similar negative consequences for refugees. Further, juxtaposing refugee policy with welfare policy and considering their temporal dimensions raise questions about citizenship rights and obligations as articulated by market-oriented policy, both for refugees who are noncitizens and for welfare recipients who are citizens. Neoliberalism as a regulatory practice is characterized by moments of policy changes, path-dependence, and ongoing transformation (Brenner and Theodore 2002; Ong 2006; Gray et al. 2015). The Refugee Act of 1980, as precisely that punctuated moment of policy change and in precisely that transformative era of neoliberalization, may serve to illustrate “how neoliberalism . . . becomes translated” (Ong 2006,
13). Investigating policy discourse as a way into such translations may shed light on the ways in which neoliberalism becomes embedded as practice in contextually specific arenas.

This article examines the policy discourse surrounding the Refugee Act of 1980, which was formed in the era of neoliberalization in the United States, drawing from literature on welfare policy to inform its analysis. I deductively analyze four elements previously theorized about and examined in welfare policy scholarship—devolution of authority, privatization, managerialism, and workfare—in legislation, policy hearings, and policy documents. My research inquires whether those four elements were manifested in refugee policy discourse and, if so, how the elements were incorporated into policy discourse, drawing from critical discourse analysis both methodologically and theoretically.

THE REFUGEE ACT OF 1980

The Refugee Act of 1980 (hereafter “the Act”) overhauled refugee admission and resettlement policies (US Public Law 96-212). The two-fold purpose of the Act was to redefine the legal definition of the refugee and to institute federal resettlement services.1 First, the Act legally removed the geopolitical and ideological elements surrounding the refugee, thus reconstituting the United States’ legal definition of the refugee to comply with the definition specified in the United Nations’ 1951 Convention and Protocol related to the Status of Refugees (Barkdull et al. 2012; Hamlin and Wolgin 2012). Second, the Act created a federal structure or institution for systematic services and supports for resettled refugees called the Office of Refugee Resettlement (ORR) under the Department of Health, Education, and Welfare (HEW), which is now the Department of Health and Human Services. In March 1979, Representative Elizabeth Holtzman of New York and Representative Peter Rodino of New Jersey proposed legislation H.R. 2816, sponsored by Senator Edward Kennedy, which would later be passed as Public Law 96-212, or the Refugee Act of 1980. Over 5 days in May 1979, in a series of public hearings, policy makers and stakeholders debated issues related to refugees.

Several factors of the late 1970s contextualize the broader environment surrounding the debates about and eventual formation of the Act. First was

1. This article analyzes solely the latter policy aim.
the immense number of Southeast Asian refugees, such as Vietnamese, Laoatians, and Cambodians, who were affected by the unpopular Vietnam War. Refugee admissions had become relatively stable in the United States between 1960 and 1970, but refugee admissions spiked after the end of the Vietnam War, and by 1979 about 14,000 Southeast Asian refugees were arriving each month (Zucker 1983; Hamlin and Wolgin 2012).

Second, there had been sustained political pressure regarding human rights, both internationally and domestically, that called for the revamping of US refugee laws (Hamlin and Wolgin 2012). Since the post–World War II era, US refugee admissions law defined refugees as those fleeing communist or communist-dominated countries, and it restricted admission to those who met the definition. In 1967, the United Nations Protocol on Refugees removed the political, communist-centric elements surrounding the treatment of refugees, and the United States in 1968 ratified the UN Protocol. However, the ratification has been considered merely a symbolic gesture, and the Protocol had yet to make its way into American legislation over a decade later (Hamlin and Wolgin 2012).

Third, existing resettlement assistance programs were critiqued for being ad hoc and reactive and for splintering administration and service provision across several governmental and nongovernmental agencies (Zucker 1983). There was no comprehensive federal program for refugee resettlement, and the existing policies and programs were deemed communist-centric, reflecting the Cold War sentiments of the time (Hamlin and Wolgin 2012).

A fourth contextual element was new immigration into the United States, ushered in over a decade earlier than the influx of refugees following the end of the Vietnam War, with the Immigration and Nationality Act of 1965. This act repealed national origin quotas in the preceding policy that had restricted the entry of Asian, South and Central American, Caribbean, and African immigrants. The immigrant and racial composition of the American population was reconfiguring by the late 1970s, as was the discourse about the history of exclusion of and discrimination against immigrants in the public sphere as well as in the professional spheres of social work (Park and Kemp 2006). Refugees, as a subset of immigrants, subsume into broader discourses about immigrants and race relations.²

² Immigrant policy, along with welfare policy, and race relations were important for refugee policy, but that analysis is beyond the scope of this article.
Finally, the policy environment around the beginning of the 1980s was marked by market-based rationale and strategies that became the basis for most social policies, such as those concerning housing, education, taxation, industries, and social welfare (Ong 2006; Prasad 2006; Katz 2013). This article considers the policy environment surrounding the Act, as contextualized by social welfare policy specifically.

US SOCIAL WELFARE POLICY AND NEOLIBERALISM

Marketized forms of welfare policy and poverty governance within broader neoliberal policy environments began within the post–World War II context, came to widespread prominence in the early 1980s, and then deepened with the 1996 welfare reforms. After World War II, in the 1950s and 1960s, the United States and other advanced capitalist countries developed interventionist policies to prevent the geopolitical rivalries that had led up to the war, to ensure peace and stability, and to arbitrate class relations. Embedded liberalism that combined state, market, and democratic institutions expanded during this time of high economic growth (Harvey 2005).

In the 1970s, urban poverty in the United States increased alongside a series of profound and complex transformations on multiple economic and social dimensions (Harvey 2005; Katz 2013). An energy crisis and the deindustrialization of the US economy contributed to increased unemployment, capital accumulation, and income inequality. Massive outmigration from southern states into urban localities and new immigration from non-European counties altered the demographic composition of the United States, especially in cities. Cities were also transformed by suburbanization, gentrification, and increased racial segregation. Economic, demographic, and spatial changes concentrated in cities ushered in a new kind of urban poverty around the early 1980s. State interventionist approaches thus were challenged by advocates for open, competitive, self-regulating, free markets unhindered by the state as the prime mechanism for economic growth in a globalizing context (Harvey 2005; Katz 2013).

Neoliberalism thus came to the fore as a transnational ideological and political movement that prioritized market economics and freedoms and that used these principles to reform state functions and processes (Harvey 2005; Wacquant 2009; Gray et al. 2015). Two key features of neoliberalism describe how it departs from the classic forms of liberalism of the 1800s (Soss et al. 2011; Gray et al. 2015). First, whereas liberalism revolves around
the economic and the political, neoliberalism denotes the extending of market principles and economic rationale to the social and the cultural. The market logic behind the notion of individual responsibility extends to other domains of social life. Second, neoliberalism is viewed not as an attempt to limit state power in order to allow the market to flourish, but instead as a technology of government. “Neoliberals have not dismantled the activist state; they have embraced its authority while working to redirect and transform it” (Soss et al. 2011, 6). Activities of the state are dressed as nonpolitical and devoid of ideology and are depicted instead in terms of market rationality and technical aspects, “a profoundly active way of rationalizing governing and self-governing in order to ‘optimize’” (Ong 2006, 3).

Some of the centerpieces of neoliberalism as state practice are competition, individual responsibility, economic deregulation, detaxation, international free trade, private property, scaling back workers’ rights, expanding the penal or criminal justice institution, and reconfiguring welfare institutions.

It is difficult to identify a singular definition and distinct linearity of the neoliberal emergence, and neoliberalism’s global development remains varied and uneven in terms of its geographic, social, and institutional forms (Brenner and Theodore 2002; Gray et al. 2015). While neoliberalism can be viewed through a structuralist lens as “an omnipresent, hegemonic force” specified as a nationally based regime type or as a political economy regime on a global scale, a governmentality perspective emphasizes neoliberalism as a regulatory practice that is grounded, unstable, and contextualized (Ong 2006; Brenner, Peck, and Theodore 2010, 349). Corollary to neoliberalism as an ideology or theory is neoliberalism in practice, or “actually existing neoliberalism,” a term used by Neil Brenner and Nic Theodore (2002, 349) to denote an approach to understanding neoliberalism that emphasizes “the contextual embeddedness of neoliberal restructuring projects insofar as they have been produced within national, regional, and local contexts defined by the legacies of inherited institutional frameworks, policy regimes, regulatory practices, and political struggles.” Neoliberalism is conceptualized not as an end-state of the policy regime, but as a process of ongoing transformation, characterized by path-dependence and moments of institutional and policy changes (Brenner and Theodore 2002; Gray et al. 2015), such as welfare reforms and refugee policy formation.

Scholars agree that the reforms of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 explicitly and profoundly mark the renewed face of the American welfare state (Cherlin et al.
PRWORA consolidated and capped the retraction of the welfare state that began two decades earlier with the decline in the real dollar value of public assistance benefits and the minimum wage. Attitudes toward race (Gilens 1999) and the issues of care for children and treatment of single parents, particularly mothers (Bainbridge, Meyers, and Waldfogel 2003), were also key in welfare policy reforms.

This restructuring is characterized by decreased generosity and increased restrictions in eligibility and, as a result, a dramatic decline in the number of cases (Cherlin et al. 2002; Soss et al. 2011).

CONCEPTUALIZING DEVOLUTION OF AUTHORITY, PRIVATIZATION, MANAGERIALISM, AND WORKFARE

The points of departure for this analysis are four core elements of neoliberal ideology and practice—devolution of authority, privatization, managerialism, and workfare—that have been examined in welfare scholarship (Dougherty and Barber 2001; Lynn 2002; Wacquant 2009; Benish 2010; Brodkin 2011; Soss et al. 2011; Breitkreuz and Williamson 2012; Katz 2013; Woolford and Nelund 2013; Gray et al. 2015). These four elements formulate into a conceptual framework for understanding neoliberal practice in poverty governance, including that of resettled refugees. After describing each element, I discuss how these four elements are interlinked yet distinguishable parts of the framework, and I then consider their application to scholarship on refugee resettlement in the United States.

DEVOLUTION OF AUTHORITY

Devolution of authority is a policy design that minimizes the state and gives lower levels of government broad freedoms, and thus discretion, to tailor governance to their own area’s particular needs and to respond to local needs.

3. In refugee policy, issues about children and families were addressed via specific policy provisions for unaccompanied minors; no additional stipulations targeted single parents. That difference is significant, but analysis of it is beyond the scope of this article. Regarding race, refugees were mostly people of color (such as those from Vietnam) during policy making in the 1980s, whereas earlier refugee policies of the post-war era focused on refugees who were mostly white, Jewish, and Eastern European. That difference, too, is significant, but it is beyond the scope of this article.
political and economic conditions (Fording, Soss, and Schram 2007). The federal government sets program goals and uses benchmarks, incentives, and requirements to structure choices of state and local governments (Benish 2010). Scholars have examined how local political values, ideology, and race relations determine local-level discretion, thus altering program designs and implementation on the ground and creating systematic differences across locales nationwide (Brodkin 1997; Reisch and Sommerfeld 2002; Kissane 2006; Fording et al. 2007; Benish 2010). For example, scholars have examined the influence a state’s political orientation, whether liberal or conservative, has on state-level welfare generosity (Fording et al. 2007). Research shows that state governments in states with larger African American populations, in another example, alter benefit levels and add additional terms to eligibility criteria “in ways consistent with the racial order of their region,” thereby implementing racial discrimination, specifically against African Americans, in welfare administration (Piven 2003, 327).

**Privatization**

*Privatization* is the outsourcing of services, including welfare services, to private entities or public-private partnerships, including to nonprofit organizations (Lynn 2002). Corporations and private agencies provide services that had previously been provided by public agencies, such as foster care and vocational-rehabilitation services, as well as other services such as prisons, public parks, financing, and engineering (Soss et al. 2011). With privatization, state affairs generally, and in welfare provision specifically, were infused with a pro-business agenda and managerialism (which is described next; Hasenfeld and Garrow 2012; Abramovitz and Zelnick 2015). Privatized welfare aid provision is a lucrative business investment, as private entities invest in and profit from providing human services (Soss et al. 2011; Hasenfeld and Garrow 2012). Regulations and expectations in the new legislation weighed down on local organizations and agencies and made it increasingly difficult for them to meet the often incongruous demands of the individuals they serve and the 1996 legislation (Reisch and Sommerfeld 2002).

**Managerialism**

*Managerialism*, which may also be termed *new public management*, denotes a new policy strategy adopting a business model that redefines the policy
goals and outcomes of the human services domain in predominantly economic terms (Cherlin et al. 2002; Harlow 2003; Benish 2010; Brodkin 2011; Woolford and Nelund 2013; Abramovitz and Zelnick 2015). Performance systems are used to address the difficult administrative challenges of contending with complex goals and implementing a highly fragmented system of policy (Soss et al. 2011). This business model prioritizes economic bottom-line results, increases accountability and performance, and seeks “to replace traditional rule-based, authority-driven processes with market-based, competition-driven tactics” (Kettl 2005; Abramovitz and Zelnick 2015). This strategy and the pursuit of performance goals that it entails may come at the expense of rights-based provisions and, in the long term, more substantive policy goals (Harlow 2003; Hasenfeld and Garrow 2012).

Compliance and accountability are monitored and ensured using inspections, reporting requirements, and benchmarks that are tied to financial incentives, penalties, sanctions, and resource allocations (Cherlin et al. 2002; Harlow 2003; Benish 2010; Soss et al. 2011; Abramovitz and Zelnick 2015). Resources are allocated via crude outcome measures and quantifiable benchmarks. Some welfare scholars have examined how outcome measures that are tied to clients’ behaviors can function to differentiate between clients, between those who can be processed with fewer resources and thus add to the profitability of the organization and those who will instead be a liability (Hasenfeld and Garrow 2012). Government agencies were critiqued as flawed and inefficient in order to gain legitimacy for the need for changes that entail the overlay of a business model and performance systems. Aspects of that alteration that now perhaps seem ordinary and prevalent were once a purposive imbuing of official communications, mission statements, staff training, and education (Soss et al. 2011).

WORKFARE

*Workfare*, the coupling of work and welfare, is a notable dimension of the 1996 reforms (Wacquant 2009). PRWORA imposed work requirements, and the systems of checks and sanctions and organizational recalibration that came with them, on recipients (Daugherty and Barber 2001). Public assistance was conditioned on work requirements, time limits, and sanctions for noncompliance for recipients (Daugherty and Barber 2001; Wacquant 2009; Breitkreuz and Williamson 2012). The reforms impressed the importance of work upon recipients, but they did not address other factors of work, such as
unemployment levels, inadequate wages, and insufficiency of protections and supports (i.e., transportation, child care, and health insurance; Wacquant 2009). The operations of welfare and the labor market became intertwined, as welfare aid became a motivation to work for recipients as employment became a primary requirement for service receipt (Daugherty and Barber 2001; Wacquant 2009; Breitkreuz and Williamson 2012). By promoting work, the state played a more active role in the labor market. The welfare state functions less as a decommodifying space and safety net and has self-sufficiency as its mantra and employment as its goal (Daugherty and Barber 2001; Breitkreuz and Williamson 2012). Some scholars also posit that workfare and marketization are evident not only in processes but also in culture and ideology within institutions, signaling a deeper structural shift (Wacquant 2009; Hasenfeld 2010; Soss et al. 2011).

**THE FOUR ELEMENTS AS CO-CONSTITUTIVE PARTS OF A FRAMEWORK**

In formulating the conceptual framework with these four elements, I began primarily by considering Katz’s (2013) argument that welfare policy in the 1980s coalesced around three goals: ending dependence, or workfare; devolving authority; and applying market models to social policy, or marketization. I further partitioned marketization into privatization and managerialism, drawing further from Katz, specifically his explication that in the “new market-based approach to poverty policy, initiative passed from a reduced state to the private sector, offering innovations at once less demeaning and more effective, as well as less expensive” (2013, 250), whereby “private sector” indicates privatization and “innovations” indicates managerialism. That same partition of marketization can be seen in Joe Soss, Richard Fording, and Sanford Schram’s work, which posits that “marketization of poverty governance reveal(s) how privatization and ‘business models’” have affected welfare service provision. Further, Soss and colleagues (2011, 10) treated privatization and the use of business models, as well as devolution of authority, separately in their work.

Existing welfare scholarship has examined in different ways the four aspects of neoliberal practice, treating each of the elements on its own (i.e., Woolford and Nelund 2013), in other combinations (i.e., Soss et al. 2011; Hasenfeld and Garrow 2012; Abramovitz and Zelnick 2015), and with other dimensions, such as race (i.e., Wacquant 2009; Soss et al. 2011; Brown 2013).
More specifically, discourse analyses pertaining to welfare have variably examined the four elements. The discourse analysis by Andrew Woolford and Amanda Nelund (2013) uses work, self-management, privatized responsibility, and entrepreneurship, among other related concepts, to define the neoliberal citizen within the bureaucratic field. Mimi Abramovitz and Jennifer Zelnick (2015) hone in on privatization and managerialism in examining the perspectives of human service practitioners. Nancy Fraser and Linda Gordon (1994), meanwhile, trace the genealogy of the word dependence as a key word in the welfare state. Jessica Toft (2010) and Hana Brown (2013) focus on work and dependency in their discourse analyses of legislators’ justification for welfare reform and racialized stereotypes of welfare recipients, respectively.

The elements can be conceptualized discreetly, while also interwoven (Katz 2013). Semantic overlaps exist, particularly between privatization and managerialism, which are two aspects of marketization. The transfer of responsibility to the private sector necessarily entailed the transfer of attendant business models and managerial processes. Privatization is also conceptually linked with devolution of authority, which denotes the passing of authority not only down from federal to state and local governments but also down to the private sector. Workfare, meanwhile, conceptually entails devolving authority from the state to individuals as workers. Implementation of workfare is also through the private sector, and thus this is also a managerial process.

**THE FOUR ELEMENTS IN REFUGEE RESETTLEMENT SCHOLARSHIP**

Federal refugee policy was instituted in the 1980s at a time of market-oriented shifts in policy in the United States, but it has largely been overlooked in analyses of social policies. Four points may help explain that neglect and the uneven application of neoliberal discourses across social positions and in research in different bureaucratic fields. First, due to the invisibility of refugees as a recognized constituency, refugees fall largely outside the popular critique of neoliberal ideology and research on the market re-orientation of welfare (see Prasad 2006; Wacquant 2009; Katz 2013). Second, a humanitarian and human rights narrative was replacing communist-centric concerns about refugee policy in the 1980s (Hamlin and Wolgin 2012), thus obscuring neoliberal perspectives. In both public and academic
discourse, the international aspect of refugee policy pertaining to admissions perhaps eclipsed its domestic aspects. Third, the field of refugee studies has been insular, has lacked deeper engagement with broader social science concerns and theory, and has been too focused on specific policy problems located solely within the refugee arena (Black 2001), thus failing to make connections to welfare policy and neoliberalism. Finally, an influential academic study into US refugee policy by anthropologist Aihwa Ong (2003) draws upon Foucauldian notions of disciplinarity. Ong turns to refugees and their resettlement, exploring institutional policies, processes, practices, and actors that not only offer assistance and resources but also serve in the production of American subjects. Ong argues that resettlement program sites, including refugee agencies, the community hospital, the welfare office, and family interventions in the home, are assimilationist. Ong’s rich and critical study includes entrepreneurial values and welfare as disciplinary institutions, but it does not specifically locate refugee policy within the neoliberal era of the time. Differing social positions within bureaucratic fields manifest differing discourses, and perhaps a disciplinary, paternalistic discourse overshadowed a neoliberal one for refugees, more commonly regarded as assimilating immigrants. In Ong’s more recent work, she turns to neoliberal state processes more specifically, but she shifts away from the American domestic space to the global scale and hones in on neoliberal impositions in non-Western and particularly Asian regions and governments (Ong 2006). Resettlement policy in the United States thus skirts her purview.

However, a disparately located and relatively small body of literature on refugee policy in more recent forms points to the relevance of the four elements of neoliberal practice that I identify. Scholars examine workfare in terms of self-sufficiency outcomes and job placement services in local contexts, illustrating the multifaceted factors in refugee employment (Erickson 2010; Connolly 2013). Other scholars, meanwhile, problematize the altered roles of refugee-serving organizations and agencies in current practice and policy (Nawyn 2006; Trudeau 2008; Darrow 2015), the marketized public-private partnerships in resettlement aid provision (Trudeau 2008). The relevance of racial and ethnic politics and conservative politics in welfare policy in the 1970s to refugee policy formation has also been examined (Whorton 1997). This scholarship on resettlement programming in its more current forms calls for a closer look. However, these works hone in on one
aspect of neoliberalism as it pertains to refugee policy, but they stop short of integrating their findings into a more comprehensive final analysis, so as to deliberate on theory about refugee policy. Still absent from that scholarship is an analysis that examines the four elements that I have identified holistically within refugee policy against the neoliberal political context around which it formed.

**METHOD**

Analyses of policy discourse play a key part in social welfare scholarship, revealing the ways in which language and ideas about poverty, welfare recipients, and policy processes may shape policy and thus become embedded in practice (Curran 2002; Toft 2010; Brown 2013). Discourse analyses, and qualitative approaches more generally, can illustrate meaning-making, or the battling over meaning that frames and then advances policy (Toft 2010; Brown 2013) and institutional and organizational behavior (Moylan and Lindhorst 2015). The concept of intertextuality describes how discourse, as it is represented in text in one policy arena, such as welfare, or in one field or in broader discourse, can be absorbed, borrowed, and subsumed in another field (Kristeva 1986; Bertrand 2016). Intertextuality views policy discourse as the amalgamation of voices and ideas of various stakeholders, drawn from various prior and parallel sources. Yet, intertextuality also highlights the productive process of policy discourse, through which those same voices and ideas may be minimized or maximized, and reconfigured and manipulated by the stakeholders, in order to generate new discourses or reiterate and reinforce existing ones (Fairclough 1992; Bertrand 2016). Critical discourse analysis, as a specific theoretical and methodological approach to studying discourse, examines “the way social power abuse, dominance, and inequality are enacted, reproduced, and resisted by text and talk in the social and political context” (VanDijk 1998, 352). Main tenets of critical discourse analysis include a focus on ideology, history, social problems, and power relations and the interpretative and explanatory basis of the approach (Hartwig 2006; Toft 2010). Implied in this approach is an explicit critical position or perspective, which thus differentiates it from other forms of methodological and analytical approaches to policy analysis (i.e., quantitative and qualitative analyses of outcomes, cost-benefit analyses, case and comparative studies; Wilson 2003; Hartwig 2006).
This policy discourse analysis draws from intertextuality and from the theoretical and methodological underpinnings of critical discourse analysis to consider the assertion that refugee policy was constitutive of the elements that marked the broader neoliberal policy environment of its time. Without a specifically comparative orientation, this study does not examine intertextuality in terms of the explicit transfer of text or discourse between the bureaucratic fields of welfare to refugee resettlement. This study deductively examines the legislation and discourse surrounding the Refugee Act of 1980 in terms of the four elements previously theorized and examined in welfare policy: devolution of authority, privatization, managerialism, and workfare. A deductive approach is appropriate when analysis is structured on concepts that have been previously operationalized and analyzed and these are used to test or retest categories, concepts, or hypotheses in a new context (Wilson 2003; Elo and Kyngas 2008), as is the case in this article.

SOURCE DOCUMENTS

I reviewed original government policy documents relating to the Refugee Act of 1980. For a complete list of the documents that were reviewed, see appendix A. My sources were the Act itself (Public Law No. 96-212, 94 Stat. 102); two documents from 1981, an Administrative Directive and the Code of Federal Regulations, that detail the Act; complete congressional hearings; and policy documents from 1979 pertaining to refugee resettlement. Two searches, for hearings and for policy documents, were conducted using the online academic library database ProQuest Congressional Publications to identify sources. For details on search methods, see appendix B.

The 1979 congressional hearings (hereafter referred to as 1979 hearings) were held before the Subcommittee on Immigration, Refugee, and International Law of the Committee on the Judiciary, House of Representatives, 96th Congress. Approximately 25 witnesses came to testify, including government officials, state governors, academic researchers, and representatives of nonprofit organizations and coalitions serving refugees and political organizations (i.e., Amnesty International; the American Federation of Labor and Congress of Industrial Organizations). Testimonies were also submitted as written statements. Notable witnesses included the attorney general of the United States, the secretary of the Department of Health, Education, and Welfare, and the ambassador-at-large US coordinator for refugee affairs.
The descriptions of the four elements and the distinctions among them, detailed in the previous section, were sensitizing concepts that informed analysis and specifically the creation of categorization frames. See appendix C for more about categorization frames. Specifically for the purpose of the ensuing analysis, the four elements were conceptualized discreetly, though they also co-constitute to form a broader framework, as also previously discussed. Workfare is specified as the conditioning of public assistance on work requirements. Privatization is specified as outsourcing or subcontracting human services and goods that had previously been provided by the public domain unto private entities. Devolution of authority is specified as the transfer of authorities from federal to state and local levels, but not second-order devolution to the private sector (which is conceptually linked to privatization) or the individual level (which is conceptually linked to workfare). Managerialism is specified as the processes, such as tactics, modalities, procedures, and strategies, through which privatization, workfare, and devolved authority could be implemented. That is to say, when texts overlapped in terms of categorical frames between managerialism and the other three elements, the text was sorted into the managerialism category, although it was conceptually linked with the other elements. Using the elements in these specific ways and using the deductive, critical approach serves analytical purposes but may also create limitations. Other conceptual specifications and an inductive research design may capture the more complex character of each element and their interlinkages and other dimensions or themes in the discourse, respectively. Also, future studies could more fully examine how the differing social positions of stakeholders, for example, those of state versus nonprofit agencies, and the lack of representation of refugees and their advocates may have played a role in the policy discourse.

I coded electronic versions of source documents by hand, and I created categorization frames for each of the four elements. I included texts into categories when the text included one of the four terms or used related language. I applied a reflexive process of reviewing and coding text, wherein as more and more parts of the texts were coded, new words or terms were added into categorization frames when applicable. I extracted blocks of text that corresponded to these frames and then sorted by category. After the text of all of the documents was sorted into the four categories or excluded, each set of text was analyzed for themes and evidence of congruence or
consistency and incongruence or contradiction. I conducted a second coding review in three instances: when a substantial amount of blocks of text were coded into one category, when emergent themes were located in one specific section of a document or testimony, and when a block of text was analyzed as diverging from, contrary to, or not fitting the emergent themes.

**FINDINGS**

I take two steps in discussing findings based on analysis of devolution of authority, privatization, managerialism, and workfare in refugee policy discourse and how they were embedded in policy discourse to address research questions. First, I specify text from source documents that evidences the four elements of neoliberalism that I have identified. Second, I discuss themes that emerged from texts or quotes in testimonies and policy documents to illustrate how testimonies and policy documents rationalized and argued for the four elements of neoliberal practice in refugee policy. All quotes come from “The Refugee Act of 1979: Hearing before the Subcommittee on Immigration, Refugees, and International Law, Committee on the Judiciary” (US Congress Senate Committee on the Judiciary 1979), unless otherwise noted.

**PRIVATEIZATION IN THE REFUGEE ACT OF 1980**

The key and historic role of private entities in refugee resettlement, as strong validation for institutionalizing privatization, is evident in policy discourse. In the congressional hearing, not a single testimony opposed the clear consensus among both public and private entities about the successful legacy of the private sector, specifically voluntary agencies, which are private, nationally based organizations, nonprofit or for-profit and faith-based or secular, that are contracted by the government to provide resettlement services (Nawyn 2006). The private sector had long been a part of US resettlement since the years after World War II (Moore 1979), and the Act codified that existing framework as part of federal policy.

*Legislated Privatization*

The Act stipulates that resettlement services will be administered by private nonprofit agencies, along with public agencies. The Act authorizes the ORR director “to make grants to, and enter into contracts, with, public or private
nonprofit agencies for projects” for addressing refugee employment, language skills, and other specific needs such as health or mental health (3 USC § 412(c)(1)), for “initial resettlement including initial reception and placement with sponsors” (3 USC § 412(a)(10)(b)(ii)), and for “up to 100 per centum of the cash assistance and medical assistance provided to any refugee” (3 USC § 412(e)(1)). In short, the Act makes it permissible for refugee services to be conducted entirely by private nonprofit agencies. The Act specifies that the federal resettlement office will “(take) into account the different resettlement approaches and practices of such agencies” (3 USC § 412(a)(10)(B)(ii)), referring to voluntary agencies. The Act mandates that the ORR consult regularly not only with states and localities but also with “private nonprofit voluntary organizations concerning sponsorship process and the intended distribution of refugees” (3 USC § 301(c)(1)). States are also mandated to have a designee who is “responsible for insuring [sic] coordination of public and private resources” (3 USC § 412(a)(6)(A)(iii)).

Uncontested Role and Long History in Resettlement: Private Agencies as “Key Ingredient to Success” and with “100-Year Record of Success”

Public-private partnerships in resettlement programming were heralded as not only central but as necessary to policy; the legitimacy of public-private partnerships was not once contested by a single testimony in the entire hearing. Preserving the public-private relationship was key in several testimonies. The US coordinator for refugee affairs noted that the “crucial element in international and domestic program is our relationship with private voluntary agencies. Our resettlement program could not function without their generous help.” He later reasserted that “the role of private voluntary agencies has proven time and again to be the key ingredient to success. Our resettlement program could not succeed without them.” Voluntary agencies do resettlement “in a more humanitarian way, in a more sensitive and responsive way,” and they provide “caring personal service,” as stated by the representatives for the Citizens Commission on Indochinese Refugee and for HEW, respectively. The secretary of HEW expressed that one of the reasons for his support of the proposed legislation was that it was “carefully drawn to preserve, support, and strengthen the hand of both voluntary agencies and states.” An associate professor of social science at Michigan State University concurred: “I urge planning that increases the role of voluntary agencies in planning.” The public-private relationship was a “unique partnership” and a “creative partnership,” as stated by the
representatives of the Council of Jewish Federations and Lutheran Social Services, respectively. One of their main concerns was the hope “that various programs of public and private are used as effectively as possible,” as stated by the American Council of Voluntary Agency representative.

Policy documents show how the historical role of the private sector in resettlement, beginning in the earliest years of refugee policies, is used to promote grounds for institutionalizing the existing privatization in resettlement services. The 1979 Congressional Research Service report (Moore 1979) reviews resettlement assistance programs and compiles existing policy reports in order to provide historical background for the role of the private sector. From the post-World War II era up until the time of the hearings, resettlement in the United States had been carried out almost entirely by “nonprofit voluntary agencies [that] assumed primary responsibility for assisting refugees” (Moore 1979, 35). “In other countries which resettle substantial number of refugees, government agencies often perform many of the functions that voluntary agencies perform in the US” (Moore 1979, 18). The very first federal action pertaining to refugees was President Truman’s Presidential Directive of 1945, an ad hoc policy for admitting war refugees. The Displaced Persons Act of 1948 replaced that directive and stipulated that to be admitted “an alien had to provide assurances that he would be able to obtain employment and housing . . . and that he would not become a public charge,” and it was private nonprofit agencies that provided those assurances (Moore 1979, 28). “Assurances of housing, employment, and financial support from voluntary agencies have enabled many refugees to enter the US” (Moore 1979, 35). The 1948 policy and the Refugee Relief Act of 1953 provisioned federal funds to be loaned to voluntary agencies to facilitate resettlement services by mobilizing communities and by linking refugees with American sponsors. Voluntary agencies have also facilitated programs specifically for unaccompanied minors or orphans and “hard to resettle” cases since the 1950s (Moore 1979, 35). In 1980, eight voluntary agencies, three of which were church-related, provided resettlement services (Moore 1979, 126). “Our presence here . . . is symbolic of our agency’s and church’s historic concern for those (with no) voice . . . and have to rely on others to speak for them,” stated the representative of Lutheran Social Services. The testimony of the Council of Jewish Federations’ representative included a cautioning against “destroying the 100-year record of success” of the voluntary private sector.
MANAGERIALISM IN THE REFUGEE ACT OF 1980

In the policy discourse, problematizing the financial costs of resettlement and its attending administrative and logistical challenges served to justify managerial modes of governance. Cost effectiveness was central to discussions, as policy makers and stakeholders negotiated ways to administer and fund the complex and difficult task of receiving, placing, and supporting thousands of refugees every year. Relatedly, public agencies were criticized for being inefficient, while private agencies were touted as cost efficient and successful, implying justification for managerialism. The centrality of cost in debates reflected economic logic for policy, but a key dissenting argument was posed. The administrative director in charge of resettlement services stated that public aid costs for refugees in fact constituted an insignificant portion of total welfare program costs, but this counterargument failed to gain traction in the policy debates. The final legislation specified monitoring processes and modalities of new public management or managerialism.

Legislated Managerialism

The Act mandates that the newly formed federal refugee resettlement office “shall develop a system of monitoring the assistance provided [to] include (a) evaluations of the effectiveness of programs funded . . . and performance of states, grantees, and contractors; (b) financial auditing and other appropriate monitoring to detect any fraud, abuse, or mismanagement in the operations of programs; (c) data collection on the service provided and results” (3 USC § 412(a)(7)(b)). To receive federal funding and assistance, states are mandated to “meet standards, goals, and priorities, developed by the (ORR) director” and submit annually “a report on the uses of funds” (3 USC § 412(a)(6)).

Costs: “How Much Money Will This . . . Cost the American Taxpayers?”

The question of cost and quest for cost effectiveness was dominant in the congressional hearing, reflecting emphasis on economic terms and thus implying grounds for managerial modes for tackling such costs. Managerialism focuses on bottom-line results, accountability, and performance, thus reducing costs and making agencies more cost effective. Instead of outcomes such as refugee wellness, appropriate transition, and successful long-term integration, policy debates centered on minimizing costs, and the
hearing determined that a business model was best for the job. In the introduction to the hearing, the committee chairperson said, “We must improve and streamline our procedures for absorbing and resettling refugees.” Policy makers asked about costs when considering policy options, as evidenced in the following five statements by four different policy makers: “How do you compare the cost of having persons in absorption centers or hostels versus having persons in homes of relatives?” “Can you quantify the costs of failing to provide the basic English language skills at the outset?” “How much money will this program, if enacted into law, cost the American taxpayers?” “I and other Congressmen are going to have to justify to our constituents that there are no costs involved, or... that it will be picked up by the federal government.” “The creation of complete infrastructure to take care of the newcomer, since in most cases housing, parks, streets, schools, and all the necessities for creating a new life must be built from scratch.”

Calculations were presented throughout the debate, such as cost of services, cost per job placement, cost per refugee (estimated at the time to be about $20,000 per capita), and infrastructure costs. A university professor offered his opinion for cost management: “My own guess is that more money spent at the beginning of the resettlement process will mean less in the way of long-term costs of refugees.” So did a representative of the private entity United Israel Appeal: “In the long run, it is much cheaper to use this indoctrination method to the country (absorption centers) than to, let’s say, throw them into cold water and say go ahead and swim.”

Policy makers and stakeholders problematized costs, but the director of HEW, the public agency administering resettlement at that time, stated that at least in terms of public assistance to refugees, “HEW is so big and refugee components within the total HEW structure would be so small, that the program costs are inconsequential.” Paying for resettlement of thousands of refugees each year was nevertheless a point of contention in the hearings. This point was counterfactual to the broader discussions about cost, but it elicited neither response nor further debate and was not in any other testimony.

Inefficient Public Agencies: “Inadequacy of State-Run Social Services”

The director of the US Government Accountability Office (US GAO) international division reported a lack of effective oversight of state government contracts and potential for abuse within HEW, which would later be the Department of Health and Human Services. The HEW director reported
that “HEW (has) not made systematic, nationwide audits or evaluations of state government refugee programs or claims for federal reimbursements. . . . Because states’ contracts are 100 percent federally funded, [there is a] tendency . . . for states to be less conscientious in monitoring effectiveness and expenditures.” The director also advocated for closer surveillance and mandated audits to tighten the monitoring of grant funds and called “careful, constant, prudent monitoring and management [of HEW] a high priority.”

The 1979 Congressional Research Service (CRS) policy report documents HEW’s areas of weakness in managing resettlement programs. “Government officials have had a difficult time planning and managing refugee programs on any but a very ad hoc basis. Over the past 3 years, the HEW Indochina Refugee Program Office has had several reorganizations, its staff levels have fluctuated, detailed program guidelines have never been formulated, and some important evaluation and monitoring responsibilities have not been carried out” (Moore 1979, 137). Regional office staff members responsible for monitoring federally funded social service contracts for refugee programs stated that they had no experience in carrying out the task of resettlement. The unpredictability of refugee admissions and funding delays and uncertainties also impeded resettlement efforts. The comptroller general’s report to the Congress agrees that “several voluntary agencies noted the inadequacy of state-run social services and job training programs” (Moore 1979, 131). Such woes and problems implied that agencies needed increased accountability, monitoring, and standards for performance and outcomes, precisely the strategies leading to managerialism.

Cost-Effective Private Agencies: “Expedite Resettlement Program at a Much Lower Cost”

Cost efficacy, meanwhile, was heralded. Specifically, the cost efficacy of private agencies was contrasted against that of their public counterparts, providing rationale for the managerial processes that came with private agencies. As earlier discussed, privatization and managerialism combine as marketization, and testimonies made that explicit by linking private agencies with their business model, touted as successful. “The private sector can, without question . . . at a very much lower cost, do the job of resettlement (better) than government could do it or would do it if that were its role,” stated the Citizens Commission on Indochinese Refugees representative. “We’ve also developed expertise not only in social resettlement program,
but economically as well. . . . We are expediting the resettlement program at a much lower cost than . . . two or three years ago,” asserted the Council of Jewish Federations representative. “We believe . . . our experience in delivering integrated resettlement services can serve as a model,” that representative continued. “The private sector has been able to move fast to work out alternative plans and be extremely flexible,” stated the Lutheran Social Services representative. However, the US GAO director countered that voluntary agencies were not monitored: “It’s a flat rate per refugee (for reception services). There are no specific targets as to what is to be accomplished.” This was a clear point of contention, but the argument did not elicit further debates and was not reflected in any other testimony.

Devolving of Authority in the Refugee Act of 1980

Two opposing arguments emerged in discourse, one countering and the other supporting devolution of authority. The need for equity and uniformity, giving grounds for centralized governance that would standardize operations and thus policy outcomes across the country, rather than devolved authority, is apparent in policy documents and testimonies. Programmatic problems caused by variability and inconsistency were one of the issues that set in motion the overhaul and federalizing of resettlement services in the first place. Contradictorily, however, flexibility was also touted as advantageous, serving to rationalize devolution of authority, which would allow states to tailor administration according to local needs but also local politics and attitudes, thus creating nonuniformity and discretion. Consistency was in direct conflict with flexibility, but the latter dominated in the final legislation, which specified a highly devolved model of state administration and second-order devolution to the private sector.

Legislated Devolution of Authority

The final resettlement legislation explicitly stipulates the devolving of authority and decision making from the newly created federal Office of Refugee Resettlement (ORR) to states and then to local agencies. The legislation does not specify processes or detailed plans for implementing refugee resettlement; instead, it specifies that, as a condition for receiving federal assistance or funding, “a State must submit to the (ORR) Director a plan which provides a description of how the State intends to encourage effective resettlement and to promote economic self-sufficiency as quickly
as possible,” along with other requirements (Refugee Act of 1980, 3 USC § 412(a)(6)(A)(i)).

**Consistency Needed: A “Crazy Quilt,” a “Hodge Podge,” and “a Patchwork” of Programs**

The policy debates called for an “equitable,” “uniform,” and “consistent” program, warranting centralized rather than devolved governance. In introducing the proposed legislation, the chairperson noted that “the objective of this Act is . . . to provide a comprehensive and uniform provisions for temporary and transitional assistance to those refugees who are admitted.” The US coordinator for refugee affairs also expressed the need for “a more equitable way of assisting refugees once they’ve arrived.” Inconsistency and variability were the main problems with the existing resettlement program, with services varying across different localities and agencies nationwide and for different refugee groups. Inconsistency was such a problem that “Federal and State Involvement: A ‘Patchwork’ of Programs and Funding” was the title for one chapter in the comptroller general’s 1979 Report to Congress in the Congressional Research Service (Moore 1979, 135). The chapter elaborated that “achieving consistency in the . . . refugee program, however, is only part of the broader need to bring consistency to what is currently a patchwork of different federal programs for different refugee groups in the US; program differences are basically inequitable” (Moore 1979, 137).

The 1979 Senate Committee on Appropriations made a similar assessment: “The resettlement assistance effort has become a ‘crazy quilt’ assemblage of overlapping and frequently competing programs” (Moore 1979, 16). Stakeholders emphasized the fragmentation and variability of programmatic, geographic, and agency services. The committee chairperson explained: “Program responsibility has been fragmented between several federal and state agencies. . . . Resettlement programs—using my own word—were a ‘hodge podge’ of different responses at different times, and not only do we have different programs for different refugee groups, but we also have different agencies administering these programs.” The CRS report finds that “the range of services provided to refugees varies from one agency to another, and from case to case within the same agency” (Moore 1979, 18).

**Flexibility Needed: “We Need Local Initiative Wisdom Experience”**

In direct opposition to the calls for consistency, testimonies argued in favor of flexibility and local control as a rationale for devolved authority.
Representatives of the voluntary agencies called for flexibility to be able to modify services and processes to suit a particular need or situation. “We want legislation that provides flexibility, and one that allows alternative systems of service provision, where needed,” stated the Council of Jewish Federations’ representative. “Refugee resettlement is an on-the-ground grassroots individual problem solving process. It is casework. We must not lose sight of the individual. National planning but we need local initiative wisdom experience. . . . We must therefore allow for a great deal of flexibility at [the] local level,” expressed a representative of the American Council of Voluntary Agencies for Foreign Service. “Flexibility to adapt to varying needs of different refugee groups” is critical, stated the US coordinator for refugee affairs. In his testimony, a representative of Lutheran Social Services was explicit about concerns about decentralization in resettlement programming, while simultaneously seeking flexibility specifically in refugee foster care as part of resettlement services. The Lutheran Social Services representative explained: “The problem is [the] state-federal system. Federal government structures or channels allow it but states are independent in what they want in their boundaries. State-federal communication is broken down. Flexible and alternative foster care plans [are] needed to individualize.” Flexibility and local control, which would be facilitated by devolved authority, is linked, of course, to local levels and the private sector, and the consensus on privatization, as discussed, perhaps served to quiet the counterarguments that called for consistency and uniformity as a rationale for centralized governance.

**Workfare in the Refugee Act of 1980**

Arguments both for and against workfare emerged in policy discourse. Some portrayed refugees as dependent, thus serving to rationalize workfare as disincentive for public assistance. Others touted refugees as compliant and diligent workers, thus presenting as counterargument to the need to motivate them to work in the first place. One public administrator called out the lack of evidence to justify the purported dependence of refugees, but this counterfactual did not hold sway in the policy debate. Stakeholders’ testimonies were in tension, but those oppositions were not reflected in the final legislation, which mandated work requirements for resettled refugees in exchange for public aid.
Legislated Workfare

The Refugee Act and the Omnibus Act of 1981 both incorporated workfare, but unlike the Omnibus Act, which allowed the option of cash assistance as conditioned on employment, the Refugee Act mandated it. Public aid as conditioned on work is not up to states but is a federal requirement. “Cash assistance provided . . . to an employable refugee is conditioned, except for good cause shown, on the refugees’ registration with an appropriate agency providing employment services or . . . and on the refugee’s acceptance of appropriate offers of employment,” effective after the first 60 days of refugees’ arrival (Refugee Act of 1980, 3 USC § 412(e)(2)).

Refugees as Dependent: “They’ve Developed a Welfare Syndrome”

The dangers and burden of welfare dependence among refugees was explicit and prominent in the congressional hearing. Portraying refugees as dependent justified workfare, which was intended to curtail such dependence. That curtailing in turn would minimize costs, which were also problematized, as discussed in the above section on managerialism. “Refugee resettlement tied to public assistance is inappropriate,” stated the American Council of Voluntary Agency representative. “[Refugees] were not previously dependent populations. Using public welfare as mechanism for interim support can be psychologically damaging for refugees and engender a dependency which operates at cross purposes with the objectives of assisting refugees to achieve self-sufficiency.” “What we’re trying to get away from is putting them on welfare initially,” stated a professor of social science from Michigan State University. “Some refugees are now permanently on welfare. They’ve developed a welfare syndrome. Once you develop it, it can be very difficult to get rid of it. The one key factor is the refugee is treated as a poor person. If you treat them as poor people and give Title XX, you’re going to push them more in the direction of welfare and less in the direction of being productive citizens.” The representative of the Indochinese Education Program, meanwhile, cautioned against the “marked difference in [refugees’] attitudes” about jobs, as she described an education program for adult refugees. “In the beginning, the attitude . . . was negative about cash assistance. . . . It was a great embarrassment,” she said, but refugees started to refuse job offers, and so she recommended that cash assistance be terminated when refugees refuse jobs. Refugees ought “to be taxpayers as soon as possible in appropriate way, number one, because
there’s a limit in federal funds,” stated the Council of Jewish Federations representative.

Several stakeholders at the hearing testified about refugees’ dependence, but there seemed to be a lack of supporting evidence, according to the division director of US GAO, which assessed resettlement programs. “No studies about welfare caseload for refugees; states don’t know how long refugees receive cash assistance,” stated that director, whose testimony offered detail. The only available information, a study of a sample of Vietnamese refugees, did not support the claim that refugees were largely dependent on welfare. A majority, about 66 percent, of the Vietnamese refugees were in the labor force, while only 11 percent of Vietnamese households were receiving public assistance. Many refugees accessed assistance as a supplement; they were employed but not making enough to be out of poverty. About 80 percent of employed refugees earned less than $200 per week. The chairman of the Citizens Commission on Indochinese Refugees concurred, explaining that “a significantly higher portion of the refugees find themselves turning to assistance funds to supplement the very low earnings . . . food stamps and other supplementary forms of assistance.” These counterarguments were not taken up further in the hearing, however.

Refugees as Good Workers: Refugees Are “Willing to Work at the Most Menial Levels” and “Accept Welfare with Heavy Heart”

Incongruent with the portrayal of refugees’ dependence was several other testimonies’ parallel depiction of refugees as mostly employed and diligent workers. Portraying refugees as good workers rendered the argument that they needed to be incentivized to work via workfare erroneous. The HEW secretary said that “new refugees are enriching this nation. What stands out is their eagerness to contribute.” “We also see an industrious people whose employment record more than matches the employment record of our own population,” said the representative of the National Coalition for Refugee Resettlement, a coalition of voluntary agencies and local and national public entities including state governments. The attorney general shared in a personal reflection: “I’ve seen them around Atlanta and they’re working hard. Some of them haven’t been there long, and they’re already grocery store men. And it may be we’re gaining money. You know, the work ethic is a great thing in our country.” “[Vietnamese refugees] have already established a reputation for being industrious and reliable workers,” the US GAO director concurred. The Indochinese member of the National
Coalition for Refugee Resettlement seemed to agree, stating: “[Refugees] accept welfare with heavy heart. They don’t want to be a public burden.” Refugees were also discussed as docile workers who are willing to take any job. Refugees are “willing to take survival-type jobs” and “willing to work at the most menial level,” stated the HEW director and a National Coalition for Refugee Resettlement representative, respectively. The latest wave of Vietnamese arrivals at the time were “less educated . . . more illiterate, more unexposed to Western culture,” and thus they were more motivated to work, said the HEW director. “It would be impossible for me to get [Americans] to take some of the jobs that refugees take,” stated the civil rights advocate of the Citizens Commission on Indochinese Refugees.

**DISCUSSION**

Market-based rationale and strategies became the basis for most social policy in the neoliberalizing policy environment of the early 1980s (Ong 2006; Prasad 2006; Katz 2013). This study’s findings suggest that federal refugee resettlement policy in the Refugee Act of 1980 was no exception. Devolution of authority, privatization, managerialism, and workfare were constitutive of and legislated in the Refugee Act of 1980 in a manner that is parallel to, if not arguably more consolidated than, the manner in which these same elements were incorporated 1 year later in the Omnibus Act of 1981, which is considered the forerunner to the 1996 welfare reforms.

My findings illustrate how language in the refugee policy arena served to rationalize and promote neoliberal practice in refugee resettlement as poverty governance. There was clear consensus for the key and historic role of private entities, as strong validation for privatization. Testimonies likewise cohered around warranting managerial processes to administer the huge costs and complex tasks of resettlement services. Contradictions emerged with regard to workfare and devolution of authority, however. Refugees’ dependence on welfare was problematized, but refugees were also depicted as good and docile workers, thus providing concurrent validations both for and against workfare. Likewise, simultaneous rationale for both the pros and the cons of devolving authority were presented in discourse. These contradictions were not reflected in the final legislation, however. Stakeholders’ testimonies diverged on ideas pertaining to devolution and workfare, but they converged on those related to privatization and managerialism, which combine as marketization. Neoliberal discourse spreads unevenly
across different social positions of speakers, reflecting the varied interests
and positions of the various stakeholders in the bureaucratic field of refugee
resettlement, for example, those of state versus those of nonprofit agencies.
Contradictions in the discourse, however, did not reflect that unevenness
based on stakeholders’ different positions. My findings reveal the dynamic,
complex ways through which political discourse coheres into the resultant
legislation.

This historical analysis highlights the refugee as discursively situated in
specific historical contexts. Refugees were considered only in relation to
Communism during the Cold War (Hamlin and Wolgin 2012), were seen
as dependent or docile workers in the market-oriented era at the turn of
the century, and are now feared as radical Muslims in today’s atmosphere
of terrorism and securitization. The parallels between shifts in portrayals
of the refugee and corresponding shifts in policy help reveal the politics of
language and the discursively contingent ways through which refugees as
subjects and policies, and thus policy outcomes, are shaped and reshaped.
The so-called “refugee crisis” presents the refugee as an intractable global
problem, and admitting refugees into domestic space seems inescapable,
owing perhaps as much to geopolitical commitments as to humanitarian
obligations. By posing the resettled refugee as an economic subject rather
than a rights-bearing individual, refugee policy as a neoliberal practice
perhaps serves as a permissible compromise that accommodates that
unavoidable imperative that is refugee resettlement.

Market fundamentalism or neoliberalism as state practice alters notions
of citizenship (Ong 2006; Somers 2008; Wacquant 2010; Katz 2013). Neoliberalism “(dis)articulates citizenship,” whereby “components formerly
tied to citizenship—rights, entitlements—are becoming disarticulated from
one another and rearticulated with governing strategies that promote an
economic logic in defining, evaluating, and protecting certain categories of
subjects and not others” (Ong 2006, 16). De jure, or rightful, citizenship
becomes contractualized and commodified under market fundamentalism,
leading to a retreat of the social state and its attending protections and
supports (Somers 2008). In Somers’s theoretical reconsideration of Amer-
ican citizenship, she argues that rights-based citizenship is premised on
social inclusion, on “meaningful membership in civil society and political
community—that confers recognition and rights” (Somers 2008, 118). That
“existentially foundational right” (Somers 2008, 6), upon which civil, polit-
ical, social, and cultural rights hinge, did not apply to newly resettled
refugees, however. As outsiders and as would-be citizens still in formation, refugees were perhaps taken for granted as not fully deserving, and their rights and entitlements were assumed to be conditioned upon their obligations and duties to the state. Refugees’ relation to the social state was thus contractualized in the first place, and vulnerable to commodification.

Designated for a group of noncitizens with no legitimatized social citizenship claims in the United States and who offered no political resistance, the landmark legislation of refugee resettlement, written in precisely that moment of institutional formation and in an era of market-oriented shifts in policy, presented itself as a perfect storm that facilitated both the adoption and normalization of neoliberal practice in poverty governance. My findings posit that the treatment of resettled refugees by the Refugee Act of 1980 prefigures how neoliberalism “remake(s) the nexus between market, state and citizenship” (Wacquant 2010, 213), in relation to poverty governance specifically. That the same neoliberal governing strategies in refugee policy find their way into welfare policy, sharing similar functions and modalities, is suggestive not only of institutional and policy path dependence but also of transplantation of disarticulated citizenship from refugees who are not citizens onto welfare recipients who are. “Three decades of what has become market-driven governance are transforming growing numbers of once rights-bearing citizens into socially excluded internally rightless and stateless persons” (Somers 2008, 2), a description befitting many resettled refugees.

Social welfare policies, as neoliberal regulatory practice, have been analyzed for far-reaching and profound human consequences. Over 35 years after the passing of the Refugee Act, academic inquiries and government assessments of current resettlement practice indicate parallel outcomes. Some refugee scholars have called into question the predominance of fast-track employment for refugees as a policy aim (see US Government Accountability Office 2011, 2012; Connolly 2013), the marketized management and incentivized funding structures (see Trudeau 2008; Erickson 2010), and decentralized resettlement programming (see Zetter, Griffiths, and Sigona 2005). This article helps synthesize a more particular argument about the work-focused, devolved, and marketized modes of policy and practice with refugees. Juxtaposing refugee policy with welfare policy suggests new insights and opens up new lines of theoretical and empirical inquiry on how the two policy arenas may inform one another. This policy discourse helps contour the theoretical underpinnings for resettlement
practice and policy, while it locates refugee studies in a conversation with the broader scholarship about neoliberalism, social welfare, and citizenship.

**NOTE**

Odessa Gonzalez Benson is a doctoral candidate in social welfare at the University of Washington. Her research examines refugee resettlement policy, refugee communities and organizations, and citizenship. The author thanks Marcia Meyers, Gunnar Algren, Mark Ellis, and the editor and reviewers for their insightful feedback and suggestions.

**APPENDIX A**

*Data Sources*


**APPENDIX B**

*Data Sources Search Process*

First, a search for documents about the hearings related to the Act was conducted, with search term title “Refugee Act of 1979” and specifying term document type “hearings.” The search retrieved three documents. The first document was “Hearings before the Subcommittee on Immigration, Refugees, and International Law of the Committee on the Judiciary, House of Representatives, 96th Congress, held May 3, 10, 16, 23, and 24, 1979.” The second document was “US Senate Hearing before the Committee on the Judiciary, Held March 14, 1979.” The congressional hearing was included in the sample but not the Senate hearing. This was deemed appro-
priate because all agencies represented in testimony in the Senate hearing were also represented in the congressional hearings. Further, testimonies were more diverse and more full in the congressional hearing, which took place over 5 days versus 1 day for the Senate hearing. The third document was excluded as it did not pertain to domestic resettlement but to admissions: “Congressional Hearings before the Subcommittee on International Operations, Committee on Foreign Affairs, Held September 25, 1979.”

Second, a search for other policy documents about the hearings related to the Act was conducted, with search in all fields except full text: “refugee resettlement”; specifying term year: “1979”; and excluding term document type: “hearings.” This search retrieved three documents, all included in the sample: two House and Senate Reports and one Committee Print, “1979 Report by the Congressional Research Service (CRS) for the Committee on the Judiciary of the US Senate: A Review of US Refugee Resettlement Programs.” The former two documents were brief administrative reports. The latter Committee Print is a compendium of previously published reports on refugee resettlement. Included in that compendium are “The Comptroller General’s Report to the Congress of the United States: the Indochinese Exodus: A Humanitarian Dilemma,” published April 24, 1979, and the academic article “Occupational Adjustment of Refugees: the Vietnamese in the United States,” published in the *International Migration Review*, spring 1979. All text data in the findings not referenced from the legislation and hearings were retrieved from the 1979 CRS report (Moore 1979).

**APPENDIX C**

*Categorization Frames*

For *workfare*: “work,” “public assistance,” “cash assistance,” “welfare assistance,” “employment,” “job,” “worker,” “labor” and, later added: “burden” and “dependent.”

For *privatization*: “private” or “non-profit” organization or agency, “public-private partnership,” and, later added: “history.”

For *managerialism*: “manage,” “business,” “compliance,” “outcomes,” “measures,” “accountability,” and, later added: “cost-efficiency,” and “cost” or “expense.”

For *devolution of authority*: “devolution of authority,” “oversight,” “state or local government,” and, later added: “equitable,” “uniform,” “consistent,” and “flexible.”
I excluded the section of the Act, Title II Admission of Refugees, and text related to refugee admissions, human rights, and international or foreign affairs or related to redefining the legal term “refugee.”

REFERENCES


