

Conclusion

The collapse of South Vietnam, the frantic and humiliating American evacuation, and the rise of the North Vietnamese flag at the presidential palace in Saigon make April 1975 an extremely compelling and deceptively obvious point to conclude histories of the Vietnam War. Although a turning point of profound importance, this historical moment did not inaugurate an abrupt shift from war to peace between Washington and Hanoi, nor did the collapse of the Republic of Vietnam as a political entity erase the bonds between the American and South Vietnamese peoples, which persisted in their intimate, asymmetrical complexity. A complete history of the Vietnam War, therefore, must include the post-1975 period.

Between 1975 and 1980, the political situation in Southeast Asia remained in flux as new governments came to power and the Third Indochina War erupted. At the same time, relations between the United States and the two communist superpowers transformed dramatically. In this fluid environment, questions about the bilateral ties between Washington and Hanoi and the extent of any ongoing American commitment to the South Vietnamese people remained hotly contested. By the end of the decade, US policy toward the region reoriented and stabilized. After resuming formal diplomatic relations with China, American policy makers tabled official negotiations with the SRV and established two preconditions for the resumption of formal ties: the withdraw of Vietnamese troops from Cambodia and a “full accounting” of missing American servicemen. These two conditions forestalled any progress on official bilateral ties for a decade.

In the intervening years, however, relations between Washington and Hanoi remained far from frozen. During the 1980s, the United States’

normalization policies were characterized by ultimately irreconcilable contradictions. American officials spent considerable time and resources to perpetuate wartime hostilities *and* pursue postwar reconciliation, to isolate Hanoi *and* deepen the human and policy ties between the United States and Vietnam. These inconsistencies become decipherable only once we recognize that US officials assumed decidedly different tones with the government in Hanoi and the South Vietnamese people. Pursuing postwar reconciliation involved addressing the United States' relationship with both.

Throughout the 1980s, American officials expanded the purview of US policy to include not only those who fled the SRV by boat but also the Amerasians and current and former reeducation camp prisoners who remained in Vietnam. The intensive contacts and, ultimately, cooperation that migration programs for these groups required served, in large part, as the basis for ongoing US-Vietnamese ties during the crucial twenty years after the fall of Saigon. The tendency to characterize Vietnamese migration to the United States as arriving in "waves" thus obscures the true nature of the diaspora and concomitant US resettlement policies: both were constant. American officials consistently increased migration opportunities in the two decades after 1975, announcing major policy initiatives not only throughout the late 1970s but also in 1982, 1984, 1987, 1988, 1989, and 1996. Migration programs, moreover, transformed the tenuous ties of the US-RVN alliance to the much more enduring relationships facilitated by resettlement, including, in many cases, naturalization and citizenship.

To fully understand US-Vietnamese relations after 1975, one must take into account the pervasive role of migration politics and policy making. Although American officials emphasized the importance of POW/MIA accounting over other concerns in their public addresses, a decision clearly aimed to placate domestic audiences, US officials linked POW/MIA accounting and migration programs as "humanitarian issues." Collaboration on humanitarian issues facilitated normalization between Washington and Hanoi even as formal ties remained suspended.

Although US officials argued that negotiations on humanitarian issues were separate from, and by implication secondary to, political concerns, these distinctions dissolved in practice. By insisting that Hanoi resolve humanitarian issues to American satisfaction prior to the resumption of formal ties, US policy makers infused humanitarian concerns with political significance. Collaboration on these issues thawed US-Vietnamese relations in ways that were likely unintended or, at least, not universally

intended. The negotiation and implementation of humanitarian programs spurred regular dialogue, personal relationships, and bilateral and multi-lateral agreements between Washington and Hanoi. US and SRV officials met repeatedly, at regular prescheduled intervals in Geneva, New York, and Hanoi. US congressmen, State Department officials, Pentagon employees, NSC staff, and representatives of American NGOs flew to Hanoi regularly to meet with their Vietnamese counterparts. In 1987, US officials were stationed on the ground in Ho Chi Minh City to conduct exit interviews for the ODP, and in 1993 the United States established a special POW/MIA office in Hanoi. Although formal economic and diplomatic relations did not resume until 1994 and 1995, respectively, it is obvious that US-SRV relations were far from frozen or static after 1975.

Nongovernmental organizations played a crucial role in this larger process. While large, well-funded, and well-connected NGOs like the United Nations High Commissioner for Refugees, Citizens Commission on Indochinese Refugees, the National League of POW/MIA Families, and, to a lesser extent, Amnesty International all constituted powerful voices in the normalization process, grassroots organizations also contributed to US policy in essential ways. The Aurora Foundation and the Families of Vietnamese Political Prisoners Association exerted an influence that belied their modest resources and helped make a largely invisible issue a consistent and central feature of US policy. While the Aurora Foundation is an example of the ability of a human rights NGO to influence American foreign policy, the FVPPA's success illustrates the ways members of the Vietnamese diaspora were not only the recipients of US programs but policy influencers in their own right.

It is hard to overstate the personal time, energy, and sacrifice Ginetta Sagan and Khuc Minh Tho invested into their respective organizations. When Sagan realized that American human rights activists, including her AIUSA colleagues, would not document and publicize what she saw as obvious human rights violations in the SRV, she founded her own organization to fill the void. Sagan personally traveled throughout the United States, Europe, and the Philippines to interview former reeducation camp detainees, which led to her widely circulated 1983 and 1989 reports. Given both Amnesty International's refusal to permit AIUSA sections from adopting Vietnamese prisoners of conscience and the fact that so many reeducation detainees were ineligible for POC status, it is unlikely that other actors would have filled the advocacy void in the late 1970s or early 1980s and continued their work for over a decade, as Sagan did.

Khuc Minh Tho warrants similar recognition. To be sure, the FVPPA was not the only Vietnamese American organization concerned with reeducation camp detainees, and other organizations played important roles in assisting former prisoners and their families with the transition to life in the United States. Yet, in echoes of Sagan, it is unlikely that another individual would have been able to fill Tho's shoes. Her tireless advocacy, strategic location in the greater DC area, familiarity with American bureaucratic norms, and by the late 1980s, her personal relationships with key US policy makers rendered her personal advocacy vital to the broader US position on reeducation camp detainees. In keeping with some of the most persuasive scholarship on the Vietnam War's origins and military phase, then, the normalization process was characterized by contingency, where the decisions of individual actors had real and long-lasting consequences.

Members of Congress also left an indelible impression on US-Vietnamese normalization. By passing resolutions, holding public hearings, proposing legislation, leading delegations, founding special committees, collaborating closely with NGOs, and exerting pressure on both the White House and Hanoi, Congressmen played a definitive role in crafting US policy toward Vietnam after 1975. As was the case with nongovernmental advocacy, the efforts of a select group of individuals spearheaded larger institutional initiatives. Ted Kennedy, who advocated on behalf of those displaced as a result of US policies prior to 1975, led legislative efforts to create the Refugee Act of 1980. Kennedy was joined in the late 1970s by other congressional activists, including Rudy Boschwitz, Bob Dole, Claiborne Pell, and Stephen Solarz. All of these congressmen connected their personal and familial histories, especially their ties to World War II and the Holocaust, to the events they saw unfolding in Southeast Asia and therefore made increased admissions for oceanic and overland migrants personal and eventually governmental priorities.

By the late 1980s, Vietnam War veterans in Congress assumed leadership roles in the American approach to normalization. As veterans and the US military grew in the American public's estimation, military service became a powerful form of political capital that legislators wielded to assert themselves in the normalization process. Because of John Kerry, John McCain, and Pete Peterson's personal credibility as men who fought in the Vietnam War when it was unpopular to do so, these officials could speak about US-Vietnamese relations in ways few others could and helped accelerate normalization. At the same time, legislators also worked to

slow increasing ties between Washington and Hanoi, as the testimony, resolutions, and congressional committees offered by Jesse Helms, Chuck Grassley, Bob Smith, and others illustrate.

Congress also defined the legal parameters that informed US-Vietnamese relations after 1975 by codifying human rights into the conduct of US foreign policy. In the mid-1970s, as part of Capitol Hill's larger efforts to reclaim a role in the nation's foreign affairs, Congress passed legislation that required foreign nations to meet human rights standards before they were eligible to receive foreign aid from the United States. Once the US and SRV began resuming official economic and diplomatic relations in the 1990s, these laws required US officials to expand their concern beyond a narrow understanding of "humanitarian issues" to the full spectrum of human rights conditions in Vietnam. The Refugee Act of 1980, which enshrined a human rights based definition of refugee and an "of special humanitarian concern" exception clause into US law, also ensured that these moral languages – and Congress itself – would have a role in crafting US refugee policy.

Although nonexecutive actors definitively influenced US-SRV normalization, one cannot dismiss the ongoing importance of the White House. In terms of the power to mobilize the US bureaucracy and set American policy priorities, the individual proclivities of each president in the decades after 1975 were paramount. Ford's determination to include South Vietnamese in the US evacuation, Carter's initial reluctance to support large admissions for oceanic and overland migrants and his popularization of human rights rhetoric, Reagan's personal investment in POW/MIA accounting, Bush's inclination to accept a different definition of "full accounting" than Reagan, and Clinton's willingness to resume formal economic and diplomatic relations with Hanoi despite a potential domestic blowback all created the terrain through which nonexecutive actors had to navigate. After the fall of Saigon, however, the nation's Vietnam policy was never among the top five national security issues with which any sitting American president had to contend. Although executive backing remained essential, the White House no longer served as the primary engine of policy initiative. Nonexecutive actors dictated much of the scope and pace of US-Vietnamese relations after 1975.

The momentum for the resumption of formal relations accelerated in the late 1980s and early 1990s thanks to a series of systematic changes. The dramatic thawing in US-Soviet relations, the fall of the Berlin Wall, and the collapse of the Soviet Union invited American officials to rethink fundamental assumptions about the world and US foreign policy. Internal

changes in the SRV, which were connected to these larger transformations, including the rise of a new generation of leaders and *doi moi* policies, also shifted the geopolitical scene. Amid these changes American officials presented the SRV with a Roadmap to Normalization, a plan that signaled a notable change in American tone; the question would be when, not if, the former foes would resume official bilateral ties. American demands, however, remained consistent: Hanoi had to withdraw its troops from Cambodia, facilitate a “full accounting” of missing American servicemen, and continue collaboration on humanitarian issues.

As Washington and Hanoi neared the resumption of formal relations, a series of incredibly emotional, politically fraught questions emerged, and the consensus that characterized much of the 1980s dissolved. The definition of “full accounting,” the Comprehensive Plan of Action’s endorsement of repatriation to Vietnam, and the question of how long and under what circumstances the US retained a moral obligation to the people of South Vietnam all became hotly contested. Ultimately, American officials decided to both end existing programs, in an effort to conclude the humanitarian initiatives they had earmarked as preconditions, and created new loopholes for South Vietnamese to resettle in the United States. These exceptions and the continued arrival of South Vietnamese as refugees into the twenty-first century signaled the enduring power of the US-RVN alliance. The specific terms of the 1996 ROVR and McCain Amendments, however, also attest to the groups that US officials found most deserving of American assistance: those who fled Vietnam by boat and former reeducation camp detainees and their close family members.

Like the study of the war years, then, the popular tendency to reduce the narrative to a contest between Washington and Hanoi oversimplifies an incredibly complicated story in which the South Vietnamese people played a fundamental role. In the mid-1990s, Washington ultimately concluded that while the time had come to resume formal relations with the government in Hanoi, the time to fully normalize the relations between the American and South Vietnamese peoples had not. By creating loopholes and implementing new programs, US officials once again ensconced the exceptionality of US-RVN ties into American policy and law. For Americans, postwar reconciliation included addressing both the government in Hanoi and the people of South Vietnam.

The US-SRV normalization process contributed to the growing elasticity of many important concepts, including that of refugee, human rights,

humanitarianism, and war itself. After 1975, the boundaries between war and peace shifted in complex and contradictory ways. The two processes – war making and peace building – were entangled and contemporaneous rather than diametrically opposed. While the United States perpetuated hostilities with formal economic and diplomatic policies, collaboration on humanitarian issues, especially migration programs, became the primary means of postwar reconciliation.

Although a refugee, from a legal standpoint, is defined as one outside of his or her country of nationality, the realities faced by many South Vietnamese after 1975, especially Amerasians and reeducation camp prisoners, exposed this definition as inadequate. The Orderly Departure Program, in particular, marked a key turning point. By facilitating the emigration of individuals who had not crossed an international border, the program was a crucial pivot point in a larger shift that forced the international community to reckon with the gap between the legal definition of refugee and the reality of lived experiences.

In addition to influencing the way we understand who qualifies for refugee status, the Indochinese diaspora also prompted two very different American (and international) responses to the migrations. In the late 1970s, the United States and, eventually, the UNHCR emphasized resettlement as the primary response. This approach expanded precedents established during WWII and reflected the American practice of resettling large numbers of refugees fleeing communist countries in the Cold War context. Embracing the ODP was a novel step for the United States, however, in that it required support for a multilateral, rather than unilateral, program facilitated through the once much-maligned UNHCR. By the late 1980s, the Comprehensive Plan of Action signaled both a withdraw of American global leadership on refugee issues and that repatriation had replaced resettlement as the international community's default response to major displacement. The different ways that the United States, UNHCR, and international community responded to the diaspora over time tell a larger story about changing refugee norms in the twentieth century. Recognition of the limits of the legal definition of refugee and a shift from resettlement to individual screening and a preference for repatriation also foreshadowed the contours of refugee politics in the early twenty-first century.

So did the entanglement of humanitarianism and human rights. The Indochinese diaspora was spurred simultaneously by war-related humanitarian concerns and massive human rights violations. Because the diaspora and Cambodian Genocide occurred at precisely the moment that

human rights activism and rhetoric became ubiquitous, nonstate actors and government officials framed these events through a human rights lens and drew repeated comparisons to the Holocaust. What contemporaries called the Indochinese refugee crisis drew the attention of long-standing humanitarian organizations like the UNHCR and IRC and new human rights NGOs like Amnesty International and the Aurora Foundation. The American response to the diaspora further entangled humanitarianism and human rights not only rhetorically and politically but also legally, with the Refugee Act's codification of a human rights-based definition of refugee and the "special humanitarian concern" exception. Although still distinct in important ways, refugee activism highlighted the links between human rights and humanitarianism and further conflated the concepts.

The alacrity with which US government officials embraced and echoed the language of humanitarianism and human rights is striking. When writing about the post-Cold War world, scholars repeatedly observe that human rights have become the moral lingua franca of twenty-first-century international relations. The US-SRV normalization process was an important moment in this larger narrative. As the concepts of refugee, human rights, humanitarianism, and war have expanded, the boundaries between them have also eroded. Human rights and humanitarianism efforts do not simply follow or critique conflicts; they bookend wars, acting as both justification and salves for armed violence. War, refugees, humanitarianism, and human rights form not just a narrative arc but a cycle. While the entangled roots of militarism and morality run incredibly deep, a history of the Vietnam War that includes the normalization process helps explain the particular ways these ideas manifest in the late twentieth century and beyond.