

Remind me again why we can't have paid family leave

by

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## **Abstract**

The impact of language on social welfare policy is a subject of extensive research for scholars of deliberation studies, political economy, rhetoric of law and gender studies. Much research has demonstrated how both sides of the political spectrum use the ideograph of <family values> to build support for various government programs. I use a rhetorical perspective to show how the <working family> is presented in public policy debates over paid family leave as primarily an economic unit. I trace how the working family is often invoked by politicians along specific racialized and classist lines. I argue that problems remain even when politicians draw attention to the economic precarity that mothers face. The larger oppressive systems of patriarchy and capitalism remain unchallenged. My research questions are: What common assumptions undergird public discourse on paid family leave? What values were presented as most foundational to evaluating paid family leave proposals? This has significant implications for our understanding of various social welfare debates beyond the paid family leave debate. The contrast between the leave policies American citizens say they support, and the policies that are passed by the United States Senate, is stark. Rhetoric offers unique insight that helps us make meaning out of the policy making process. This thesis seeks to contribute to the application of rhetorical studies to social movements and political communication in general. Through a rhetorical analysis of the opening statements and witness testimony found in the 2018 hearing, this study explains how values laden with ideology constrain the paid family leave discussion.

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## **Dedication**

I dedicate this thesis to my mother Janeth. She is the best mother I could ask for. She demonstrated firsthand the effort and commitment it takes to parent a child.

## Chapter 1 - Introduction

Paid family leave affects millions of Americans. Paid family leave is generally thought of as a public policy whereby parents are allotted money by the state or federal government to compensate for taking time off from work to be with a family member. Although targeted cash assistance for pregnant mothers did exist during World War II, it was not until the Clinton administration that unpaid family leave was guaranteed to employees. The political discourse of paid family leave has changed substantially over the years. In the midst of renewed public interest in social welfare policy, both parties have recently proposed competing plans for paid family leave. Both sides of the aisle claim to offer a solution to the economic hardships of families. In 2018, Mark Rubio became the first Republican to introduce a national paid family leave program (Covert, 2018). Representative Ann Wagner (MO-2) introduced a bill with the same structure to the House of Representatives. Both Republican colleagues claimed, “Far too many new parents take on new debt or fall onto welfare programs just to pay for their basic living costs after having a child...It is the social insecurity of our time” (Rubio & Wagner, 2018, paras. 4-7). The politicians still presented welfare programs in a negative light, but the difficult plight of new parents is acknowledged as well. Although both the Democrats and the Republicans introduced legislation on paid family leave, their proposals differed in funding mechanisms. To access the benefits under the GOP bill, one would forfeit the right to future Social Security benefits. An increase in payroll taxes, would be used to pay for the benefits under the Democrats’ plan. The FAMILY Act was first introduced by Senator Kirsten Gillibrand in 2015 and has been introduced every year since then (Willard, 2015). I examine the statements delivered at this hearing because it serves as an important inflection point in debates about paid

family leave. The Republican's bill was called the Economic Security for New Parents Act, and the Democrat's bill was called the Family and Medical Insurance Leave (FAMILY) Act.

This thesis deploys ideological rhetorical criticism to analyze the statements delivered at the ensuing hearing (*Examining*, 2018). I posit that this is significant because it helps rhetorical scholars and citizens expose moral assumptions, resist, and rearticulate a just future. Despite dissatisfaction people may feel toward Congress, hearings still serve as a powerful tool lawmakers use to levy mass shame and influence public opinion (Gebelhoff, 2016). Hence, the rhetoric representatives use has consequences on societal attitudes beyond the legislative process. Public address plays a powerful role in revealing ethical tensions, constituting moral codes for constituents and articulating moral judgments (Parry-Giles & Parry-Giles, 2009). Policy makers play a substantial role in the circulation of morals in wider public discourse. In doing so they can affect the action people take when they interact. Related to affecting the populace in a constitutive, attitudinal and active way is the effect on their own positions. In a representative system of government, politicians must appeal to voters in some way to get reelected. Sometimes lawmakers use rhetoric rooted in historical ideologies and value systems which allow them to espouse politically self-serving positions (Gring-Pemble, 2000, p. 224). Hence the three goals of exposing, resisting and rearticulating also serve to promote accountability among congressional representatives. My thesis fits squarely within the intersection of many challenges rhetoricians within the field of as public discourse and public address are issuing to shed light on contemporary problems and controversies. Since the "ideological turn" more and more scholars are embracing the vocabularies and methods which emphasize issues of race, gender, sexuality, and class (Parry-Giles & Hogan, 2010, p. 3). For my analysis, ideology plays a central to understanding these ethical issues. I focus on common themes related to upholding the values of



family, economics and poverty alleviation. Showing how ideology restricts the terms of the debate is paramount to understanding the various appeals legislators make.

This project will argue that <working families> is double signifier involving opposite values, attitudes, and prescriptions. In this hearing, Republicans presented <working families> as economic units that consist of individuals who are workers first and foremost. Democrats represented <working families> primarily as members of a social institution. Within each understanding lies an assemblage of conceptual vocabularies that work to reify or dismantle systems of patriarchal and capitalist oppression. In my analysis I juxtapose multiple and competing uses of morals, narratives, appeals, and economic descriptions involving the <working family>. My evidence is that Senator Joni Ernst uses the metaphor of balancing to hide the real implications of her proposal. The assumption imbedded in her argument is that profit concerns should take precedent over parents' time with children. Senator Bill Cassidy foregrounds his arguments in the need for productivity and economic growth while pivoting the conversation away from social relations and towards Social Security funding. Both Senators justify poor working conditions for employees.

I contribute to the field of rhetorical criticism in two ways. First, I illuminate an important subject within public address that is underexplored by rhetorical critics. The ideological assumptions present in family leave hearings has not received as much attention as other congressional issues or the executive branch. While numerous scholars in political science and communication have examined the role of rhetoric in the presidency, less have investigated Congress (Wysocki, 2013, p. 5). The president is the most visible public figure in the US. The president serves as head of state and it easier for the general public and rhetoricians to keep track of one person as opposed to all 535 members of Congress. Nevertheless, the rhetorical

scholarship on Congress often focuses on social welfare legislation. I credit this trajectory to Dana Cloud and Lisa Gring-Pemble. Over twenty years ago, Gring-Pemble remarked that, “communication scholars often overlook the negotiation and construction of public policy as a rhetorical process beginning with bill proposals, congressional hearings, and debates” (Gring-Pemble, 2000, p. 3). Her work served as the foundation for important scholarship on moral argument and poverty discourse. Cloud’s work on the rhetoric of <family values> in the policy discourse of the 1990s inspired a plethora of research on ideology in antipoverty legislation. Second, I show how <working families> is an ideograph used to restrict the debate on paid leave. This explanation has implications for judgments on public policy decisions more broadly. More rhetorical scholarship is needed that pays attention to congressional discourse and patriarchy (Gring-Pemble & Chen, 2018, p. 82). With a critically grounded method, I expand our discussion of relatable concepts such as family and work. As rhetorical scholars and as citizens it is incumbent upon us to expose assumptions, resist manipulation and rearticulate a just future. Since “the construction of meaning and the construction of social, political, and economic power are inextricably linked”, we all have an ethical imperative to consciously make meaning out of political representations (Doty, 1996, p. 170). We need not accept what congressional officials judge to be the most apt descriptions of family, economics and poverty alleviation. We can invite others to contribute their understanding of these issues to the conversation and forge respectful relationships (Foss & Griffin, 1995). Conversations of <working families> may elicit all kinds of emotions and lead people to disclose personal experiences. If we respond with empathy we can hope for better future together (Glenn, 2020). Thus, the fruit of this research should not be limited to an academic setting.

Some of the most important issues facing Americans today overlaps conceptions of work and family. In November and December of 2021 the quit rate reached the highest in twenty years, when the U.S. Bureau of Labor Statistics (BLS) first issued the Job Openings and Labor Turnover Survey (JOLTS) (Gittleman, 2022). Empathy, understanding, cooperation and respect all play a role. The majorities of workers who quit a job in 2021 sighted low pay (63%), no opportunities for advancement (63%) and feeling disrespected at work (57%) (Parker & Horowitz, 2022). Of course, the statistics and polls don't tell the whole story. "Capitalism stratifies 'women', 'workers' or any other collective subject in and through hierarchies of wages and power" (De Angelis, 2009, p. 32). Individuals listening may act on the implications of the arguments in the hearing. For example, small business owners may be persuaded to reject requests for family leave, managers at a larger business may approve less paid time off for soon-to-be parents and dear friends may be less inclined to babysit. All of this makes sense if the Republican senators are right that electing to use your Social Security funds should provide sufficient resources for new parents. The rhetoric of Brown and Gillibrand articulated an alternative vision of the economy and society. For them, the common interest should center respect for the human person. Contrary to public and private and private language that is dominated by talk of the market, people need nature, family, friends, and culture to thrive (Fatheuer, 2012). Shabo and Gillibrand focused on the importance of caring for others and building relations. This is important for various domestic policy issues including public health. "Either: social movements will face up to the challenge and re-found the commons on values of social justice in spite of, and beyond, these capitalist hierarchies. Or: capital will seize the historical moment to use them to initiate a new round of accumulation" (De Angelis, 2009, p. 32). Thus, Republican proposals to lower taxes and minimize corporate social responsibility are

potentially damaging for future progress. Returning to the newspaper article that Rubio and Wagner used to first introduce their proposal reveals an important depiction. In describing the opposing plan for paid leave which functions by increasing taxes or mandates on businesses they say, “Those options would cut the pay and employment of the very people we want to help, and make families of all shapes and sizes subsidize one parenting model over all others”(Rubio & Wagner, 2018, para. 8). This mischaracterization encourages citizens to disentangle themselves from the commonality of these issues. Subsidize evokes images of makers and takers. Herein lies an answer to critiques against invitational rhetoric (Lozano-Reich & Cloud, 2009). I am inviting people to reject the rhetoric in the hearing which poses family leave as a contest between small business owners, employees, corporations, and independent taxpayers. We should avoid scapegoating which historically has elevated a privatized notion of social responsibility as a remedy for ending poverty and racism (Cloud, 1998). I trace a historical genealogy of the different manifestations of ‘working families’ as the main beneficiaries of payment to new mothers to shed light on the various understandings at work.

I begin by explaining the value of retelling history. I highlight several key turning points in the history of paid family leave including: World War I, the Great Depression, Nixon’s Welfare-Workfare Speech, and Bill Clinton’s advocacy for welfare reform. Retelling history is, by its very nature, an argument. Historians need to make an argument for what to include and what not to include. Rhetorical history helps us see the process by which ideas change over time. To recount rhetorical history is to articulate the rhetorical climate of the age and shows what lead orators to justify themselves or persuade others (Zarefsky, 1998, p. 31). That is why in the introduction I show how arguments have changed over time. I provide examples of the historical context of paid family leave policies to demonstrate rhetorical depictions when “instances linger

in the collective memory of audiences as representative of their subjects” (Osborn, 1986, p. 80). I also demonstrate how a historical overview helps illuminate the arguments from which legislators can draw from. I break from the bounds of “inductive historical objectivity” to show how the rhetoric of family and economic values, “utilizes the capacity of discourse simultaneously to create, extend, and apply moral concepts” (Condit, 1987, p. 93). In other words, when orators make moral appeals, they often amend or reinforce previously articulated moral values. Others have used chronology, argument and style in congressional hearing as well as petitions in newspapers challenging elected officials, to trace competing interpretations of family and poverty (Zaeske & Meinen, 2010). I built on their work by also considering multiple perspectives on the way family and poverty are described in America. As I trace the history of the family leave debate, I consider the political activists as well the politicians.

I highlight the voices of organized female labor against the status quo. I argue the period from WWI to the 1960s was marked by constitutive rhetoric on the status of women. Second, I show how rhetorical depictions of the undeserving family from the Nixon to Clinton Administration are rooted in original debates over Social Security. Third, I’ll examine the rhetoric that emphasized women’s rights in the 1970s and 1980s was affected by changes to the economy. Fourth, I will situate the legislative backlash during the Bush Administration within the context of Clinton’s experiment allowing new parents to access unemployment benefits. Lastly, I consider the circulation of new rhetoric during the Obama Administration and the overlap with U.S. Senator Kirsten Gillibrand’s bill.

### **WWI – Great Depression**

While it is often thought of as a modern concept in American political life, the call for paid family leave traces its roots to the mobilization of women for the war effort. At their

meeting in DC in 1919, the International Labor Organization called for free medical care during pregnancy, job protection when returning to work, and 12 weeks of paid maternity leave (Siegel, 2019). By demanding recognition of their contribution to the war effort, these women were able to justify their economic and political organization. Prior to World War I, the Supreme Court ruled that states could limit the amount of hours a woman could work while excluding men and more broadly that state legislatures are justified in passing laws to protect women due to their qualities and societal role (Cornell Law Legal Information Institute, 2020b). In the 1908 Muller v. Oregon case Justice Brewer wrote: “That woman’s physical structure and the performance of maternal functions place her at a disadvantage in the struggle for subsistence is obvious” (Cornell Law Legal Information Institute, 2020a, para. 2). This demonstrates the rhetorical spirit of the age that claimed women’s proper place was in the home and not the workforce. Such a description though is a misnomer. From 1860 to 1910 household stopped producing goods for sale but they were still producing (Cowan, 1983, p. 100). Laundry, meals, and health all took a substantial investment of time. One study from John Leeds, pioneer of what was called “family budget studies” found that on the eve of World War 1 some women were spending 56 hours a week on housework (Cowan, 1983, p. 159). Not all women though were able to take care of their children at home. The White House Conference on Care of Dependent Children of 1909 passed a resolution that said “Home life is the highest and finest product of civilization. It is the great molding force of mind and character. Children should not be deprived of it except for urgent and compelling reasons” (Bradbury, 2012, para. 64), This referenced the fact that widows or mothers were working to support their families and placing their children in institutions (Bradbury, 2012). Soon states started providing cash to women. By 1920 the Children’s Bureau of the U. S. Department of Health, Education, and Welfare stated that most states, “now recognized the

principle that children should not be taken from their mothers because of poverty alone. The rapid growth of the mother's pension movement is indicative of the belief, generally held, that home life and a mother's care are of paramount importance" (Bradbury, 2012, para. 67). With such high rates of infant and maternal mortality, the federal government wanted to discover the cause. They passed two significant pieces of legislation specifically focused on maternity before the end of the Second World War. The Sheppard-Towner Act of 1921 supplied states with funds to teach people about prenatal health and infant welfare (Madgett, 2017). Seminars were being funded not medical treatment. The American Medical Association argued the program moved the country toward socialized medicine that undermined private practice. (Baker, 2021). Although this fear of socialism is a recurring theme in American political rhetoric, "deserving" is the depiction that emerged as the dominant public moral argument for Social Security.

### **Great Depression – WWII**

The Social Security Act which was passed during the interwar period remains an important entry point for a combined understanding of poverty, family, and economics. Some have observed that by locating the cause of the undeserved poor's plight in unanticipated circumstances, statements on Social Security preserved belief in the American dream (Gring-Pemble, 2001). Some scholars historicize the "deserving" mother in suitable home mothers' pension programs "foreshadowed the inclusion of a program to aid dependent children in the historic Social Security Act of 1935" (Abramovitz, 1996, p. 205). Today, paid family leave proposals in the US offer partial wage replacement and maintain requirements that new parents were previously gainfully employed (Bruenig, 2002). One is reminded of ideological assumptions contained in the SSA Act. "Trying to keep benefits below current wages continues the poor law practice (known as 'less eligibility') of lowering the social wage to assure that

public aid does not become more attractive than the lowest paying job, and for women, more attractive than marriage and family life” (Abramovitz, 1996, p. 317). This commitment to marriage as a social institution and work as the chief good remains today. In the hearing, Social Security was lauded as the bedrock of security. That is certainly understandable. It did much to eliminate poverty among the elderly, but it also deepened inequalities and stigmatization (Powell, 2006, p. 166). Its problematic history sheds light on the consequences of discussions on the percentage of income that should be afforded during leave.

The 1943 Emergency Maternity and Infant Care Program provided the wives of servicemen in the lowest pay grades with nursing, medical, and hospital care through pregnancy, childbirth and the six preceding weeks (Bradbury, 2012). Thousands of women benefited from being designated a dependent and their husbands being framed as poor soldiers trying to take care of their family. Legislators and policy advocates did not adhere to strict binaries of deserving and undeserving poor that we’ll see soon. The legislation was justified based on the specific views on marriage, gender relations and military rank. The urgency of the war efforts during the two World Wars marked an example of what James Jasinski (1998) refers to as the reconstitution of the idioms and concepts of public life. He reminds us that legal, feminist, children’s advocates, and bureaucratic forces all reconfigure how we experience the categories public and private life while “specific questions of social and political authority, power, bonds of affiliation, meaning, value, and institutional practice are confronted and negotiated” (Jasinski, 1998, p. 77). Young men fighting overseas could rest assured their wives and babies would receive care (Bradbury, 2018). In the eyes of the American public, providing maternity care was the right thing to do. The working family at this time meant working for the war effort. Neither of these laws lasted more than a decade and the US did not follow the example of European



countries that created paternity and maternity leave programs in the 1960s (Streeter, 2021). In fact, Germany, Sweden and France had already passed paid maternity leave in 1883, 1891, and 1929 respectively (Schulte et al., 2017). This swift reversal of policy trajectories in the US demonstrates the quick role ideologies can play in stomping out opposing viewpoints.

### **Nixon – Clinton**

The time from Nixon to Clinton was characterized by monumental shifts in the economy and in women's political mobilization. The rise of family values rhetoric to make sense of working-class families was the result of political maneuvering in the wake of the civil rights movement, a rise in feminism, and anti-government sentiments (Powell, 2006, p. 138). Again, a plethora of different voices compete over the meaning of these ideographs and values. In 1963, President Kennedy's Commission on the Status of Women released a report that stated, the US system of social security does not contain provision for "compensating a working wife for loss of income due to childbearing...yet in about 70 other countries government action has provided such protections" (*American Women* 1963, p. 43). Thus, already in the early 1960s political organizers recognized US social welfare benefits were lagging behind many other countries. The section concludes by saying, "This is one of the major remaining gaps in the protection of workers against losses of income. Paid maternity leave or comparable insurance benefits should be provided for women workers; employers, unions" (*American Women* 1963, p. 27). These recommendations were ignored. Activists Betty Friedan and Pauli Murray protested this inaction by writing the statement of purpose for the National Organization for Women in 1966, which stated the following:

We believe the time has come to move beyond the abstract argument, discussion and symposia over the status and special nature of women... [Women are] no longer either

[needed] to devote the greater part of their lives to child-rearing; yet childbearing and rearing which continues to be the most important part of most women's lives—still is used to justify barring women from equal professional and economic participation and advances. (Walker, 2020, p. 145-148)

Nixon's 1969 address to Congress on the Family Assistance Plan marked an important shift on discussion of welfare policy. His initial plan would have greatly expanded the role of the federal government in welfare beyond the unemployment insurance and workers' compensation that had been expanded under the Eisenhower's administration and supplemented the income of all poor families with children to protect them from the dangers to family security (Lampman, 1969). If adopted it would have recognized welfare benefits as a legal right and a cost to be shared between the federal and state government. Importantly, in the 1960s Congress and the courts loosened the numerous restrictions that had made Aid to Families with Dependent Children (AFDC) ineligible for so many people. For example, states had previously pursued "responsible relatives," established a budget for families, required families deplete their resources, and removed families with a man other than the father in the house (Lampman, 1969, p. 4). In short, U.S. welfare policy was at a crossroads rhetorically and legislatively. We could have taken the part of Europe. We could have destigmatized social welfare, removed categories of deserving poor and preserved social insurance benefits as a collective good.

Instead, and to obtain the votes of southern states, the Republican Party promoted <family values> in order to leverage white resentment, fear of gender equality, religious fervor and anxiety over potential gains towards racial equality (Maxwell & Shields, 2019). During the 1960s and 1970s the US economy also started deindustrializing by moving manufacturing plants to the non-unionized South and then overseas (Eisenstein, 2005, p. 489). The National Advisory

Commission on Civil Disorders that was founded in 1967 concluded black women should be “removed from the labor market” and “become economic dependents of employed patriarchs” (Crooms, 1994, p. 621). In addition, the black community historically privileged “the mother-child relationship over the husband-wife relationship as evidence of an equally legitimate cultural adaptation to slavery” (Crooms, 1994, p. 622). This was ignored and scapegoating continued as politicians adopted more subtle codes for advancing an “us vs. them” mentality (Maxwell & Shields, 2019, p. 55).

From the 1970s onward, the economy shifted from manufacturing to services and economic security became an important rallying point for political organizers. From 1970 to 2000, women obtained 60% of new jobs in the service sector, which includes wholesale and retail trade, finance, insurance, real estate, and personal services (Eisenstein, 2005, p. 490). Cheap female labor provided the supply of workers and the demand for replacement services like fast food (Hartmann, 1987, p. 55). Corporations hired more women and more women sought to enter the formal labor force. On the positive side, “by 1981, black women’s wages had risen to 92–95 percent of those of white women” (Kuhn & Bluestone, 1987, p. 23). Before the growth of the service industry, the variety of high-paying jobs for black women was limited. As mentioned earlier, the women’s movements was divided on different issues such as seeking special treatment, gender neutral wording, and classifying pregnancy as a disability (Engeman, 2016). The Pregnancy Discrimination Act of 1978 outlawed discrimination on the basis of pregnancy or childbirth, but it also allowed pregnant women in five states to receive disability leave (Sholar, 2016, p. 9). States are permitted to use their unemployment insurance program to pay Temporary Disability Insurance (TDI) benefits to employees during temporary illness or injury unrelated to work (Sholar, 2016, p. 9). This time off is still considered disability leave and not family leave.

Unpaid time off was not mandated until the Family Employment Security Act of 1993 (Sholar, 2016). The rhetorical strategy of proponents in the 1980s and 1990s was to advocate for the policy in broad terms that did not offend gender norms or exclusively highlight the benefits of working women (McManaway, 2019, p. 2). Many hoped securing unpaid leave would be the first step toward achieving paid family leave but, this was not the case.

### **The Bush Administration – Obama Administration**

Throughout the Bush administration various states began passing paid family leave legislation. While individual states continued to pass legislation, Congress did not. In 2002 President Bush repealed the rule that was issued by Clinton in 2000 that let “states provide unemployment pay to workers who take unpaid time off to care for a newborn child” (Strope, 2002, para. 1). The idea of the original rule change was to expand what was possible for states to do with their funds for unemployment benefits. At the time, unemployment insurance benefits were about to expire for 800,000 workers (United Automobile Workers of America Region 8, 2002). Officials in Bush’s Department of Labor argued that the U.S. was experiencing a recession and so they wanted to ensure states’ unemployment fund did not become insolvent (Marquis, 2002). However, the president’s narrative of fiscal responsibility was not accepted by all. AFL-CIO President John Sweeney criticized the repeal, saying it “shows no regard for families that struggle to be there when their children need them” and “reflects profound mistrust of states to make wise choices in administering their UI programs” (Hoover, 2002, para. 4). The implication was that new parents were hoarders and not worth the money. “Reserving unemployment insurance for the unemployed” is a “victory for common sense,” said Pat Cleary, senior vice president for the National Association of Manufacturers (Hoover, 2002, para. 5). Ultimately, the rule change could be interpreted largely as a symbolic rhetorical gesture because

in the previous three years no states had taken advantage of the option yet (Strobe, 2002). In addition to the rule change, Bush also threatened to veto legislation that would give federal employees four weeks of paid leave for the birth or adoption of a child (Bernards, 2008).

Some of the political discourse used by elected officials at the time was reminiscent of the Nixon and Reagan administration. After New Jersey passed a six-week paid family leave law in 2008, Steven Lonegan, then-mayor of Bogota, NJ called it a "... socialist diktat takes feel-good politics to a new level. The basic argument for this socialist propaganda is the necessity for Big Brother to subsidize an army of breastfeeding single mothers" (Cohen & Dreier, 2015, para. 31). Here the audience of women who are or will nurse a newborn child is interpellated as an angry hoard.

### **The Obama Administration – Present**

During the Obama administration some legislators hoped to at least obtain paid family leave for all federal employees. Countering this agenda was the rhetoric of the Tea Party, which seeped into public consciousness and halted legislative momentum. According to many journalists, the Republican Party's stymied the Obama Administration's legislative agenda using the rhetoric of the hammock (e.g. see: Beutler, 2014 and Chait, 2012). Even though the assumptions it entailed were held by a minority of Tea Party Republicans, those individuals held disproportionate power over the Senate's ability to pass any bills (Sargent, 2014). To assert that that the safety net has become a hammock is to conjure up images of underserving poor, lazily taking advantage of government programs. President Obama (2013) proclaimed during his second inaugural address that "The commitments we make to each other—through Medicare, and Medicaid, and Social Security—these things do not sap our initiative; they strengthen us. They do not make us a nation of takers; they free us to take the risks that make this country great" (para.

14). In his final State of the Union, he urged Congress to send him a bill mandating at least 7 days of paid sick leave remarking that lack of paid sick leave and maternity leave, “forces to many parents to make the gut-wrenching choice between a paycheck and a sick kid at home” (Obama, 2015, para. 27). Obama’s budget included \$2 billion in funds to encourage states to establish paid family and medical leave programs (Talbot, 2015). Representative Maloney’s Federal Employees Paid Parental Leave Act was finally passed in 2019, after first being introduced by her in the year 2000 (Ogrysko, 2020). That law grants 12 weeks of paid leave for federal employees in the case of birth or adoption of a child (Federal Register, 2020). Although paid leave for federal employees was viewed as a good first step, paid leave for those who work outside of the federal government remains out of reach.

Obama’s statements can be seen as response to the hammock discourse first used in 2012 by speaker of the House of Representatives, Paul Ryan. An inaugural address is only given once every four years. It is a particularly solemn moment in American public discourse. That Obama felt the need to rebut this argument shows the power of circulation. Put simply, circulation is when words are removed from their original historic and cultural context and take on new force in a different context (Ceccarelli, 1998). The hammock comment was a public utterance whose constitutive invitations were activated and transformed as they were received and circulated. Speaking of a budget committee report, “Mr. Ryan and colleagues outright misstate what the research says, drawing outraged protests from a number of prominent scholars about the misrepresentation of their work. More often, however, the report engages in argument by innuendo” (Krugman, 2014). It is likely that even if Ryan had subsequently apologized for misrepresenting research, it would not have made any difference. At this point the discourse was in circulation around the US. During the Obama administration, the Republican Party was noted

for repeating the same political talking points. At the time, commentators observed, “the whole G.O.P. seems stuck in a time loop, saying and doing the same thing over and over” (Krugman, 2016). Although it is normal for public officials to repeat canned statements, the platitudes of the Republican party took on a self-referential character.

In summation, women who had worked in factories during World War I organized to demand medical care and maternity benefits. During World War II, the federal government approved the largest expansion of maternal and child health services in U.S. history. In the late 1960s and 1970s maternity benefits were framed in terms of preventing discrimination against women. Senator Chris Dodd recall that, efforts to pass unpaid family leave were met with “8 years of obstruction and two Presidential vetoes” (*Writing the Next*, 2008, p. 2 ). During the Bush and Obama administrations, opponents characterized paid maternity leave policy as ripe for abuse. After Barack Obama became the first president to use the State of the Union address to urge Congress to pass paid family leave, both presidential candidates Trump and Clinton proposed family leave policy (Sholar, 2016). The FAMILY Act was first introduced by Gillibrand in 2015 after her statewide bus tour aimed at raising support (Willard, 2015). The *Examining Importance of Paid Family Leave for American Working Families* hearing was held before the Senate Finance Committee’s Subcommittee on Social Security, Pensions, and Family Policy.

## **Methods and Research Questions**

The method I use to answer my research questions on the paid family leave hearing is ideological criticism. I will discuss the significance of ideology, then clarify my use of the ideograph and then discuss why congressional hearings are important from a policy and critical

perspective. I will highlight the role of think tanks in maintaining credibility. After, I explain how I will use abduction as a method to understand the hearing.

Ideology is the most important lens through which to examine hearings because it allows us as scholars to promote accountability among congressional representatives, expose power imbalances in society, and make sound judgments concerning public policy decisions. By ideology I refer to power relations that are presented as common-sense and sustained through language and culture (Fairclough, 1993). The existence of a dominant ideology does not mean that there are not competing ideologies and priorities (Foss, 2018). It does mean that in the face of competition one ideology tends to take priority and silence other competing opinions. The key is that what is presented as arguments and proofs is not, strictly speaking “rational calculations” but rather invocations for the audiences to encounter significant presentations of reality (Osborn, 1986, p. 97). In other words, as rhetorical scholars we need to consider the points a speaker makes as creative expression and not simply logical reasons. I mentioned the Personal Responsibility Work Opportunity and Reconciliation Act of 1996, but Republicans and Democrats have both successfully used appeals to the pivotal role of the family to advance their agenda. The Public Welfare Amendments of 1962, Tax Reform Act of 1986, Act for Better Child Care of 1989, Family and Medical Leave Act of 1993 are examples (Weber, 2011, p. 77). The point I wish to make is that ideology impacts the legislative process in a significant way. Arguments that rely on public values are “addressed to the public at large and is intended to instruct the populace as to what action and/or attitudes in the situation being considered is most in keeping with the articles of ideology” (Leake, 1973, p. 9). Thus, by demystify these arguments imbedded in the policy-specific language of political and executive elites, we can rob it of its power.



As I conducted my rhetorical analysis, I was mindful of ideographs. Scholars who examine the rhetoric of public policy take an interest in identifying ideographs embedded in political speech. The ideograph is defined by McGee (1980) as a “high-order abstraction representing collective commitment to a particular but equivocal and ill-defined normative goal” (p. 15). This idea was extended by Condit who explained that morality is constructed by collectivities through their public discourse in a process of reflexive reproduction that utilizes the capacity of discourse simultaneously to create, extend, and apply moral concepts” (Condit, 1987, p. 93). In other words, when we appeal to moral values we are relying on a shared, public commitment. Much subsequent research has demonstrated how the ideograph of <family values> is appealed to by both sides of the political spectrum to build support for various government programs (Cloud, 1998). In addition, scholars from a variety of theoretical perspectives have shown how the <family> is presented in public policy debates as the primary economic unit. The concepts of family, rhetoric of economics, and rhetoric of poverty provide me with a useful focus with which to concentrate my analysis. Within the systems of patriarchy, capitalism and racism, communication style is connected to oppressive consequences and as a result, should be questioned. The rhetorical appeals to family, poverty alleviation and economics are sights for the assertion of power over marginalized groups. Some argue that ideographs are introduced “into the public imaginary as an empty signifier that may be attached to various meanings in different rhetorical situations” (Stuckey & Ritter, 2007 p. 648). In other words, family, and economics mean different things to different people. Once the ideological assumptions that form the basis for arguments and appeals to these terms are exposed, the meaning of these terms can be contested.

Hearings are important because they assist in the passing of legislation and because they contain ideological arguments. Political scientists cite the holding of hearings, the start of negotiations between and within both parties, and the president's specific policy suggestions as examples of building 'legislative momentum' (Krane, 2022). Here, momentum refers to the gaining of mass public support (Mutz, 1997). The majority of congressional work is done in committees, not on the House or Senate floor (CQ Almanac, 1988). Although thousands of bills are introduced, few make it to a subcommittee where writing legislation happens (US Capitol Visitor Center, 2022). Due to the 24/7 news cycle, it is increasingly important to provide accompanying political messaging to the press that defends your legislative agenda. "Although it may seem like hearings hold a variety of conflicting functions, that is part of their perceived utility. Above all, hearings are important because members of Congress believe them to be important" (Oleszek et al., 2016, p. 121). Speaking at a hearing gives you a chance to show voters or reporters that you are fighting for them. Since, each committee receives far more bills than they are capable of reviewing, it falls on the chair to set the agenda and decide which issues will be examined in a hearing (*The Legislative Process*, n.d.). Hearings provide scholars and concerned citizens with information that is not available in private and informal settings.

Narratives proved useful both in my understanding of relevant rhetorical theory and of the appeals in this hearing. In her seminal article, Gring-Pemble showed that anecdotes in hearings use narratives and empirical evidence to form the "basis for policy formation in the context of a public moral argument" (Gring-Pemble, 2001, p. 343). The vital importance of stories is not lost on political scientists or lawmakers. "Witnesses who have experienced issues or problems firsthand and can tell their stories to lawmakers are especially sought after because they put a human face on public problems" (Oleszek et al., 2016, p. 122). Thus, statements

delivered at hearings provide useful artifacts for rhetoricians because they show the stances of representatives and the rhetorical spirit of the age (Zarefsky, 1998). The use of stories in congressional hearings is complicated by the following factors: 1) competing narratives never confined to a single issue or vision 2) rules make it easy to successfully argue a bill should be stalled 3) if you claim to be acting out of ethical concern, you may be immediately accused of deceitfulness (Schmutzler, 2021). All of these issues are impacted by rhetoric. They incentivize doubling down on overarching narratives as opposed to seeking truth (Schmutzler, 2021). This is why speakers often times used the questioning period to try to trap the speaker. Barney Frank, former chair of the powerful House Financial Services Committee said, “So you have hearings to pressure people. People don’t like to be embarrassed. You have hearings to send messages. So they can have an impact” (Toobin, 2009, para. 8). The language of pressure and embarrassment suggests that hearings are rarely an invitation to collaborate. Electors and scholars can always return to the record of the hearing should they wish to discover a representative’s position on a public policy topic.

I contend that hearings reveal ideological assumptions of the representatives and act as a venue where the meanings of ideographs are contested. In addition to being a place to address concerns, legislative hearings are where values, attitudes, and identity are celebrated, reinforced, and created (Gring-Pemble, 2000 cites (Halloran, 1978, p. 120). I use ideological criticism to explore the ways in which senators appealed to family, economics, and poverty to advocate for paid family leave. Generally, the assumptions contained within rhetorics constitute an assertion of reputable fact which functions as a justification for actions taken or position held on the part of the dominant ideological social structure (Leake, 1973). To truly keep senators accountable, combating power imbalances, and judge public policy discussions, we must use ideological

criticism to scrutinize the rhetoric of the hearing and expose the facts and depictions used for justifying decisions. Because the senators are elected officials, they have to navigate their understanding of technical problems with the needs and values of their constituents (Asen, 2015). They may feel the need to abide by the principle that ‘all politics is local’. On the other hand, the more time one spends in the Senate, the more knowledge one accumulates on policy matter. This may lead senators to recontextualize the values of their constituents back home. In the hearing, senators reference the plight of their constituents in their state. Ideology is the lens by which I consider all appeals. The question-and-answer session must be considered as part of the rhetorical text. To say that asking questions is indicative of a purely fact-finding mission is a gross misunderstanding. Representatives and their staffers receive the testimony months in advance (Oleszek et al., 2016). I think this has two implications for my analysis. The first, is that asking questions can serve as a way for representatives to assert their power. They often only give witnesses one or one and half minutes to answer a question. They can and do cut witnesses off or ignore them. Second, questioning provides an opportunity for representatives who did not present testimony to challenge the credibility of those who did.

Central to the contestation of credibility is the policy institute or think tank. Think tanks played a prominent role in the 2018 hearing. In general, they “provide legislators with that credibility through research that supports their ideological policy preferences” (Bertelli & Wenger, 2009, p. 228). The research that they provide, is not above reproach. Neoliberalism has been associated with think-tanks for a long time but, their influence has widely expanded in the 1980s (Harvey, 2007). Like other everyday talk known as ‘discourse’, it can be analyzed to discover Discourse, systems of thought rooted in systems of power and knowledge (Buzzanell, et al. 2017, p. 74). The forces of capitalism, racism and patriarchy serve as underlying power

structures that affect our language. Think tanks feature prominently in Senators public facing communications who cite think tanks to reaffirm existing policy preferences (Zelenka, 2019, p. 30). This is particularly evident in the question-and-answer session of the family leave hearing. At one point the witness offered a sound rebuttal to the Senator's claim saying, "Well, I think what you will see from studying the State evidence--and we would be glad to sit down with you and provide more of it--is that this actually is beneficial..." (*Examining*, 2018, p. 29). The Senator then proceeded to provide an anecdote about how they were a shoe salesman. In other words, the legislative proceeding served as a platform to score political points by any means necessary (Walzer, 1999). Restating your talking points before turning the floor over to a different senator is one means.

Despite the pervasiveness of neoliberal discourse which often provides a commonsense way to understand the world, analysis reveals a clear gap between the rhetoric of benefits for all and the realization of benefits for a small ruling class (Harvey, 2017, p. 42). Hence, it is important to ground research questions and analysis in an established theoretical foundation of rhetoric. To answer my exact research questions, I pay special attention to the mutual imbrication between economic policy and Discourse. I highlight the role that dominant political imaginaries play in constraining and guiding policy debates about economic activity and family policy. By focusing on language and policies scholars showed that equal pay policies are undermined by constructions of gender and patriarchy (Gring-Pemble & Chen, 2018, p. 83). Women featured prominently in rhetorical depictions at the hearing. Public discourses about women are mediated by structural discursive conditions and are then translated into policy outcomes (Keremidchieva, 2012, p. 13). In other words, the hegemonic structural forces of patriarchy, racism and capitalism make possible the rhetoric that prevents paid family leave. In her book, *Eloquence in an*

Electronic Age Kathleen Hall Jamieson points that since the television politicians have used a style that is personal, self-disclosing, and conciliatory while male politicians tend to speak in a manner that is factual and analytical (Jamieson, 1988, p. 82). This is also clearly evident in the hearing. The male senators who talked about their personal experience tended to focus on their business acumen, while the female senators mentioned their experience as mothers. I will show that rarely did any of the Democrats escape the bind which “makes the complexity of a human’s life fit into a neat political narrative that is then used as the grinding stone...such conflict is built into the very structures of Congress itself through its institutional memory, congressional record, and processes” (Schmutzler, 2021. p. 87).

Abduction is the method I used to apply ideological criticism to my reading of the text. When abduction is applied to understand hearings, “The fields of rhetorical criticism and argumentation studies emphasize a textually focused research methodology that reveals explicit and implicit meanings in the context and text of a discourse” (Drury et al., 2021, p. 36). Said differently, I center the text while considering its explicit and implicit meanings. Abductive analysis manages a back-and-forth movement between text and the concepts that are being investigated (Jasinski, 2001a). The concepts I scrutinize for evidence of ideological assumption are the rhetoric of family, rhetoric of economics, and rhetoric of poverty. Like other conceptual critics, I use these concepts “as a way for the critic to organize her or his thinking about the relationship between power and discursive practice. But the concept(s) remain essentially works in progress” (Jasinski, 2001b, p. 256). Put simply, the practice I consider is the utterance of words in the hearing. The value-based appeals use ethos, pathos and logos and reflect an ideologically motivated moral commitment. I read the text and considered how the orators created a sense of trustworthiness before the audience (Aristotle, 2007, pp. 38-39). The ideology

of motherhood helped explain a specific part of the concept of family. I recognize pathos whereby the speakers appeal to emotions. As Aristotle points out, speakers attempt to put the listeners into a “a certain frame of mind” invoke their emotions (Braet, 1992, p. 314). I utilized this understanding in my discussion of family and mother depictions. What counts as emotionally resonant is shaped by cultural and ideological forces (Balthrop, 1984, p. 340). Because images of newborns and sickly elderly people are easily recognizable, this attention to the ideology shaping emotional responses, is especially important in the paid family leave debate. The purported logic of maintaining economic growth and underlying confidence in hierarchical and capitalist institutions was an appeal to logos. The most frequently mentioned communication interactions discussed in the hearing are those between the employee and employer. Ideological commitment to work ethic and economic growth proved to be a specific part of the concept of economy I returned back to. Thus, it is not enough to acknowledge appeals to ethos, pathos and logos the speakers make. I don’t take the validity of these appeals as a given. I dig one level deeper to illuminate underlying ideological assumptions.

My research questions are: What common assumptions undergird public discourse on paid family leave? What values were presented as most foundational to evaluating paid family leave proposals? I begin with a quote that I think encapsulates the theme of that section of analysis. My analysis chapter on the findings starts by recounting the recurring themes and depictions used by those arguing in favor or against the bill. I examine the articulation of appeals to the values of family, economics and poverty alleviation and what was left unsaid. I consider the underlying assumptions of work and maternal health and highlight discussions on alleviating racial and class inequalities. By drawing on earlier elucidation on the historical context and

political culture that informs the values of the paid family leave debates, I hope to show the <working family> has become an ideograph.



## Chapter 2 - Literature Review

This paper seeks to further understanding of public policy through rhetorical studies. This literature review seeks to organize, clarify, and evaluate the family-based economic appeals used by government officials to show how previously unconsidered notions are implicated. My two research questions remain the same as I look for common assumptions that undergird public discourse on social welfare policy and better understand what values were presented as most foundational. I show how the linking of economic and familial prosperity changed the rhetorical appeals used in social welfare legislation over the years. This has significant implications for our understanding of various social welfare debates such as the paid family leave debate. This has important ramifications for the paid family leave debate because current paid family leave proposals exclude a full third of women by maintaining work requirements (Bruenig, 2002). The fact remains that when Americans do return from parental leave, they will work at rates that are among the highest of any Organisation for Economic Co-operation and Development (OECD) country (OECD, 2023). The scholarship of rhetorical analysis that I synthesize involves family values and social welfare legislation. Firstly, I examine previous considerations of social welfare legislation and general themes, then discuss some of the contours and ideographs illuminated by scholarship on the rhetoric of economics, poverty, and family.

Since the Family and Medical Leave Act was not passed until 1993, few scholars analyzed the discourse of paid family leave prior to the Clinton Administration. Nevertheless, earlier studies provide a useful understanding of family values. According to Elizabeth Powell (2006), nostalgia, welfare to workfare, the breakdown of the nuclear family, marriage as a cure for poverty, stigmatization, morality, and redefining family values are the seven themes associated with congressional hearings during the George H.W. Bush and the William Jefferson

Clinton administrations. She weighs the Family Support Act of 1988 and the Defense of Marriage Act of 1996 but mostly analyzes the Personal Responsibility Work Opportunity and Reconciliation Act of 1996 (PRWORA) because it is the most significant welfare reform legislation to ever be implemented in this nation (Sargent, 2014). According to Martín Carcasson (2005), presidents Lyndon Johnson, Richard Nixon, Jimmy Carter, Ronald Reagan, and Bill Clinton discussed issues of poverty and welfare within the tensions of politics vs. policy, deserving vs. undeserving, help vs. hinder, and equality vs. freedom.

In addition, I argue that when Republicans and Democrats present opposing speeches, they engage in a rhetorical battle to present themselves as the most moral. That Intelligence Squared hosted a debate, entitled “Liberals Hold the Moral High Ground,” indicates that contested representations of morality of politicians hold a high place in public consciousness (Open to Debate, 2017). Public discourse is where collectivities reproduce and construct morality (Condit, 1987, p. 93). Wisensale, (2001) shows the bill’s evolution from the Family Employment Security Act of 1984 to the Family and Medical Leave Act Of 1993 and argues that the level of gender equality in Equal Employment Opportunity led to a policy covering paternity leave and family medical care. The fact that the bill’s name changed four times provides a good example of how legislative and rhetorical changes intersect. For Wisensale (2001), the reasons include notions of individual self-reliance, Social Darwinism, states’ rights, the difference to economic markets, and the preeminent stature of contracts between individual parties. While I recognize the prominent role state legislatures play, I depart from his method by focusing my analysis on federal family policy. Since the text I consider is a congressional hearing, I concentrate on national policies.

A growing body of scholarship addresses the role of social movements in the making of family leave policy. Megan Sholar (2012) for example, asks why Canada passed paid family leave policies 20 years before the U.S. had passed unpaid leave. She concludes that the women's movements advocating for family leave in the U.S. were much more divided on the discourse surrounding the leave. She uses a qualitative approach to consider the characteristics of the women's movements in the U.S. and Canada. Cassandra Engeman (2016) found that social movements and union community coalitions exerted the most influence at the initial stage of the policymaking process and that the economy mediates the relationship between movements and policy outcomes. She considered state-level legislation that provided paid or unpaid leave from work. Kumar Ramanathan (2021) considered the language in the debates over the Parental and Medical Leave Act of 1986, and concluded that advocates and opponents contested the antidiscrimination policy logic of the civil rights regime as they demanded civil rights enforcement. Thus, existing scholarship indicates that future analyses ought to attend to constraints and competing interpretations of rights logic.

### **Rhetoric of Economics**

The rhetoric of economics represents a rich body of scholarship useful to understanding the paid family leave debate. Economic discourse uses rhetorical devices such as appeal to authority and metaphor to persuade others (McCloskey, 1998, p. 184). Despite its appearance of technical language and formality, economic science exists in the same space as all other language. "Science is an instance of writing with intent, the intent to persuade other scientists, such as economic scientists. The study of such writing with intent was called by the Greeks rhetoric" (McCloskey, 1998, p. 4). I insist that the economic language of the hearing is rhetorical not just because all arguments rely on language and rhetoric, but because the power of economic

appeals relies on certain potent symbols. As Catherine Palczewski (2012) reminds us in a discussion on rhetoric, “symbols are grounds for judgement not simply means of transmitting information” (p. 6). Unfortunately, the judgment that economics justifies has historically marginalized huge segments of the population. Since the Scientific Revolution, the discipline of economics became a substantial means of acquiring wealth as well as “a system of domination and exploitation of women, Others and nature” (Nhanenge, 2007, p. 255). This means it is problematic when legislations claim to make an exclusive appeal to economics.

By focusing on the symbol of crisis, more specifically, Social Security’s impending bankruptcy, Republican Senators were able to shift the discussion of the FAMILY Act. This tactic goes all the way back to Bush’s 2005 State of the Union address in which he said, "By the year 2042, the entire system would be exhausted and bankrupt" (Jerit & Barabas, 2006, p. 295). This is only a partially accurate statement that borrows from Stephen Goss, the chief actuary of the Social Security Administration. He testified before the Senate Finance Committee that “if no changes are made, it’s projected that the combined trust fund assets of the Social Security program will become exhausted in the year 2042," but then said, “What this means is that we would no longer be able to pay fully benefits scheduled in current law on a timely basis. Instead, we would be able to pay 73 percent of scheduled benefits” (Jerit & Barabas, 2006, p. 295). This last part is conveniently left out by Bush in his speech. Thus, hearers are misled as to the stakes of the issue. The conflicting points of view in the hearing were largely presented as a difference of opinion on the role of Social Security. However, “The ideological, philosophical and cultural underpinnings of both sides of the argument reveal common goals and, more importantly, common conceptions about rights and economic entitlements held both by those who would privatize Social Security and those who would preserve it as it is today (Dilley, 2000, p. 985).

One of the arguments that Brown made against the Republican proposal is that it was “a first step towards privatizing Social Security, the bedrock of our social safety net” (*Examining*, 2018, p. 5). Regardless of public policy implications of privatizing Social Security, my point is that saving it served as an important rhetorical reference point for both political parties.

The historical background on the history of debates over Social Security is useful because it sheds light on a key point of clash between both parties. Analyzing rhetoric of the 2018 hearing reveals Democrats reluctance for cuts to Social Security as a means of paying for family leave. Maximizing the utility income of government activity (Downs, 1957) is a symbol used by both sides in the hearing. The terms used can include “saving the taxpayer money” or “looking out for small business.” The Republicans speakers prioritize maximizing government resources, sometimes explicitly in the context of the Social Security fund. Democrats stressed paid leave is a wise use of government resources and only requires a slight increase in taxes. Under both approaches, one would still need to meet the work requirements of individual who has the earnings and work history necessary to qualify for Social Security Disability Insurance (National Partnership for Women and Families, 2021). A much more egalitarian approach would be a flat paid family leave policy applied regardless of previous work earnings.

The lineage associated with the rhetoric of poverty I draw attention to in my analysis is indebted to the larger discourse associated with the Puritan ideal and normative intuitions about work and work ethic. Contemporary cultural and communication studies can trace how economic ideas are tied to Anglo-American-centric and modern political imaginaries (Grossberg, 2010). Likewise, I apply their work to understanding depictions of the hard-working family. A key theme in U.S. social welfare policy over the last century is predicated on the assumption that people must be incentivized to work. The language of economic incentives has seeped into the

paid family leave Congressional debates (McDonald, 2016). Incentives are thought of as a causal mechanism that explains the symbolic order as well as human behavior (McDonald, 2018). I argue that this intertwining of incentive rhetoric and casual explanation implicates economic rhetoric in the reason-giving mentioned earlier. Cassidy ends his statement by saying, “Again, I’m pleased to convene these panels of experts to consider policies that help working families, and create incentives for Americans to stay in the workforce and help build the greatest economy in the world” (*Examining*, 2018, p. 2). Equilibrium is an economic concept used in Congressional testimony on equal pay (McDonald, 2016). This concept of business discrimination upsetting the equilibrium among different businesses is seen in Congressional testimony on the FAMILY Act when the witnesses contrast large and small businesses capabilities. McDonald shows that rhetoric of incentivizing the right choices lead to the failure of the Paycheck Fairness Act since, “only ‘market activity’ accounts for social, historical, and cultural changes in a way that disavows the very nature of these changes as social, historical, political, or cultural” (McDonald, 2016, p. 266). As we have seen, there is more at play than just economic incentives.

Similar to how families are frequently praised for being hard-working and morally upright, company behavior takes on a moral component through narratives. At the Enron hearings, “One of the most complicated and encompassing set of frauds in our history, a series of actions that was facilitated by economic policy, was represented by an overly simplified set of images that ultimately deflected critical attention” (Cavender et al., 2010, p. 262). There was a storyline with evil villains, righteous heroes, plot, conflict and a denouement (Cavender et al., 2010). The organization and the US economic system remain free from moral degradation. During debates over the estate tax in the 1990s stories of individual perseverance were delivered

in Congress to shifted the public's attention away from dynastic wealth (Glogower, 2018). More recently during the 2017 debates over tax cuts Republicans appealed to mythical narratives of the self-made small business owner (Glogower, 2018). Thus <individualism>, <freedom>, and <opportunity> can easily be deployed by elites who stand to gain the most.

Politicians almost always tie staying with your newborn as beneficial because it boosts worker productivity. It might not seem obvious, but the elevation of the dignity of work in some general public discourse obscures how increased worker productivity is often used to justify worker exploitation. From this alternative perspective, talk of enjoying the joys of motherhood so you can quickly get back to work seems less salutary. Although drastic levels of poverty forced some change of thinking during the Great Depression, “Even during times of catastrophic levels of unemployment, we could not shake the idea that there was something wrong about an able-bodied man receiving public assistance” (Ross, 1990, p. 1506). Congressional hearings are important sites of symbolic interaction between Democrats and Republicans that ceremonially affirm some responsible, disciplined, and worthy homeless people (Allahyari, 1997). I argue the enduring legacy of this sentiment is seen linking economic and familial prosperity.

### **Rhetoric of Poverty**

It is important to note that in historical and contemporary times, the descriptions of individuals and families who experience poverty and are deserving or underserving of help are shaped by race. Some scholars consider the rhetoric of working families among a wide range of presidential administrations or policy proposals. Presidents Lyndon Johnson, Richard Nixon, Jimmy Carter, Ronald Reagan, and Bill Clinton all demonstrate a commitment to the belief that “equal opportunity should be the overarching ideal, work should be rewarded well, and those that cannot help themselves should be supported as generously as possible by the government”

(Carcasson, 2005, p.3). Others tend to focus on one election cycle. In analyzing the remarks of Vice President Dan Quayle during the 1992 presidential campaign, Cloud (1998) shows how cuts in social welfare services “depend rhetorically upon racist stereotypes suggesting that the urban poor, figured as mostly Black and Latino, are undeserving of public aid” (p. 395). In other words, the image invoked of the working family lies along specific racialized and classist lines. Ken Kyle traces the ideograph of the family in the For Defense of Marriage Act, Family Rights and Responsibility Act, Marriage Penalty and Family Tax Relief Act, concluding that the “greater the number of variables out of compliance with this ideal American family, the less deserving the family, to the point where a family’s status as a family is called into question entirely” (Kyle, 2001, p. 213).

While Kyle (2001) also points out that the image is often one of a White, middle-class, nuclear family work, he locates the work status of the adults as one of the variables used to distinguish “normal” families from deviant families. Some legislatures have stressed that the language of paid family leave should be gender neutral to allow biological parents and adopted parents. In addition, advocates of the paid leave bill should explicitly mention protections for gay and lesbian families to combat previous characterizations as a deviant family. My takeaway from considering discussions of the “normal” family alongside traces of the Protestant work ethic (stress on the value of work and assisting those who cannot help themselves), is that it is important for rhetorical scholars to remain ever vigilant of new stereotypes, and descriptions of those deemed abnormal.

### **Rhetoric of Family**

Rhetorical depictions of welfare families have historically played an important role in shaping legislation. Depictions of the misfortunate, the feckless, and the young relied on specific



notions of the traditional nuclear family and substantially influenced the welfare reform act of 1996 (Gring-Pemble, 2001). That Newt Gingrich received a round of applause after mocking President Obama for being a “food stamp president”, shows the Welfare Queen and Deadbeat Dad remain the metaphorical villains in the minds of many Americans (Cammett, 2014, p. 233). This hearing, in conjunction with the archival research I have done on the FAMILY Act hearing “provides openings for gender critique by bringing new texts, locations, and approaches to rhetoric to light because of the ways gender issues inform, enable, and constrain women’s rhetorical contributions” (Ryan, 2016, p. 36). Rhetoric functions as a powerful tool to amplify or diminish voices. Competing interpretations of the rhetoric of family and poverty has been shown in other congressional debates (Zaeske & Jedd, 2010). As mentioned earlier, rhetorical analysis of welfare legislation proved a useful means of understanding values. I show the tension of simultaneously elevating and devaluing women’s work (Ruddick, 1995, p. 39). Attunement to the precise appeals to motherhood reveal, the relegation of women away from the political realm (Robinson, 2014, p. 95 ). On the alternative side, maternity health rhetoric also risks obscuring the ways in which public health is also a complex interweb of forces (Mack, 2013). For example, maternal health in particular is subject to gender/class/race inequalities. In the United States “motherhood has various symbolic associations, particularly when intersected by race, class, sexuality, nationality, and religion. Not all women have equal access to the rhetorical saliency of the motherhood frame”(Reid-Brinkley, 2012, p. 46). Not only do they not have access to the salience, but they don’t have access to paid leave. Black and Hispanic women face significant barriers to accessing paid leave (Goodman et al., 2021, p. 738). This makes attentional to social-economic injustice even more imperative.

One aspect of In the rhetoric of the family therefore, a hero narrative is sometimes created that. Also useful for understanding the rhetoric of family, is narrative story telling.

The Kavanaugh and Thomas Supreme Court confirmation hearings show how ideology limits the audience's ability to fully experience the story. An analysis of Kavanaugh and Blasey-Ford's testimony demonstrates the rhetorical function of storytelling (Rasmussen & Lambertz-Berndt, 2021). That recent scholarship helps provide concrete examples of the use of stories in hearings.

## Chapter 3 - Findings and Analysis

In this chapter, I present my findings as well as my analysis. The four senators who presented at the hearing were: Senator Bill Cassidy (R-Louisiana), Senator Sherrod Brown (D-Ohio), Senator Joni Ernst (R-Iowa) and Senator Kirsten Gillibrand (D-New York). The experts who provided testimony were: Andrew Biggs, senior fellow at the American Enterprise Institute (AEI), Vicki Shabo, vice president at the National Partnership for Women and Families, and Carolyn O'Boyle, managing director in Deloitte's Services, LP. This is also the order in which the speakers spoke. After all the testimonies concluded, senators asked the witnesses questions. I reference the following senators in my findings and analysis on the questioning period: Senator John Isakson (R-Georgia), Senator Bob Menendez (R-New Jersey). In each section of this chapter, I begin with a quotation that encapsulates the theme of that section of analysis. I'll show how the testimony of the Democrats were largely reactionary, countering Republican accusations of fiscal irresponsibility.

I begin by arguing the appeals to labor productivity, economic growth and Social Security, served largely to put family behind waged work as the primary value of public policy. Secondly, I argue that family appeals worked to assert the employer as more important than the employee. I show how the arrangement of their speeches established the following arguments: 1) what is good for employers and the economy is good for families and 2) if the needs of families conflict with the needs of employers and the economy, the later takes precedence. I then posit that the above arguments hide assumptions such as the role of personal responsibility and the capacity of a politics of time. I conclude that Brown uses appeals to the "dignity of work" to rebut the earlier two arguments.

Third, I show how some speakers drew attention to racial and class inequalities while countering Republican arguments of fiscal irresponsibility. I contend that by centering the gender and class power dynamics, and systemic injustices, speakers repudiate the arguments that the economy takes preference over families and invert the typical depictions of welfare recipients. Even more specific language that expands notions of the family should still be pursued. Only 5% of all fathers take more than two weeks of leave, gender expectations still stigmatize paternity leave, minority fathers are more likely to be penalized (Petts et al., 2018). Policies like restrictive visitation rights marginalize and discriminate against LGBT persons. The definition of “family” include those who nurture ongoing emotional connections regardless of legal or biological relationship (Daniel et al., 2015). Thus, the hearing presented all parities with the opportunity to valorize gay parents, single-parents, other-mothers, and grandparents.

While Senators from both sides argued their policies were good for the social, emotional, and developmental health of families, they primarily sought to show the economic and financial benefits of leave. The hearing is an example of a site of contestation over the rhetoric of work and family. Speakers at the hearing advanced specific value claims associated with work. At the micro-level, the discourse of the hearing asserts that it is people’s individual responsibility to be a good worker. Yet it is not the responsibility of the employer or the government to provide assistance that would help your family life. When crafting legislation that affects businesses, the government’s focus is on the family as a unit of economic analysis.

### **Home Economics: The Primacy of Waged Production**

“Working families are the core of our  
social fabric and economic success”- Bill Cassidy

As chair of the subcommittee Senator Cassidy tried to establish the tone of the hearing and provide the foundations for the most important arguments. As mentioned earlier, the chair exercises the ability to set the agenda and decide which issues will be examined in a hearing (*The Legislative Process*, n.d.). Cassidy attempts to extend this authority from the procedural to the rhetorical. He gave the first statement, inserted rebuttals into the conversation before allowing others to speak, and issued the final remarks before adjourning the hearing. This forced the speakers he disagreed with to be largely reactionary to his accusations. As a result, concerns for maintaining labor productivity, economic growth, a solvent Social Security fund became elevated.

He begins his speech by immediately establishing his credibility. He demonstrates that he has a thorough understanding of the problems Americans face (stagnant wages and rising costs) and assures the public that he has taken steps to remedy those problems (cutting taxes) (*Examining*, 2018, p. 2). By using the singular pronoun “I” and the possessive pronoun “their,” he calls attention to his role ensuring families benefit. He proclaims, “I have worked to help families get more money in their pocketbooks and better benefits to navigate the ebbs and flows of life. Many families in my home State of Louisiana...” (*Examining*, 2018, p. 2). By listing paid family leave benefits after the praise of tax cuts as, “another thing which may help,” he casts doubt on the effectiveness of the paid leave (*Examining*, 2018, p. 2). He then provides a description of the status quo: a Pew poll shows support for paid sick leave and paid maternity leave, the Family and Medical Leave Act of 1993 does not guarantee unpaid leave for small business and part-time employees, most workers receive some paid time off for vacation (*Examining*, 2018, p. 2). Despite mentioning low-wage workers in the summary of America’s current state of affairs, their precarity blends into concerns for the wider economy as the speech progresses.

Senator Cassidy lists the three benefits of paid leave as “improving health outcomes,” “helping families manage work and home responsibilities,” and “creating incentives to stay in the workforce, supporting productivity and economic growth” (*Examining*, 2018, p. 2). He continues to demonstrate credibility by referencing his own credentials and numerous statistics. “I am a doctor. I am concerned about infant and maternal health” (*Examining*, 2018, p. 2). He provides one statistic on each of the following topics: infant mortality, maternal health, disparities of access to paid leave between high-income and lower-income workers, likelihood to return to work postpartum and returning work hours for mothers (*Examining*, 2018, p. 2). These numerical figures add to the data that the audience is already presumed to remember. He mentions polls three different times earlier in the speech.

The depictions that provide the main force of Cassidy’s arguments are the benevolent tax cuts and the crisis of Social Security. By taking a retrospective approach to explaining the help workers need, Cassidy can present economic precarity as something currently being remedied. He contends, “with last year’s tax cuts bill, we are seeing workers getting some help” (*Examining*, 2018, p. 2). Thus, assistance to those in need is already a present reality. Attached to the previous year’s tax cuts was a two-year pilot program that “included a tax credit to employers who offer low- and moderate-income employees at least 2 weeks of paid leave” (*Examining*, 2018, p. 2). Now that taxes have been depicted as benevolent via succinct descriptions of their effects, he applies the depiction of benevolence to private companies. Cassidy declares, “Numerous companies announced new or expanded paid leave programs after the tax bill passed, including Starbucks, Walmart, and Lowe's” (*Examining*, 2018, p. 3). He then provides a preview of what is to come. He seemingly concludes, “as we shall see today, there is bipartisan interest...” and, therefore, he is “pleased [to] convene this initial conversation to consider policy

options and trade-offs” (*Examining*, 2018, p. 3). The above statements make it appear as though he is going to end his speech, but instead he continues.

The second depiction that serves the main strength for Cassidy’s arguments is the crisis of Social Security. He exclaims, “preserving the retirement benefits promised to American workers is paramount” because “the Social Security Trust Fund will go bankrupt in 2034” (*Examining*, 2018, p. 3). Cassidy describes economic dangers as forthcoming. By forthcoming I mean the threat is already present and will continue. He explains that “benefits today would have to be cut by 17 percent for all beneficiaries, including those already collecting,” and as a result, “we must address this looming crisis” (*Examining*, 2018, p. 3). Just as earlier he used a retrospective approach to evoke images of active solutions, he now uses the depiction of impending crisis to create a sense of urgency. “We cannot let that happen. Doing nothing is not an option” (*Examining*, 2018, p. 3). Lastly, he highlights his role in the hearing, crystallizes what is meant by helping <working families>, and appeals to a sense of patriotism. Cassidy concludes, “Again, I am pleased to convene these panels of experts to consider policies that help working families and create incentives for Americans to stay in the workforce and help build the greatest economy in the world” (*Examining*, 2018, p. 3). He gathered the experts and continuing to work will contribute to the world’s best economy.

Senator Bill Cassidy foregrounds his arguments in the need for productivity and economic growth. According to his conclusion, the goal of the hearing is to help working families. Throughout his statement he argues that the way to accomplish that goal is by maintaining a strong workforce (*Examining*, 2018, p. 3). He uses the word workforce four times. By arguing that “economic growth is a function of workforce participation and labor productivity,” he advances capitalist notions of the way the economy should function

(*Examining*, 2018, p. 3). However, “Looking at the economy from a different angle reveals important aspects that could be relevant to a no-growth economy” (Fatheuer, 2012, p. 39). Thus, in Cassidy’s discourse, alternative perspective on the economy do exist or are ignored. “The relational economy appeals to different motives and norms than the market” (Fatheuer, 2012, p. 40). We as people can be concerned about things other than money. However, the language of incentives poses labor as a market commodity that must be incentivized. Hence, dialogue on social relations is sidestepped. These justifications provide an example of the “masculinist values, policies and institutions which simultaneously essentialize women’s reproductive roles and devalue the labour of caring” (Ruddick, 1995, p. 26). The women who are valorized are the ones that quickly go back to work and work longer hours.

In addition to presenting a growth-oriented model of the economy, Cassidy commodifies female labor specifically. This commodification is evidenced by the lack of description of what it looks like to manage work and home responsibilities. Although it is listed as his second benefit, he mostly expounds on the third benefit of staying in the workforce. Listeners are led to believe that this is how management of multiple responsibilities is accomplished. In addition, none of the problems associated with women in the labor force are mentioned. Furthermore, by reducing the benefits of paid leave on women to remaining in the workforce and working longer hours, Cassidy reifies the disposability of female labor. This theory is defined by the notion that women provide “a reservoir of labor to be tapped” are particularly vulnerable to economic shifts (Bruegel, 1979, p. 19). By focusing on staying in the workforce, Cassidy implies that women will stay at the same company. Surely leaving to a different company if one is experiencing discrimination would be more empowering than staying. In addition, the private companies that Cassidy specifically depicted as benevolent are ones that fall within the category of the service



industry (Starbucks, Walmart, and Lowe's). The Covid pandemic laid bare the fact that the service industry is particularly exploitative of the disposability of female labor. For example, medical assistants, personal care aides, janitors, and food preparers have all experienced wage theft and exploitation for a long time (Hallett, 2022, p. 890). Restaurant workers rarely receive health insurance and 16% live below the official poverty line (Shierholz, 2014, p. 3). In summation, by fixation on women working more Cassidy normalizes patriarchal and capitalist exploitation in the name of helping <working families.>.

In conjunction with appealing to the need for productivity and economic growth, Cassidy pivots the conversation away from social relations and towards Social Security funding. I already explained some of the ways this is accomplished, such as redefining what it looks like to manage work and home responsibilities. Another way he does this is through his approaches to establishing credibility which reify patriarchal and capitalist norms. Jamieson (1988) points out that when male politicians discuss their personal experience, they do so to display an active role in accomplishing their goals and projecting themselves onto their environment. Bombarding the listener with facts is a patriarchal means of asserting command of the environment. As I hinted at earlier, Cassidy overwhelms the listener with facts and figures. This forestalls an experiential and relational orientation toward knowing the world. He initially characterizes paid leave as “another thing,” repeatedly elevates himself, personifies his own tax policies as benevolent, and provides a preview of the hearing in a way that confines the terms to his own advantage. Taken together, all of these functions to exhibit an air of superiority and perpetuates a managerial approach to gender. (Dular, 2021). If work and labor productivity are to be valued above all else, then the story of an hour break is acceptable as part of the workday. Managers organize governance work, schedule employee time, and marginalize temporalities and devalue some people's times (Plotnikof &

Mumby, 2023, p. 2). Although the Republican Senators acknowledge their own privileges and employee benefits, none of them call on workers to engage in micro-political struggles with their managers.

A clear example of this economic logic is in the questioning period. Here, Cassidy verbally spars with Shabo, saying, “Now is there a problem with somebody who has six weeks of vacation taking some of their vacation to care for a sick one? For a loved one?” (Examining, 2018, p. 31). Shabo becomes frustrated because in her mind there is a clear difference between family leave and vacation and workers should be entitled to both. Cassidy responds, “it is kind of the reality... But I am very sympathetic to what these small business owners said... I have thin margin... If they take their paid vacation, and then they take their paid this and their paid that, and I am paying it, and then they leave, I cannot run a business” (Examining, 2018, p. 31). Here the concerns of the employee are minimized while the concern of the employer is elevated.

Neoliberal logic naturalizes this ordering but it does not have to be so. Steffaney (2017) tells a story that highlights the difference between paid leave in the US and Germany:

When I told my boss I was newly pregnant he said congratulations let's talk about who were going to apprentice in to your role as it was expected I would be out for at least a year see I was entitled to one year. I quickly realized the conversation here is framed more around career versus family in addition it became evident that there still exists many taboos in the workplace.

This story demonstrates that it is possible for the workplace to be a place where pregnancy is not depicted as a burdensome problem. However, in the U.S., managers using “rhetorical strategies to subordinate labor, is one example of how the ideology of capitalism and patriarchy articulates relations among social systems, such as work organizations and family” (Buzzanell et al., 2017,

p. 70). Thus, work is not a neutral value. Critical scholars can improve our understanding since ideology, power, resistance, and control function in organizational discourse (Meisenbach, 2008, p. 2).

Work itself is already gendered, enmeshed within understandings of race, gender, and class. Senator Brown seeks to acknowledge this, responding to Cassidy's points and advancing his own. Ultimately, Brown attempts to present an alternative vision of the economy and society. His chief depictions are respecting the dignity of work and recognizing the injustice of our economic system. Brown commences with a spirit of collegiality. Within the first two sentences he has already used the word "together" twice. Brown begins by addressing the concern of Cassidy and attempting to reframe the purpose of the hearing. Rather than addressing the needs of working families by incentivizing staying in the workforce, Brown posits that the hearing was convened to "expand Social Security and the safety net" (*Examining*, 2018, p. 3). Expanding the safety net is the reframing and expanding Social Security also implies that they are doing something as opposed to nothing.

Senator Brown uses macroeconomic statistics to describe the inherent problems with the status quo and ground his more fundamental argument about the dignity of work. He begins this section by saying that the lack of paid family leave is a "drag on our economy, and it holds workers back" (*Examining*, 2018, p. 3). He explains that "American families lose nearly \$21 billion in wages," which shows "hard work simply does not pay off" and "we do not value work in this country" (*Examining*, 2018, p. 3). He then provides a stark image of the implications of our lack of paid family leave: "If she is not back at work the day after she gives birth--something most of us would agree is cruel and absurd--she does not get a paycheck" (*Examining*, 2018, p. 3). He uses this powerful picture to demonstrate that parents face the impossible choice between

going to work or school sick or losing a paycheck, which is really no choice at all. His appeal to justice also is an inversion of Cassidy's appeal to patriotism since this is, says Brown, "not acceptable in a rich, modern economy" (*Examining*, 2018, p. 3). Although Brown does not specifically mention gay couples, he implies them when saying, "It affects workers of all ages with all types of families" (*Examining*, 2018, p. 3).

In response to Cassidy, Brown explains that paid family leave is good for small and large businesses. To establish the credibility of that statement he appeals to the fairness of small businesses having "a more even footing," a survey conducted by Ernst and Young, the historical legacy of "the most successful and popular program we have in this country," and the present reality that it has "already been adopted by five states" (*Examining*, 2018, p. 4). Thus, Brown provides four different reasons to trust his claims regarding the benefits to businesses.

However, Brown did not provide enough clash of ideas to stand out for the average viewer. For example, when he says, "I want to thank them for their desire to work together on this issue" he undermines the critique leveraged right afterwards that the GOP's plan "is robbing from your retirement to be able to care for loved ones now" (*Examining*, 2018, p. 5). This could have been a good statement for the audience to walk away with since the GOP often accuse the Democrats of robbing from future generations. He asserts that "we must be able to have honest debate about these critical issues" (*Examining*, 2018, p. 5). However, he does not point out the GOP is preventing that from happening. Compromise is an important part of getting legislation passed. A paid leave plan that is funded by asking parents to defer their Social Security benefits is a nonstarter for Democrats. Rather than stay on that point he assures the audience, "we are working toward the same goals. We all want to help families navigate a changing economy" (*Examining*, 2018, p. 5). But by their own admission, the GOP's goal is to incentivize workforce

participation, lower taxes, and hope that the sense of benevolence of companies is strong enough stir in them the desire to expand their paid leave program. Nevertheless, Brown fails to advance this counterargument.

The part of his speech in which Brown does focus on denouncing the GOP's plan is convoluted. He attacks the proposal for using retirement funds for paid leave as being the first step toward privatizing and dismantling Social Security and cites an opinion piece for *The Federalist* (*Examining*, 2018, p. 5). In the questioning session Brown tries to build on this argument by linking the Rubio-Ernst with private savings accounts and making the case that using retirement for parental leave forces a tradeoff. He cites a study that says, "someone who takes 12 weeks of leave would have to delay their retirement by 20 to 25 weeks and face a permanent benefit cut of 3 percent" (*Examining*, 2018, p. 19). Griggs absolves himself from any affiliation with the savings account view by stating he did not write the *Federalist* article mentioned earlier and that it would be a mistake to ascribe the views to him (*Examining*, 2018). Griggs didn't write the article. Brown even said he was assuming Griggs agreed with the article. Thus, Brown came across as someone punching above their weight desperately trying to land a strike. In addition, the evidence that Brown cited was the exact same evidence that Griggs cited in his speech. By preemptively responding to this point in his testimony, Griggs was able to pivot to the topic he thought was most salient: "many people will not want to pay an extra payroll tax to finance parental leave...that is about a \$35-billion reduction in people's take-home pay" (*Examining*, 2018, p. 5). Briggs came across more sensible and realistic. It appears Brown's questions were fruitless and a waste of time.

On the positive side, Brown's repeated appeals to the "dignity of work" invite the audience to consider an alternative vision of the future in the same way the term is used in

official American Catholic social teaching. This encompasses the issues of unjust wages, deserved benefits, safe working conditions, and fear of losing your job. Similarly, one interpretation of the dignity of work can be summarized as follows: “The economy must serve people, not the other way around... the basic rights of workers must be respected--the right to productive work, to decent and fair wages, to the organization and joining of unions...” (United States Conference of Catholic Bishops, 2023, para. 10). In other words, work is good but there are protections and safeguards the government should put in place to uphold this goodness. During debates over the Aid to Families with Dependent Children (AFDC) reform bill of 1996, the phrase “dignity of work” was premised on the notion “that untethering cash assistance from wage labor will incentivize low-income parents to drop out of the workforce” (Hilligoss, 2021, para. 8). In this hearing, Brown specifically uses the term to make an argument that everyone deserves paid leave. For some the term is rooted in “deeply racist and sexist ideas about the type of labor that is dignified and the types of people we require to work in order to earn dignity” (Hilligoss, 2021, para. 12). The term was also used by Martin Luther King Jr. in a speech to Memphis sanitation workers to argue in favor of progressive social reform and criticize the growing gap between rich and poor, as well as misplaced use of tax resources (Fassler, 2011). Thus, the term “dignity of work” is used differently by various political advocates.

Brown’s emphasis on equity makes clear that he is attempting to tap into the rhetorical history of King’s calls for progressive social reform. Brown conjures images of unjust punishment using the word cruel. In arguing that the Ernst plan is unjust, he recognizes the worker as a whole person: “Low-wage workers in physically demanding jobs are more likely to be forced into early retirement because of the toll these jobs take on their bodies” (*Examining*, 2018, p. 6). Brown makes one more reference to the dignity of work in the final minutes of the

hearing. Toward the end of the question-and-answer session, he contrasts the benefits of high-income workers at a large firm and most people (*Examining*, 2018, p. 32). He questions the values of a society that cuts taxes to the wealthiest 1% but claims they cannot afford a national paid leave program. He asks, “when we talk about the dignity of work, a whole lot of Americans—what is it, 40 percent of Americans do not have \$400 if their car breaks down? And what do we do for that group of people?” (*Examining*, 2018, p. 32). These rhetorical questions serve to resituating the conversation in the realities of present issues.

### **Working before Family: Public Policy for Employer Power**

“As a conservative, I want to craft paid leave policy that can not only attract consensus, but is viable for families, employers, and the economy, recognizing that working parents by definition are an essential part of many businesses.” - Joni Ernst

Senator Ernst uses appeals to the ethos of motherhood, a depiction of economic insecurity, a particular pathos of childbirth and infant raising, and the economic necessities of businesses. Her argument is that being a working family is a difficult balance and that a paid leave plan that balances the needs of family and the economy is the best path forward. Thus, her discourse suggests balance is the problem at the micro-level of families, and balance is the solution at the macro-level of federal policy. Additionally, in Ernst’s statements working families remains confined to the two-parent household, consistent with the stereotype of the traditional nuclear family.

Ernst begins by emphasizing that “millions of mothers, fathers, grandparents, and families across the country struggle with the realities of childbirth and infant care while also working hard to put food on the table and raise strong and healthy families” (*Examining*, 2018, p.

6). Initially, it appears to the audience as though the families she describes as working hard consists of not just parents but grandparents as well. However, discussion of the extended family quickly recedes. Ernst uses the words “working parents” three times, “moms and dads” twice, “parents” ten, “husband” six, and “mother” thrice. According to Ernst, the large number of people impacted shows the of Congress “not just have a conversation” but getting “serious about a path forward” (*Examining*, 2018, p. 6).

Nevertheless, Ernst establishes a significant amount of her credibility through the ethos of motherhood. She says, “As a mother myself, I know that being a parent is never an easy task...I have worked with and heard from numerous working parents” (*Examining*, 2018, p. 6). Her personal experience and the experience of those she has worked with show the difficulty of parenting. More specifically, they show the struggle “to navigate the challenges of balancing work with the need to provide safe and supportive care for their new babies” (*Examining*, 2018, p. 6). Next, Ernst explains why she will provide the proceeding story. She shares a story, “To illustrate just how difficult it is for working moms and dads” (*Examining*, 2018, p. 6). In Ernst’s introduction, the problem is established as balance between work and family obligations. The story that follows takes up approximately half of her entire testimony.

By focusing on the physical demands of infant care, Ernst’s story connects the vocabulary of labor (working) to labor (giving birth). She tells the story of Jessica and her husband. The story can be divided into two halves. First, she starts the story by establishing Jessica’s credibility through her work ethic and describing the couple’s economic insecurity, then she stresses the physical effects of Jessica’s return to work. For Ernst, Jessica is the “epitome of what it means to be an Iowan” because of her long work history (*Examining*, 2018, p. 6). Ernst explains, “She has been working since she was 16 and done everything from working



at a call center to waitressing.” The implication is that working demonstrates strong character. Then she explains, “Jessica is also married, and she and her husband are the proud parents of two young boys” (*Examining*, 2018, p. 6).

Once Jessica’s credibility has been established as a worker and a mother, Ernst shifts toward highlighting the economic precarity of the couple. Ernst describes their financial situation as follows: “they work day in and day out to provide for their growing family,” “it has not been easy,” “money, at times, has been tight,” and finally both “Jessica and her husband had to decide between working and meeting rent and taking time to care for their newborn” (*Examining*, 2018, p. 6). The last point makes it particularly clear that working families in the U.S. remain vulnerable to financial hardship despite their productive and concomitantly high-moral status.

Ernst then takes a break from the story to explain how we know it is important for parents to spend time with their newborn. According to Ernst, “common sense tells us,” the bond “only becomes stronger the longer the time they have,” and a study by the International Journal of Child Care and Education Policy found that the amount of time parents spend “has a direct influence on the quality of mother-to-child interactions” (*Examining*, 2018, p. 6). I find it noteworthy that the benefits discussed quickly switch from parent-child interactions, to mother-child interactions.

Ernst then identified the advantages of paid family leave policies as including increased breastfeeding rates, better infant health, decreased rates of low birth weight, and lower infant mortality (*Examining*, 2018, p. 6). This serves to capture some logos before returning to the story. Ernst continues by explaining that Jessica was only able to take two weeks before returning to paid employment “despite the fact that she had a C-section, which made it difficult and painful for her to work in the first few weeks after delivery” (*Examining*, 2018, p. 6). The

second half of Ernst's story focuses on the physicality of childbirth and infant rearing. Although Jessica goes to work in the morning, "when her lunch break came, she would rush to the bathroom, pump milk, and then run home to give it to her husband, all within an hour" (*Examining*, 2018, p. 6). Laying eyes on the child, experiencing low infant birth weight, delivering via C-section, rushing to the bathroom, breastfeeding, and even waitressing all conjure up images of the physical demands and mothering. Noticeably absent from Ernst's story is any mention of the father's parenting. Because he works nights, Jessica has "a few precious hours to spend with Karter and her husband" (*Examining*, 2018, p. 6). In the entire story, the husband is never once named.

The last section of Ernst's speech demonstrates what I understand to be the main contextualization through which she hopes the audience will filter everything that came before. She praises Donald and Ivanka Trump as well as members of the House and Senate from both political parties for paying attention to the issue and "recognizing that moms and dads across the country are trying to figure out how to ensure their babies are well cared for and nurtured in those precious first few weeks of life" (*Examining*, 2018, p. 7). Next, she says that paying attention to those needs also recognizes, the "important economic contribution of these families" and that public policies should "reduce barriers that pose challenges to parents who are balancing work and family" (*Examining*, 2018, p. 7). Ernst's reasoning for supporting the Republican leave proposal is three-fold: 1) a leave policy should "not only attract consensus, but is viable for families, employers, and the economy," 2) "working parents by definition are an essential part of many businesses" 3) "few businesses can afford more taxes or more cuts to their bottom line" and thus "we have to find a solution that does not make our economy worse off or decrease the jobs available to working parents" (*Examining*, 2018, p. 7). The takeaway for the audience is that

despite the moving image of when parents first lay eyes on their child, ultimately businesses and the economy must be protected.

In my judgment, the depiction of the ‘traditional nuclear family’ advances heteronormality and relies on the backdrop of the good mother. Heteronormativity occurs, “When the view is that institutionalized heterosexuality constitutes the standard for legitimate, authentic, prescriptive, and ruling social, cultural, and sexual arrangements” (Yep, 2003, p. 13). This is evidenced by the fact that Ernst’s choice of words to describe familial members. Never using the term “spouse,” she frequently speaks of “moms and dads,” “parents,” “husband,” and “mother.” The implication is that these are the members of a legitimate <family>. As mentioned earlier, the narrative is absent any segments that would show the role of the husband in parenting. This omission perpetuates “good mother” ideology and institutionalized motherhood. “Good mother” ideology is the belief, “that women remain the best primary caretakers of children, and that to be a remotely decent mother, a woman has to devote her entire physical, psychological, emotional, and intellectual being, 24/7, to her children” (Douglas & Michaels, 2004, p. 4). The parents in Ernst’s story only spend a few hours together with the baby before he goes to work. The story evokes images of the heroic mother working to provide an income.

As previously showed, this celebratory image historically is denied black women. “The Good White Mother in the U.S. social imagination stands as an idealized standard for femininity that constrains all women across various intersections, although in markedly different ways” (Reid-Brinkley, 2012, p. 46). Although Ernst does not explicitly mention the race of the people, a white mother is the default portrayal when politicians speak of the positives of motherhood. In addition, “good mothering” ideology assumes and reinforces White, cisgender, and heterosexual privilege (O’Brien Hallstein, 2017, p. 3; see also Collins, 1998 and Crenshaw, 1991). The term

<mother> is often attached to the wider conceptual vocabulary of <working parents>. According to Ben Fergusson, when he and his husband go out in public with a child, “people assume that they are helping an absent mother” and tell them as such (Rich et al., 2021, p. 10). Women’s lives are defined by motherhood even if they don’t have children while, “within the intertwined institutions of motherhood and heterosexuality, men are not expected to do “real” parenting” (Rich et al., 2021, p. 9). Thus, the terms <working families> involves multiple intersections of sexual identity, race, class, and gender.

Economic insecurity is tied to the pathos of childbirth and infant raising through the depictions of painful work. Because of “cultural attitudes wrought into language itself...yet pain, like, love, is embedded in the ideology of motherhood, and it has so much depth of allusion for all women, mothers or not” (Rich et al., 2021, p. 233). This is the pathos of childbirth Ernst to which was appealing to when she mentioned low infant birth weight and infant mortality. According to seminal work, “the fear of pain of childbirth in literate as in nonliterate societies may come (and often does) from verbal tales, phrases, anecdotes” (Rich et al., 2021, p. 241). Ernst takes part in the tradition of women warning future mothers of the pain associated childbirth, but she is doing so in a different way. For her, the physical pain comes from working after the delivery. The women’s liberation movement and modern childbirth classes do not undo the socialization that exists “after centuries of ingrained, expectations of pain, and obeisance to male domination” (Rich, et. al, 2021, p. 260). If Rich and Biss are correct in positing that descriptions of childbirth are so pervasive in society that they interpellate mothers and nonmothers alike, then female listeners should find Ernst’s descriptions particularly salient. Even if Rich and Biss overstate their claim, depictions of pain associated with childbirth still command substantial amounts of ethos, pathos and logos.

With nearly the strongest emotional appeal she can muster, Ernst ties the familial to the economic needs of parents. If the audience accepts that working families are an essential part of many businesses, then it makes sense that business's bottom line should be prioritized and the only solution is one that does not hurt the economy (*Examining*, 2018, p. 7). Arguably, rhetorically balancing the needs of family and business is in fact no balance at all. With the three-part consideration of families, employers, and the economy, Ernst attempts to tip the scales in the audiences' mind. Although the needs of employers and the economy take precedence over families, the appeal is ultimately rooted in the rhetorics of motherhood. For example, the long hours are justified for the sake of supporting a family. The precarious nature of not having a lot of money is embodied by the image of nurture and caring for the child in "those precious first few weeks of life" (*Examining*, 2018, p. 7). While Ernst invites the audience to imagine only a few weeks of a newborn and mother spending time together, Statutory Maternity Pay in the United Kingdom guarantees 39 weeks (UK Government, n.d., para. 4). Thus, compared to other OECD countries, Ernst aims not for balance, but for emboldening capital relative to labor. "The divisions of labor and allocation of power in patriarchy demand" a suffering Mother (Rich et al., 2021, p. 262). In summation, balancing the needs of family and business elevates the demands of employers and the economy. This fits neatly with neoliberal logic that prioritizes profit over workplace safety. Under such logic, collective responsibility is replaced with individual responsibility and all of social life is subsumed by the market.

Ultimately, Ernst links appeals to a generic ethos of motherhood, a depiction of economic insecurity, an evolved pathos of childbirth and infant raising, and the economic necessities of businesses. In the name of helping <working families> she offers a heteronormative narrative that is neoliberal in nature. As I demonstrated in Chapter Two, when personal responsibility is

posited as the remedy over and against combatting social inequality, political mobilization is discouraged (Cloud, 1998). Using a feminist and intersectional approach to read the rhetorics of motherhood, I show how labor (working) is presented as the natural progression of labor (giving birth). This gives the impression that any economic and familial hardships faced are justified regardless of the unjust economic or social, power structures that enable them. Ernst was the speaker who made the most emotional appeals, and she was also one of the speakers against the FAMILY Act. Ernst's descriptions stress the physical demands of working post-childbirth, leaving a lingering image in the listener's mind and perhaps eliciting sympathy from the audience. Although the appeal to personal responsibility worked in the past when Republicans were dismantling the social safety net, it is difficult to make such claims again this time.

Advancing the argument that women who are a few weeks from delivering a baby or a few weeks out from delivery should display personal responsibility and go back to work is absurd. Surely caring for an infant is responsible. If Ernst is right that parents all over the country are having to choose between paying rent and spending time with their newborn, then electing "to receive a paid leave benefit through Social Security" is hardly a choice (*Examining*, 2018, p. 7). Rather, Ernst's testimony serves as a way for Republicans in the Senate to gain pathos and dissuade voters from thinking they are the party that does not care about women.

Gillibrand was the last senator to speak. Hence, she had the opportunity to respond to and incorporate arguments from previous speakers, most notably those of Ernst. Gillibrand commences by thanking her colleagues, including Ernst, for their "interest in this bill and this debate" (*Examining*, 2018, p. 8). She uses the word spouse, provides multiple scenarios in which somewhat might use paid leave, and connects her comments Ernst's story, saying that "maybe you are starting a new family or just had a baby like your constituent Jessica" (*Examining*, 2018,

p. 8). But she uses these stories to illustrate a larger point, “Whatever the case is, no working American should ever have to choose between their family members and a paycheck” (*Examining*, 2018, p. 8). Gillibrand tries to coopt the language of those arguing against the bill, bringing attention to concerns that transcend the economic, revealing systemic injustices, and inverting the typical depictions of welfare recipients. Though she acknowledges the GOP plan and thanks them again, she urges Republicans to “support a comprehensive and fiscally responsible idea called the FAMILY Act” (*Examining*, 2018, p. 9), which is Gillibrand’s legislation.

She also draws attention to the institutional problem of a lack of paid family leave. She says that such a policy creates the sticky floor, “where too many women get stuck in low-wage jobs with no chance of advancement” (*Examining*, 2018, p. 8). Again, this focus on structural poverty inverts the language of welfare reform debates. It is not a problem of values which trap someone in poverty, but specific policies that prevent upward mobility. It is not that individuals must overcome adversity through hard work and adherence to the family ethic, but through government and company action that people overcome adversity. Gillibrand’s low-cost descriptions contrast sharply with the nonmonetary costs. “It is about \$2.00 a week on average for all employees. That is not a great deal of money to know that if your mother is dying, that you can be by her side” (*Examining*, 2018, p. 9).

Another typical Republican argument is one of the benefits of competition. She coopts this argument by saying that paid family leave levels the playing field for small businesses to compete with large corporations. She also reverses the previous logic of Republicans. They implied that to be good for families it must be good for businesses. They also shifted attention

from intra-family relations to the economic relations. Gillibrand recenters the personal: “It is good for productivity. It is good for morale” (*Examining*, 2018, p. 9).

She retains the credibility that comes from citing larger business support. In the end, she does attempt to coopt the Republican concern for businesses. “Because it is good for business. And what is good for business is good for this country. It is good for our economy, and we know it is good for families” (*Examining*, 2018, p. 10). Lastly, by repeatedly emphasizing all families and all workers, she counters patriarchal presumptions that impede progressive legislation.

Gillibrand gives the impression that some leave is better than none and acknowledges that “supporting a national paid leave program that is based on, perhaps, a Social Security model” (*Examining*, 2018, p. 9). Again, the implication is that she is happy the GOP has at least come to the table. She provides a plethora of arguments to explain why Social Security will remain fiscally sound. She also provides short, digestible depictions of the bleak scenario people are in (*Examining*, 2018). Nevertheless, taken as a whole with the questioning session it, it felt more rushed.

## **Having it All?: Managing Gender and Countering the White**

### **Heteronormativity of <Working Family>**

It is our responsibility and commitment as an organization  
to ensure that our people do not have to make that  
choice between family and career.- Carolyn O’Boyle

O’Boyle represented the <family> as primarily as a social institution made of individuals with needs outside of work. She does this as much through what she says as what she does not say. She never once uses the word “economy” or “poverty.” Though “attrition, productivity, and



engagement” have macroeconomic implications, the more frequently used words are the following: “caregiving” at six times, “support” at seven times, and “well-being” at three times (*Examining*, 2018, pp. 15-16). Hence, the focus of her testimony was on the effects of paid-leave programs on individuals at the micro level instead of the wider economy at the macro level. She achieves this focus by tying the success of the company to success of the individuals inside the company. In addition, discussions of caregiving moved beyond depictions of conventional gender roles and the traditional nuclear family. I contend that the credibility she establishes, descriptions of company policies she provided, stories she gave, and final assessment of the results she supplied serve to advance the argument that paid leave is “not just an abstract concept” (*Examining*, 2018, p. 15). She said that it is not an abstract concept to her, but the audience can infer that it is not an abstract concept for them either.

In her introduction, she continuously reinforces her and her company’s credibility. O’Boyle establishes the credibility of herself and her company in the following ways: she is managing director of talent, she has experience “working to enhance employee engagement,” she took advantage the program when her son was born, Deloitte is a professional services firm, the company conducted a marketplace survey, the company is focused on innovation, and the “CEO Cathy Englebert and her leadership team” are addressing shifting needs (*Examining*, 2018, p. 15). In addition, she suggests throughout that because Deloitte helps clients with professional services, they themselves must excel in helping their own professionals. As a professional services firm, their “people are our primary and greatest asset, and as such, their well-being is critical to our success” (*Examining*, 2018, p. 15). When it comes to upholding standards of trustworthiness for clients, she must put her company’s best foot forward. Whether communicating to shareholders, employees, customers, or government officials large

corporations face rhetorical “constraints and possibilities” (O’Connor & Ihlen, 2018, p. 14). In essence, company officials must be cautious whenever they are in the limelight. In summary, the information and experience in the proceeding testimony is derived from the bottom up and the top down. Research suggests that supervisors use of active-empathetic listening has a positive relationship with employee work engagement (Jonsdottir & Kristinsson, 2020). Listening to the needs of employees stands out as the most prominent feature of her testimony.

Recognizing caregiving as evolving connects the following claims: first, the company is credible and second, to succeed companies must meet their employees’ needs outside of work. She explains that with “the changing nature of caregiving” the company recognizes “that both men and women of all generations face challenges” (*Examining*, 2018, p. 15). In her introduction, she also showed that to enhance the employee experience, companies need more than a family leave policy. They need an environment that encourages and supports individuals who take advantage of the leave policy. In my judgment, this is important because if companies have paid leave policies, but discourage employees from taking it, severe problems will persist. O’Boyle refers to this environment as a “culture” in which people “feel supported in managing their personal lives and building a meaningful career” (*Examining*, 2018, p. 15). In summation, her introductory remarks centered the employee as a human person whose career and personal life develop. The company policy descriptions and stories make up the body of her testimony.

By highlighting the three distinguishing features of Deloitte’s leave policy, O’Boyle continuously moves beyond depictions of conventional gender roles and the traditional nuclear family. The program 1) recognizes “caregiving goes beyond that of welcoming a new child” 2) acknowledges “both men and women of all generations face challenges in supporting the well-being of their families” and 3) provides people “with the flexibility to schedule the leave to meet

the needs of their family” (*Examining*, 2018, p. 15). She elaborates on the first distinguishing feature by explaining that the program provides 16 weeks of paid leave and can be used to care for an ill spouse or domestic partner, parent, child, or sibling. The second distinguishing feature rhetorically “eliminates any disparity between primary and non-primary designations” (*Examining*, 2018, p. 15). In other words, it counters the notion that only mothers are caregivers of children. The inclusion of a domestic partner or sibling presents a much more expansive policy than other speakers at the hearing. These descriptions show that expanding paid leave beyond parental leave is not an abstract concept. This concreteness is further supported by assurance that the company carefully considered both sides before implementing the program. Before implementing their holistic paid family leave program in 2016, they evaluated “potential incremental salary costs against benefits to attrition, productivity, and engagement” (*Examining*, 2018, p. 15). She then explains that the effects of the program have included lower company costs than anticipated, reduced attrition, and overwhelming gratefulness and peace of mind among employees (*Examining*, 2018, p. 16). The prediction that supporting their employees’ personal lives would lead to the benefits of improved productivity and reduced turnover came true. Hence, the policy is good for the company and especially good for the personal lives of the employees. She then proceeds to share three stories of some of the many lives of professionals and their families that have been impacted by the paid leave program.

Although her stories take up a substantially less proportion of time than Ernst’s, they further the specific goal of highlighting care for the elderly and men’s role in the emotional and social life of the <family>. The first story is a brief account of Marcia who was able to manage the stress of her son’s treatment and her elderly mother’s broken pelvis. The second story comes from “one of the many men who has been able to participate in the program;” he is thankful for

being afforded 16 weeks to “spend a great amount of quality time at home” with the newborn baby (*Examining*, 2018, p. 16). In the third story, O'Boyle quotes an individual named David. He says the policy gave him “more time to investigate and arrange support options available through the community and hospitals, and it gave me the freedom to be there for my wife, take her to appointments, and when she was in the hospital, to stay by her side the entire time” (*Examining*, 2018, p. 16). The man in the story provides emotion and social support for his wife who had stage four lung cancer. In addition to highlighting the details of their specific circumstances, O'Boyle spoke of the emotions of the people in the stories. The employees were “grateful,” calm, and “happy” (*Examining*, 2018, p. 16). She then explains that after analyzing participation the company found women took slightly longer leaves and men participated in parental leave at higher rates and engaged in longer leaves (*Examining*, 2018). In the longer version of her statement she explains that the company's prior policy allowed eight weeks of paid leave for primary caregivers or three weeks for non-primary caregiver (*Examining*, 2018) Thus, the impact on the lives of professionals is measurable.

O'Boyle concludes by returning to themes from the introduction such as culture and support. She is much more emphatic this time. She declares, “creating a culture that empowers our people to take advantage of this program has been as important as the program itself” (*Examining*, 2018, p. 16). Thus, this company culture is a reality and not just an aspiration. Once again it is the corporate leaders who understand that for employees to grow in their careers and provide clients with good services, the company needs “to support them in all facets of their lives” (*Examining*, 2018, p. 16). The consequences of not engaging in such actions are also more plainly laid bare. She proclaims, “we do not want our people to leave the workforce due to caregiving” and, therefore, “it is our responsibility and commitment as an organization to ensure

that our people do not have to make that choice between family and career” (*Examining*, 2018, p. 16). While her use of the word “we” literally refers to her company, the audience may hear these final declarations as a call to all companies. O’Boyle’s written testimony is only one page longer than her delivered statement. Witnesses are requested to limit verbal remarks “to a brief summary of their written testimony” (Congressional Research Service, 2010, p. 10). By comparison, Shabo’s written testimony was 17 pages and her oral remarks were two pages. Thus, it seems somewhat likely that the Senators or their staffs read the entirety of O’Boyle’s statement.

The written statement confirms the following suspicions I harbored and mentioned in my findings: 1) much of the benefits employees experienced as a result of taking paid family leave were intangible or emotional in nature 2) while much less emphasized, the benefits of the caregiving program contribute to a better economy 3) the use of the word “spouse” indicates that gay couples have used the program 4) it is important to note the men are enrolling in the program and 5) O’Boyle embeds herself when discussing the leadership staff of Deloitte.

To demonstrate the intangible advantages, O’Boyle explained that a significant percentage of benefits of from the leave programs were “qualitative in nature” and “far outstripped concerns about operational disruption from expanded leave” (*Examining*, 2018, p. 76). To demonstrate the wider significance, O’Boyle stated that “we do believe caregiving programs like Deloitte’s positively impact the broader economy” and gave two short statistics (*Examining*, 2018, p. 76). By comparison, she provided four more stories in the written testimony than in her oral remarks. One of narratives reads:

Specifically for me, as a gay man who anticipates growing a family through adoption, I am sincerely grateful to have the opportunity to have significant paid time off to bond

with my child/children regardless of my gender, relationship status, birth/adoption of a child, etc. (*Examining*, 2018, p. 76).

Male participation in the program is significant because it “reinforces the research on changing societal/generational norms that suggested men were looking for more partnership in early childcare and also making “it more acceptable and conducive for men to take time off removes a hurdle to women advancing into leadership roles” (*Examining*, 2018, p. 77). O’Boyle embed herself in the culture that empowers people to use the program. She explains, “through strong leadership support, frequent public storytelling and role modeling behavior, our people have felt comfortable taking leave, secure in the belief that they would be supported and not face negative repercussions” (*Examining*, 2018, p. 77). Here O’Boyle clearly demonstrates that she is performing an internal dialectic. She is considering the benefits of storytelling and role modeling, while performing these actions herself. Even in the oral remarks, sharing the stories of people who took leave serves to elevate their voices, support their well-being, demonstrate understanding, create a culture and empower people. By modeling her own internal dialectic, O’Boyle encouraged the audience to provide various means of support to those families they know who have taken time off from work to meet the needs of their family.

During the question-and-answer session, Senator Bennett briefly mentions single-parent households to add to a wider point about how gender-neutral language is key to dismantling gender barriers and reducing gender-based biases. He explained, “However, today’s workforce is dramatically different, with an increasingly wide range of nontraditional family structures in place, including single-parent households, dual-income parents, female breadwinners, and a multi-generational workforce—each of whom face their own set of unique challenges in

supporting the well-being needs of their families.” This was one of only two explicit mentions of alternative family structures in the entire hearing.

By and large, narratives most frequently mention a husband, wife, son, or daughter. Historically, Gillibrand presented herself as a defender of the rights of LGBTQ and transgender people. In 2017, she introduced legislation to allow trans members of the military to continue to serve, and in 2019 she cosponsored a bill to protect LGBTQ individuals from prejudice in work and housing (North, 2019). Without mentioning LGBTQ people specifically, her language of “all family members for all reasons” leaves the audience to fill in the blanks on who might be included. She suggests that the FAMILY Act covers alternative family structures when she says, “maybe you suddenly need to take care of an aging parent or someone who has been diagnosed with Alzheimer or maybe you are starting a new family or just had a baby.” Implicitly, the person diagnosed with Alzheimer is may not be your biological parent and the new family you start may not involve your biological children. Surely Gillibrand appreciates that the appeals to traditional nuclear family substantially influenced previous social welfare legislation. However, she extends the purview of a family to grandparents, in-laws, and adopted children. This can help her appeal more people. I believe this is important to destigmatize gay parents or child-rearing grandparents.

Indeed, it is just this reversal of apathy that Senator Gillibrand is trying to inspire when she says, “For all of these debates that we have, it is not just about women. It is not just about new babies. All of us have family emergencies. Any one of us here in the Senate, if our spouses were critically ill, we would want to be by their sides” (*Examining*, p. 9). Key though is that speakers supporting paid leave seem want to demonstrate their concern for families while avoiding charges of fiscal irresponsibility. In summation, the speakers expand traditional images

of the family. Gillibrand and O'Boyle specifically try to break away from depictions that establish people of certain a race, class and sexual orientation as the norm. Given that paid family leave is already unequally divided, testimony that privileges some at the expense of the marginalized should be interrogated.

### **Lip Service to <Working Family> and a Duty to Serve Business as Usual**

“So I think we have to not only—we have to have a compassion which we understand can persist and not just be a feel-good for the moment” -Bill Cassidy

These were the final words before the hearing was adjourned. Surely Cassidy offered them while mindful that constituents at best only hear snippets of the statements and testimony. Indeed, within four days of the hearing, Ivanka Trump's communications team trimmed the hour and 40-minute hearing to a one-minute video clip. It can be found on her YouTube channel and ends with the above quote from Cassidy (Ivanka Trump, 2019). The perception that paid leave is simply something that feels good but ultimately unsustainable was exactly what witnesses were trying to avoid throughout their testimonies and the question-and-answer session.

The most common theme in Senator Gillibrand's testimony was inclusivity. She used some variation of the concept of every 13 times. This includes: “all families”, “all employees”, “everybody”, “millions of Americans” etc. (*Examining*, 2018, p. 18). The congressional bind mentioned earlier helps explain why this Cassidy was able to confidently assert towards the end of the hearing that the plan amounts to little more than good feelings. She explains that the benefit of the FAMILY Act are as follows: “it is an earned benefit, meaning it travels with you,” “is really affordable,” “covers all workers,” “will level the playing field for small businesses” and “does not create a false choice between having to take money early from your Social



Security account” (*Examining*, 2018, p. 10). Because being a member of Congress, makes you already suspect of deceitfulness, claiming that you are primarily concerned with a policy’s ethics leaves you particularly susceptible to accusations of being impractical (Schmutzler, 2021). The discussion of leveling the playing field is interesting because historically it was Republicans who stress competition. In this case Gillibrand, Ernst, Briggs, and Senator Bob Menendez (later in the question-and- answer session) all refer to competition between small businesses and large employers. The argument they gesture towards is that if paid leave is something only offered by large employers, then it is unfair for employees and employers. Although at first glance it appears as though none of these benefits are talked about in noneconomic terms, these issues of employment are recontextualized over the course of the hearing and especially the question-and- answer session. The problem is that focusing too much on how you are trying to make it appeal to companies, cedes too much ground to the Republicans. Namely the implicit assumption that companies are being honest when they say they are burdened by taxes and regulation. The argument they gesture towards is that if paid leave is something only offered by large employers, then it is unfair for employees and employers. Gillibrand clarifies it is not just about women but about having the flexibility to respond to family emergencies such as being by the side of a spouses who is critically ill. The rhetoric of flexibility was also easily coopted by the other side in discussion of flexibility to see you family (*Examining*, 2018). The undercurrent seems to be that if you see you family during office hours, you will be expected to work late.

Vicki Shabo, vice president for workplace policies and strategies, National Partnership for Women and Families, explained that she wants to use her time to highlight the following: “the of addressing family and medical leave, not just parental leave; the FAMILY Act's reasonable features, which are supported by State paid leave evidence; and grave concerns about

the Social Security penalty” (*Examining*, 2018, p. 11). She and Senator Casey were the main people who reframed employment issues. Casey said, “I am not overstating this...that worker is at the mercy of the employer, whatever the employer will allow in terms of taking time off for a loved one or for the care of a child” (*Examining*, 2018, p. 11). She points out, “100 million workers, are living in a land where they are subject to a boss lottery” (*Examining*, 2018, p. 11). Thus, the most frequent benefit of paid family leave appears to be economically grounded. But for the Democrats, economic issues can’t be separated from wider social issues. The work of the <working family> is just one aspect of the human person. Even when Republican speakers discuss other benefits associated with family, they quickly clarify that this helps them economically as well.

Shabo, O’Boyle, and Gillibrand sought to draw attention to racial and class inequalities while also countering Republican arguments of fiscal irresponsibility. For Shabo health emergencies should not trigger financial emergencies. Shabo’s comments are specifically aimed at responding to possible Republic attacks. She proclaims, “An investment in paid family and medical leave is an investment in promoting work, financial responsibility, and independence” (*Examining*, 2018, p. 10). Work, financial responsibility, and independence are key words that historically have be dissociated from social welfare legislation. She then draws attention to the race- and income-based health disparities. But she does so in a way that humanizes people. She describes people as “new or expecting mothers who have life-threatening complications, working people who sustain a serious injury in a car accident or some other way, or older people who are forced to remain in the workforce longer than ever.” In the 1990s hearings and debates on welfare reform characterized welfare recipients as victims of the welfare system, personal choices, and their youth (Gring-Pemble, 2000, p. 28). By contrast Shabo, hints at socioeconomic

systems and medical calamities as the culprit of people's troubles. For her the most projected job growth exists within "disproportionately low-wage, low-quality jobs that are often held by women" (Examining, 2018, p. 13). The issue is that listeners seem to be more receptive to ceremonially affirmations of people with specific attributes.

Briggs presented a pessimistic outlook on voters' attitudes towards increased taxes. "The political reality is that many Americans would not favor such a tax, in particular those who could not or would not take parental leave, and therefore, would be forced to subsidize those who do." Shabo rebuts this point arguing, "Many conservative voters in focus groups that we conducted this past fall actually thought it seemed like a Republican idea." In addition, Shabo seeks to provide a view of work that is tempered by a focus on equality. For example, she says that replacing two-thirds of a worker's wages is needed for gender equity, implementing a Social Security penalty harms women, people of color, and low-wage workers the most, covering only parents is cruel for those who need to use family or medical leave later on in life, and replacing wages at a low amount are too low exacerbates gender inequities among working and middle-class people. However, Senator Enzi was able to ignore all those issues when he said, "I am concerned about imposing more Federal regulations and mandates on businesses. Have any of you operated one of these small businesses? It is a simple "yes" or "no"" (Examining, p. 23). At this point, whatever the panelists say in response is irrelevant. He has already shifted the terms of the debate from the effects on small businesses to the credibility of the speakers. This is an exemplar of the congressional bind mentioned earlier.

In other words, it is important to not just offer it but to remove the stigma that might be attached to using it. She also highlights this during the question-and-answer session. She writes, "Culture has been important in helping our professionals feel comfortable. and empowered to

take advantage of this program. Making a national paid leave program a benefit for all could provide a sense of that empowerment outside of any one company's culture" (*Examining*, 2018, p. 78). She seems to be trying to make the argument that it is time for an alternative culture of work in America. In one answer Shabo (2018) says, "Less quantifiable, we know that decreasing the stress our people experience from caregiving needs improves productivity, engagement, and performance, all positive benefits for the workforce" (*Examining*, 2018, p. 20). In popular discourse, Americans are often described as being people who prioritize hustle and working culture. Shabo invites listeners including lawmakers to move away from such attitudes. However, Isakson drew on his experience as a small business owner to argue that large corporations may be able to afford paid leave but not small firms so, "if we mandate a benefit that sounds great for everybody, it is not going to apply or be easy to put in place for everybody, but for a few" (*Examining*, 2018, p. 27).

In summation, Republicans mention maternal health without acknowledging the racial, capitalist, and patriarchal systems that affect it. This erasure risks recognizing maternal health, only to the extent that it can be incorporated into the wider neoliberal logic of the market. Republican used their experience as small business owners to sidestep issues of justice. Democrats and the experts they called spoke of the empowerment of the individual. They also drew attention to socio-economic injustice.

## Chapter 4 - Conclusion

In conclusion, I examined the testimony of six individuals who testified on paid family leave. I considered their arrangement, main arguments, stories, appeals, and refutations. I showed that those arguing in favor of the FAMILY Act expanded the prototypical imagery of the traditional family. They used images such as the father caring for his child or elderly parent to build credibility and create intimacy with their listeners. I elucidated what is meant when legislators claim to advocates for working families. For some, it means they are defenders of economic growth facilitated by personal responsibility, minimal fiscal burden on businesses, and a managerial-oriented politics of time. I highlighted how some speakers drew attention to the gender, racial and class inequalities in America to argue that what is good for families, is good for the economy. The rhetorical analysis of this thesis has wider significance for keeping Senators accountable, combating power imbalances, and making judgments on what occurred in during hearings. In the end, I think the Democrats could improve with a few changes 1) maintain a consist, coherent narrative thread throughout the entire hearing. Remember Ernst only told one story and Cassidy essentially only had two narratives a) being a productive worker is key to the economy or b) Social Security is in crisis. At times Democrats seemed like they were trying to respond to too many arguments and spread themselves thin. Sometimes Brown and Gillibrand said similar sounding arguments. The problem with the dignity of work rhetoric is that it can too quickly be coopted by the GOP. They implicitly make the argument that the best way to value work is to let you keep your money and reduce your taxes. Because neoliberal logic is so pervasive, arguing against that is going to feel like an uphill battle. Perhaps try to counter the rhetoric of fear with one of hope and dissolve patriarchal notions of the family and childbirth.

The authors tapped into *copia*. *Copia* is defined as: “stylized examples that resonate broadly, transfers the credibility of a speaker from processing verifiable knowledge to creating appropriate, commonly understood linguistic signs of accepted insights (Miller, 2007, p. 67). This served as preview of what they were going to do. Whether it was mentioning their own experience as mothers or small business people. There is also a chance that attempts to speak to wider injustices in society will also not get airtime. Some observe, “so-called women’s issues are often framed so as to isolate them discursively and politically from broader questions of gender relations, and the way in which these construct and constrain women’s socio-economic, cultural and political roles in societies.” (Robinson, 2014, p. 98). Perhaps it is easier to ignore something if you think it only affects some women and not everyone. Although it might tempting to avoid the arms race of escalatory accusations, accusing the GOP of being impractical from the start may be a worthwhile strategy.

In addition, I find the rhetorics of motherhood also serve to depoliticize gender relations. Dominant policy approaches which portray women as vulnerable and naturally peaceful situate ‘mothers’ and ‘carers’ in the private sphere of the home and family, away from the political realm (Robinson, 2014, p. 95). This may not seem problematic in the context of recommending that women not give birth at home because the physical space of the home or hospital is statistically safer than the office, but remember the Senators advance a particular vision of motherhood. “Women are widely regarded as the objects, rather than the subjects of humanitarian assistance or development” (Robinson, 2014, p. 98). Similarly, by valorizing work and presenting women’s maternal health as something we can all agree with, Ernst and Cassidy obfuscate the communicative constitution of organizations, political struggles for gender equality and attention to power imbalances. What is hidden is that working long hours is not simply a

matter of economics. Workers in the US continue to be exploited by ideology. By positing labor productivity as the end result of the value of work, Republicans reify neoliberal logic.

As constituents, we can contact our representatives to voice concerns over the proposals they endorse related to paid family leave. Part of the power imbalance between individuals and senators rests on the fact that senators can call whoever they want to witness and read their testimony months in advance. However, this analysis provides a clearer understanding of the ideological assumptions senators rely on. Voters can remain vigilant when senators release communication elevating the testimony of particular witnesses at the hearing. Lastly, in various discussions the general public should make judgments on which senators remain committed to erasing gender, racial and class inequalities. A feminist perspective allows us to rethink the metrics for evaluating economic performance. The Democrat speakers did a fair job of attempting to circumvent dominant neoliberal logic. A relational economy of family and friendship elevates, social relationships, care, and local communities (Fatheuer, 2012). I think I have shown that whatever the advantage and disadvantages of social insurance, it acts as a powerful symbol to appeal to.

We can correspond with our representatives and insist on an explanation for why they voted in a particular way. Since committees play a central role in the legislative process, individuals should discover what arguments their senators made in committee hearings and assert their own commitment to moral values. I demonstrate the need for scholars and observers alike to take an intersectional approach to better understand the racial, gender and class components of ideology. “Integrating an intersectional approach to the study of communication requires that scholars recognize that each individual stands and swims in the intersections of race/gender/sex/sexuality/ability/economic means and more” (Chavez et al., 2012, p. 19). This

was an important theme for considering what was said about family and what was not said in the hearing. Without attention to intersectional identities, legislators risk exacerbating inequalities. Previous scholarship links public rhetoric to legislative policy-making on welfare legislation through categorization, identification, and comparison (Powell, 2006, p. 142). I show how in the 2018 hearing categorization and identification of people was less explicit than in at other hearings.

Scholars from various disciplines should scrutinize the rhetoric of future social welfare bills and leave acts. Americans are concerned over low wages and increasing economic insecurity. There is growing discussion of living wage standards especially in the face of the growing costs of childcare costs. Child poverty remains a persistent problem (Columbia University Center on Poverty & Social Policy, 2022). More work should be done by rhetoricians on how the ideograph of the <working family> might be deployed in different contexts. President James Buchanan once said, “the Senate is the world’s greatest deliberative body” and since then that quote has been used by senators in speeches, editorials, and the Senate official website (Kiely, 2020, para. 6). After searching early government documents such as the Federalist Papers, Bessette argues that what was meant by deliberation was, “a reasoning process in which the participants seriously consider substantive information and arguments and seek to decide individually and persuade one another as to what constitutes good public policy” (Bessette, 1994, p. 46). This image of careful consideration of ideas is surely the one Senators want to convey when they refer to Buchanan’s famous quote. I demonstrated through the rhetorical analysis of this thesis that ideas are not carefully considered. Senate hearings are laden with ideological assumptions. Paid family leave policy demonstrates a stark contrast between



what policies American citizens say they are willing to support, and what policies come for a vote on the floor of United States Senate.

To keep Senators accountable for their words and actions, a rhetorical analysis of future hearings is needed. Congressional hearings play a vital role in issue-redefinition and jurisdiction establishment (Talbert et al., 1995). Even if hearings don't receive as much press coverage as floor debates, that does not mean that the rhetorical constructions present don't have a lasting impact on policy. Democratic legitimacy requires inclusive and discursively appropriate citizen participation (Schiavone et al., 2015). Thus, rhetorical studies that reveal appeals shaped by special interests play an important part of keeping elected officials accountable. Political discussions happen in the media, in conversations with friends, and in the halls of government officials (Strömbäck, 2005). As reporters cover hearings, citizens express their grievances or approval with what was said, representatives defend their record at campaign rallies and incorporate feedback from constituents into their speeches, political discourse becomes intertextual. Text and context are constantly folding in on themselves. As proponents move an argument from one rhetorical situation to another circulation occurs (Jasinski, 2001). One argument people repeat over and over again is that Social Security is going bankrupt. I showed why that is a misnomer. If lawmakers miss too many hearings or take an unpopular stance on a budget issue, it may be used against them by their opponent in the following election (Oleszek, et al. 2016). Circulation of excuses that representatives made for not attending a hearing, and explanations of what they have done at hearings, act as a type of accountability. The Senate Finance has 27 members. Any member who was not present at the hearing should be informed that paid leave is important paid. Congress is the only branch of government that has the authority to spend money. Therefore, committees that primarily affect the allocation of

resources, such as the Finance Committee hold a significant degree of power. I argue that the rhetoric present in the Finance Committee hearing on paid family leave, reveal powerful appeals used in wider public consciousness. Since this public address reveals ethical tensions, codes for constituents and judgments, I encourage scholars to apply this method to other hearings on paid leave such as the ones in December 2019, January 2020, and May 2021. I believe these hearings also make for good artifacts. In addition, I advise rhetoricians to scrutinize the Pregnant Workers Fairness Act of 2012 . Paid family leave is underexplored as is maternal health appeals and neoliberal logic within hearings. The rhetorical appeals to family, poverty alleviation and economics should be considered to ensure class, gender, and racial hierarchies are not communicatively reinforced.

Therefore, this rhetorical analysis is also instrumental in making judgments on the details of the policies proposed at this and future hearings. More specifically, constituents should make their voices heard when they do not subscribe to a view that elevates profit margins and economic growth above familial relations. Research shows that many Americans don't understand why debates within Congress on the details of policy are necessary or productivity (Hibbing & Theiss-Morse, 2002). I argue that the details such as how the medical leave insurance fund fits in to the Social Security Fund are rhetorically significant. Even if it seems cloaked in the language of fiscal responsibility or increased tax burden those appeals themselves are rhetorical. Like rhetoric, deliberation on these issues does not exist in a theoretical world divorced from the reality of people. Rhetoricians have the skills to identify when seemingly differing political views are actually two ways of expressing the same ideological assumptions. Without the clash of ideas democratic politics is exclusively subject to "a hegemonic neoliberal project and global market forces" (Maesele, 2015, p. 445). From this

perspective, economic competition is the only alternative to political competition. Deliberation scholars explain that simply searching for agreement is like collusion between companies that antitrust legislation seeks to eliminate (Shapiro, 2017). I extend this argument one step further. I explore how it is not just special interests and elected officials that collude, but ideologies themselves. Failure to challenge unspoken assumptions in a political context reinforces damaging dominant ideologies. Monetary labor productivity need not be the end result of the value of work. Maternal health need not be deployed in such a way that reifies power relations.

Although beyond the scope of this paper, reflecting on debates over paid family leave gives us an opportunity to reevaluate our very conceptions of work. “If we can admit that full-time jobs need not require so many hours, it’ll be possible to slow down ecological degradation, address unemployment, and make time for family and community. If we can think about knowledge differently, we can expand social wealth far more rapidly” (Schor, 2010, p. 11). As we consider each side we can remember there are gendered organizing patterns within civic and employment organizations and Ernst perpetuates such patterns. The Equal Rights Amendment, enlarging the child tax credit, lowering the cost of childcare, etc. are all not mentioned (except childcare briefly). Listeners are invited to think of the policies passed by Congress as needing to balance work and family just like parents do in Ernst’s story. Therefore, I challenge readers to find new ways to interrogate the laws, science and public discourse.

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