

# Colonial aphasia and its policy mismatches: How the United States continues to displace Nicaraguans long after its interventions

Leah Durst-Lee\*

**Abstract:** *Around the world, migration at the borders between the so-called "Global North" and "Global South" are commonly portrayed as urgent security threats or unexpected yet inevitable humanitarian crises. This is no different at the United States (US) southern border with Mexico, which is often viewed as a "crisis" of multiple possible origins: partisan politics, economic opportunity, the high volume of migrants, destabilising Governments abroad, or failed immigration policies. In light of all of these potential causes, the US is portrayed as the protagonist, merely a receiving country inundated with more migrants than one country could reasonably process. One consideration that is rarely, if ever, heard, is the US's role as antagonist through historical military and economic interventions in Nicaragua that have contributed to the northward migration patterns of today. Grounded in the field of memory and decolonial studies, this article applies a historical and policy analysis of the US intervention in the Nicaraguan Contra conflict and its subsequent policies towards those displaced to find that the persistence of policy mismatches stems from colonial aphasia, as Americans remain unaware of their role in the region's destabilisation. Addressing these policy mismatches requires a counter-memory approach which emphasises public awareness, legislative pathways to permanent residency, and a re-evaluation of immigration policies in light of historical interventionism.*

**Keywords:** *colonial aphasia; counter-memory; US immigration; US interventionism; Nicaragua.*

\* The author is a PhD candidate in Human Rights at the University of Coimbra, Portugal and a Foundation for Science and Technology scholar. Her research explores securitisation and asylum rights, with a focus on race and colonialism. She holds M.A.s in International Law and Migration Studies; leahdurstlee@ces.uc.pt

## 1. Introduction

American common sense holds that migrants at its southern border are fleeing problems that originated in their own countries, and little thought, if any, is given to the ongoing instability caused by US interventions in Central America. This article employs a historical analysis of the US intervention in the Nicaraguan Contra conflict and a policy analysis of its subsequent policies towards those displaced to explore the question: how have historical US interventions in Nicaragua influenced migration patterns to the US, and what strategies can be implemented to address the resulting policy mismatches of the US's role in the region's destabilisation? This question is explored through the field of memory and decolonial studies, namely the concepts of colonial aphasia, implication, mnemonic common sense, and counter-memory. The first section is a literature review of the memory and decolonial studies field, highlighting how counter-memory can challenge colonial aphasia and its mnemonic common sense and implication. The second offers a brief overview of US intervention in Nicaragua, its resulting displacements northward, and subsequent US policy towards those displaced. The final section plays devil's advocate, raising the questions if the US must really make right the instability caused by its interventions and if there is even potential amongst the American public to make it right. To conclude, the article argues that a counter-memory approach which emphasises public awareness, legislative pathways to permanent residency, and a re-evaluation of immigration policies in light of historical interventionism can help to rectify US policy mismatches towards Central American migrants.

## 2. Politics of forgetting and colonial aphasia

The theoretical concepts for this article are from the field of memory and decolonial studies, which are not as often applied to the US as it is commonly not understood as a colonial power. Colonisation is the brutal, inhumane, and unethical theft of land, wealth, persons, histories, and epistemologies and has been legally, religiously, culturally, and scientifically sanctioned through the racialised othering of colonial populations. Furthermore, colonisation endures today in numerous forms, such as occupation, economic exploitation, racialisation, and denial of self-determination. It is not without great care that I make this application, and I believe strongly that through the concepts of colonisation we can provide a nuanced analysis of US-Central American immigration policy.

The call to unite the contemporary to its history is a throughline in memory studies, and highlights the struggle for who controls the narrative. It is a common adage that history is written by the victors, but history is not created only by what is written, but also by what is not. Ann Rigney highlights this by distinguishing between active and passive forgetting. Active forgetting is when a State erases or occludes what "was

once known but that is now hidden from sight” (Rigney 2022, 13). Berber Bevernage and Nico Wouters call this “state-sponsored history”: the “diverse and complex series of processes and outcomes of direct and indirect state influence on the construction of history and public memory” (2011, 1). States can sponsor history through many ways, for example: censorship of ideas and academics, commemorative rituals, monuments, or counter-denial by acknowledging some events while obscuring others (Bevernage and Wouters 2011). Berthold Molden labels this power grip on history a “mnemonic hegemony”: “the ability of a dominant group or class to impose their interpretations or reality – or the interpretations that support their interests – as the only thinkable way to view the world ... and delegitimizes alternative forms of reasoning” (2016, 126). To be clear, a history becomes hegemonic “not because it is superior but because the most powerful group put it there” (Molden 2016, 128). States obscure the idea that history could have gone differently – today’s ruled could have been today’s ruling – or claim that any outcome where they were not still in power “would be a worse-case scenario” (Molden 2016, 127). It is through mnemonic hegemony that a State creates mnemonic common sense – “what is historically thinkable and acceptable, and what is not” – thereby establishing the State-sponsored history as the “unquestioned, universalized, and essentializing assumptions” against which all else is fallacy (Molden 2016, 140).

On the other hand, passive forgetting is when memories are lost “because they are considered unimportant or, more insidiously, because they are simply invisible. They are the unknown unknowns” (Rigney 2022, 13). In a study of contemporary French society, Ann Laura Stoler (2016) found that France suffers from colonial aphasia, or the inability to see themselves and their society in light of ongoing coloniality. If colonisation is the historical theft and usurpation of lands and people and the creation of a superior/inferior relationship between the colonisers and colonised, then coloniality is the power regime which upholds that superiority in power, knowledge, and being into the contemporary era (Maldonado-Torres 2007; Quijano 2007). In all three of these aspects (power, knowledge, and being), non-“Westerners” are not “of a rank equivalent to the European norm. And that exactly identifies a colonial view” (Quijano 2007, 170).

It is due to this deliberate theft and usurpation that Stoler uses the phrase “colonial aphasia” in lieu of “unreflective idioms” like “a ‘forgotten history,’ a ‘memory hole,’ ‘collective amnesia’ – a history that somehow got ‘lost’” (2016, 125). Aphasia highlights not a forgetting of history, but an occlusion; aphasia is “the loss of access and active dissociation ... a difficulty in generating a vocabulary that associates appropriate words and concepts to appropriate things” (Stoler 2016, 128). To the everyday person, colonial aphasia is the inability to identify oneself and one’s society within the ongoing coloniality regime. As Rigney explains: “remembering and forgetting always go hand in glove. Not only because memory needs

to be selective and be meaningful, but also because the sense of a shared present can only be created if people are prepared to paper over historical cracks" (2022, 12-13).

States are not the only actors involved in the making and shaping of history, the "papering over cracks", as the passive forgetting evidenced in colonial aphasia is often carried out by everyday people, unaware of what other alternative histories there may be out there. Michael Rothberg proposed the concept of implication to describe this dilemma, defining implicated subjects as those people in "positions aligned with power and privilege without being themselves direct agents of harm; they contribute to, inhabit, inherit, or benefit from regimes of domination but do not originate or control such regimes ... [They are] neither a victim nor a perpetrator, but rather a participant in histories and social formations that generate the positions of victim and perpetrator ... their actions and inactions help produce and reproduce the positions of victims and perpetrators. In other words, implicated subjects help propagate the legacies of historical violence and prop up the structures of inequality that mar the present" (2019, 1).

Implication is almost always at once rooted in history and the present, as it "almost always has a diachronic [historical] dimension that intersects with a synchronic [contemporary] structure" (Rothberg 2019, 8-9). Similar to Stoler's research of colonial aphasia in France, implicated subjects may not even be aware of their implication, especially since the ugly histories they are implicated in "are frequently rendered obscure by forms of psychic and social denial" (Rothberg 2019, 8).

Molden states that the politics of memory will undoubtedly always have those who work to maintain, those who work to change, and "those who just live in it passively" (2016, 129). These passive actors of memory, I argue, are the implicated subjects of history: not victims, not perpetrators, but the shades of grey in between. Molden explains that

"those who are neither trying to strengthen nor to defy a dominant interpretation are also still part of the correlation of forces in the political field of historical representation: as consumers or ignorers of specific history politics, as potential recruits, and, most importantly, as the carriers of alternative, though not yet articulated narrations of history" (2016, 135).

As consumers or ignorers of the mnemonic hegemony, implicated subjects of history solidify the power of mnemonic common sense by uncritically accepting the history they are given.

Change, however, is possible, and goes by many names. Rigney uses the phrase "mnemonic regime change" to describe the work of memory

activists to change a memorial landscape, particularly within ongoing anti-racism and equality struggles (2022). Studying the reversal of State-sponsored memory from anticolonial back to colonial in Cape Verde, Cardina and Nascimento propose the concept of a “mnemonic transition”: “the replacement of the dominant memorial landscape by a new memory scape” (2021, 384). Authors also speak of the power of “counter-memory” to transform the collective memoryscape by giving voice to subjugated histories and to challenge mnemonic common sense; “counter-memory is as much about undermining the power of the old narrative as it is about proposing a new one” (Rigney 2022, 14). As such, counter-memory can have an insurrectional function (Molden 2016).

Memory, and therefore history, is a dynamic “work in progress ... continuously subject to revision ... to fit the needs of a changing present” (Rigney 2022, 12). Forgetting “risks imposing a false and unsustainable unity on the past by erasing injustices which, from the perspective of their victims, should be collectively remembered and their perpetrators called to account” (Rigney 2022, 13). Hence, Rothberg calls for a “multidirectionality of memory” to account for both the historical dimensions and contemporary structures to identify implication and a path towards remedy (2019). Inequality continues in the world because “most people deny, look away from, or simply accept the benefits of evil in both its extreme and everyday forms” and “most people refuse to see how they are implicated in – have inherited and benefited from – historical injustices” (Rothberg 2019, 20). Counter-memory and its insurrectional potential can challenge colonial aphasia and its mnemonic common sense, especially in policy.

### **3. Intervention and its subsequent policy mismatches**

In the US, right-wing media and politicians often depict Central American migrants as “caravans” of “invaders,” coming to “poison the blood” of Americans, as Donald Trump stated on the campaign trail. Pundits warn: “they” are coming to take from “us”. Why are “we” supposed to care for those displaced from “their” crises? It’s “their” fault their economies fail/ political oppression abounds/human rights are denied. Why are “we” supposed to clean up “their” mess? It is a little known fact amongst Americans today that the US has caused “their” mess; through economic and military interventions, the US has contributed to “their” struggling economies, political oppression, and human rights struggles. From Central to Southern America, the US has intervened in elections, social cohesion, and economic policies to obtain its political and economic goals. Experts find that these interventions have directly caused contemporary migration patterns to the US.

The 1970s and 1980s were tumultuous in Central America, as civil wars and communist revolutions erupted in Guatemala, El Salvador, Honduras,

and Nicaragua. Anxious of growing communist movements to its south, the US was quick to provide economic and military support to the anti-communist groups. Nicaragua's instability was seen as an opportunity and the Reagan administration threw their weight against the Sandinista party, having the US military and CIA train and arm Nicaraguan expatriates into what became known as the "Contras" (Lundquist and Massey 2005). Under the guise of protecting American "political and economic interests in Nicaragua and to check the spread of revolutionary socialism in Central America", this American proxy army caused wide destabilisation, escalating in widespread displacement (Lundquist and Massey 2005, 2-3). US-backed violence spilled over borders and affected more than just Nicaraguans. In total, hundreds of thousands of lives were lost and economies destroyed. As a result of the intervention, the GDP per capita in Guatemala, El Salvador, Honduras, and Nicaragua fell and did not recover to their pre-intervention levels until 2011 (Massey 2020, 21). This trend is not unique to economies, however, as homicide rates in those same four countries stands at 53.9 per 100,000, compared to 11.9 in neighbouring counties that did not experience similar US-backed Contra violence (Belize, Costa Rica, and Panama) (Massey 2020, 21). It was only after the US intervention in the Sandinista conflict that emigration accelerated, but this was "not because of direct exposure to violence but because of a broader feeling of vulnerability owing to the systematic destabilisation of the Sandinista government and Nicaraguan society generally by the US-backed incursion" (Lundquist and Massey 2005, 12). These large scale displacements were not unique to Nicaragua.

Historically, undocumented migrants crossing the US southern border have been Mexican nationals seeking employment or family reunification. This pattern changed, however, following interventionism across Central America. Massey explains:

"During the 1980s, the U.S. government provided aid to right-wing regimes in El Salvador, Guatemala, and Honduras, to train, fund, and support military units and paramilitary death squads in to suppress popular opposition in these countries, while also funding, training, and arming an army of "Contras" to fight the Sandinistas in Nicaragua itself. In the wake of this intervention legal violence surged, claiming hundreds of thousands of lives and destroying the region's economy" (2020, 21).

As the State-sponsored violence grew, so too did the displacements of Central Americans heading to the US southern border (Massey et al. 2014).

Even after the US intervention came to an end in the 1990s, Nicaraguans largely chose to remain north because the political and economic conditions remained unstable since (Lundquist and Massey 2005; Massey 2020). One of the new security concerns of Central America at large is gang violence,

which, much like the interventionist support of the Contras, has origins in the north. Central Americans displaced by the instability caused by US support of the Contras emigrated north to the US, where, undocumented, some “found solace and support in gangs ... When undocumented gang members were later apprehended and deported, gang violence was exported back to El Salvador and transnational gang networks were created” (Lundquist and Massey 2005, 1056). Nicaraguans who emigrate to the US today are more likely to be “the sons and daughters, nieces, and nephews of undocumented migrants who left during the 1980s ... to reunite with family members in the U.S. or to escape gang violence and economic turmoil at home” (Lundquist and Massey 2005, 1058).

Douglas S. Massey argues that contemporary US immigration policy is filled with “policy mismatches,” stating that “we observe a stark policy mismatch being perpetuated by U.S. immigration authorities, who persist in treating what is essentially a humanitarian problem as an enforcement issue requiring the application of ever more repressive actions along the border. In pursuing this policy, the United States ignores its moral responsibility for the horrendous conditions that now prevail in Central America” (2020, 20-21).

The US created policy on the assumption that migrants at its southern border are single, male, Mexican migrants seeking jobs. This was the case when the Immigration and Nationality Act (INA), the overarching US immigration law, was passed in 1965. However, this pattern changed in the 1980s, when more and more Central American women and children fled the violence and economic hardships that resulted from the US intervention (Massey et al. 2014).

Nicaraguans displaced due to US intervention have endured their share of policy mismatches, starting while the US was supporting right-wing Governments in Central America. Congress passed aid packages and military support out of the desire “to prevent millions of ... ‘feet people’ from arriving at [the US’s] doorstep seeking refuge should communism prevail in the region” (Hernandez 2006, 227). By offering support to the Governments whose residents were being displaced, the US was prevented from acknowledging human rights violations in those countries and therefore “from recognizing that many of those Central Americans who did make it to its doorstep had legitimate claims to asylum” (Hernandez 2006, 227). Thus, the displaced Central Americans who arrived in the US had to live undocumented and could not seek legal residence as asylum seekers.

This policy mismatch was legally challenged in *American Baptist Churches (ABC) v. Thornburgh* (1991), which claimed discriminatory granting of asylum and resulted in a resounding win for Guatemalans and Salvadorans who were then able to reapply for asylum (Hernandez 2006). *ABC v. Thornburgh* did not increase protections for Nicaraguans, but it was

the beginning of a sea change of legal protections for Central Americans. While *ABC v. Thornburgh* was winding through the courts, Congress passed the Temporary Protection Status (TPS) programme to allow people from specific unstable countries to remain in the US with legal status and work permits for fixed periods of time. As protection under TPS is extended only six to 18 months at a time in the hope that the instability in the home country will clear, it is therefore a tenuous “band aid” fix in lieu of lasting legal change. Passed by Congress, TPS turned out to be political and not humanitarian in nature. The protected status was first offered to Salvadorans in 1991, but not Guatemalans fleeing the same conditions. The US was supporting right-wing Governments in Guatemala’s civil war and therefore could not acknowledge protection based upon human rights violations of which it played a contributing factor (Hernandez 2006). Nicaraguans were not offered protection under TPS until 2001, but the need for protection was for a hurricane, not the instability caused by US intervention (Hernandez 2006).

By 1997, a backlog of pending asylum claims had grown so large that the US passed the Nicaraguan Adjustment and Central American Relief Act (NACARA), which allowed Nicaraguans in the US since 1995 to regularise their status in the US and apply for permanent residence (Massey et al. 2014). Notably, NACARA only allowed the transition to permanent residence for Nicaraguans; other Central Americans who had likely been displaced by regional violence caused by US intervention were not eligible (Massey et al. 2014). But NACARA was not passed out of an obligation to rectify past actions of the US, instead, it was to resolve an overwhelming backlog and to provide relief for those fleeing communist regimes. The US refused to admit Nicaraguans and other Central Americans as asylum seekers because to do so would be to admit that there were grounds for asylum. NACARA was a way to provide relief without admitting fault. Eligibility for NACARA ended for those who entered the US after 1995, leaving them with few pathways towards permanent legal residency.

TPS for Nicaraguans continued throughout the Bush and Obama administrations, under the rationale that living conditions were still negatively impacted from the 1998 hurricane, until November 2017 when the Trump administration announced it would terminate TPS effective from January 2019 (US Congressional Research Service 2023). However, TPS holders and civil society actors legally challenged the termination in *Ramos v. Nielsen* (a.k.a. *Ramos v. Wolf*) and removal of TPS for Nicaragua, El Salvador, Haiti, and Sudan was postponed until a final ruling. In June 2023, the Biden administration rescinded the terminations ordered by the Trump administration, thereby extending their temporary protection (US Congressional Research Service 2023).

A significant policy change for Nicaraguans came from an unlikely inspiration: the Russian invasion of Ukraine. In April 2022, the Biden



administration announced the “Uniting for Ukraine” programme as a pathway to allow US residents to financially support Ukrainians fleeing the Russian invasion. Uniting for Ukraine was met with bipartisan support and successfully admitted 100,000 Ukrainians in the first five months (Montoya-Galvez 2022). Similarly to TPS, the protection status for Ukrainians is valid for two years and subject to renewal.

Bolstered by its success, in October 2022 the Biden administration began a similar programme for Venezuelans, and then on 5 January 2023 announced that Cubans, Haitians, and Nicaraguans would be included in the programme, in what became known as Cuban, Haitian, Nicaraguan, Venezuelan (CHNV) parole (US White House 2023). Importantly, the impetus for CHNV parole again was not to amend the instability which resulted from US interventions, but rather as an alternative to what the Biden administration called “disorderly and unsafe migration” (US White House 2023). The Biden administration has moved steadfastly to the right concerning rhetoric and policies which paint the southern border as a security threat, and the CHNV parole programme, while indeed a welcome policy to expand legal migration pathways, must be understood in its context as one response to the perceived threat of undocumented migration.

The Biden administration claimed CHNV parole to be a success, and within the first six months of the programme, 160,000 eligible migrants had arrived in the US, including 21,500 Nicaraguans (US Department of Homeland Security 2023). However, unlike its predecessor United for Ukraine, CHNV parole has not received bipartisan support. On 24 January 2023 – a mere 19 days after CHNV parole was announced – Texas and 21 other Republican-led States filed a lawsuit claiming the Biden administration did not have the legal authority to extend the parole program (Justice Action Center n.d.b). After winding its way through the Southern District Court of Texas and being scheduled for oral argument on 4 February 2025 in the Fifth Circuit, the case was dropped prematurely (Justice Action Center n.d.a; Justice Action Center n.d.b). This is because on 20 January 2025, his first day back in the Oval Office, Donald Trump signed two executive orders terminating parole programmes (US White House 2025a; US White House 2025b).

In addition to US domestic law and policy, the understanding of “policy mismatches” as contrary to the spirit and letter of the law can be seen at the international level. In 1984, in the midst of US-backed violence, Nicaragua filed an application with the International Court of Justice against the US for use of force, intervention in domestic affairs, and violation of State sovereignty through its military and paramilitary interventions (*Nicaragua v. United States* 1986). Two years later, the Court ruled in favour of Nicaragua, finding that US interventions could not be considered as collective self-defence and that the US had violated

the international legal principles against use of force, non-intervention, and infringement of State sovereignty. The Court ordered the US to cease all military actions in Nicaragua which could be considered in breach of the ruling and pay reparations to Nicaragua (*Nicaragua v. United States* 1986).

So too can “policy mismatches” be seen in US obligations to refugee law. Despite being a signatory to uphold the right to seek asylum under the 1951 Convention Relating to the Status of Refugees and its domestic codification in the Refugee Act of 1980, the US sidestepped its obligations to grant asylum protections to displaced Nicaraguans, instead supporting the Government creating the displacements (Hernandez 2006). Not only did this put the US at odds with its duty to uphold the right to seek asylum, but also the *jus cogens* principle to not return a migrant or refugee to a country where their life or liberty will be put at risk (non-refoulement).

US intervention and support of the Contras directly destabilised the region, leading to widespread violence, economic collapse, and mass displacement. Despite its role in causing the conditions that forced Nicaraguans to flee, US policies towards the displaced revealed a long-standing pattern of “policy mismatches”. Legal and humanitarian protections like asylum, TPS, NACARA, and CHNV parole have often been politically motivated or inconsistently applied, reflecting reluctance to acknowledge responsibility. While *Nicaragua v. US* confirmed US violations of international law, domestic immigration policy has continued to treat migration from the region as a security threat rather than a humanitarian issue, further exacerbating the mismatch between US actions abroad and its legal and moral obligations to those it displaced.

#### 4. Counter-memory for policy matching

A brief historical overview of US immigration policy towards Nicaraguans shows little if any consideration for how the US is implicated for displacements related to the economic and military interventionist support of the Contras. Positive policy changes were concerned with regulating large numbers of undocumented migrants, preventing the deportation of people to a country struggling to overcome a natural disaster, or diverting migrants from seeking relief at the southern border. Relief after the end of NACARA has only been piecemeal and its temporary status translates to a life of uncertainty for displaced Nicaraguans. The US has and continues to implement policy mismatches not out of an active forgetting of interventionism, but rather a colonial aphasia where Americans simply do not know the US's role in the region, and therefore is implicated in its displacements. What those displaced by the ongoing effects from US interventionism need is not continued temporary protection, but the opportunity to transition to permanent residence in the US. But these policy mismatches will continue as long as the US public and policymakers

do not confront their role in the destabilisation of Nicaragua and Central America as implicated subjects.

To address the devil's advocate, this final section will raise two questions which must be considered if the US is to confront these policy mismatches. First, must the US really make right the instability caused by its interventions? And second, is there potential amongst the American public to make right the instability caused by interventions?

To answer the first question, the US already is and already has. Since 2014, the US has invested heavily in eliminating the "root causes" of migration (poverty, violence, and gangs) since the increased arrival of undocumented, unaccompanied children from Central America. However this funding is given with the caveat that it would reduce the number of northward asylum seekers, and does not acknowledge the historical role US interventions played in creating those same migration patterns. But there is also a historical precedent for the US making right the displacements it has caused.

Following the US intervention in Viet Nam and the devastation that it brought, the US admitted 1.3 million Southeast Asians and gave them permanent residence, therefore not requiring their legal status to be in limbo, being constantly renewed every two years in perpetuity (Massey 2020). Just as in Viet Nam, the US has a moral obligation to rectify the displacements it caused in Nicaragua – but in Viet Nam, that obligation was translated into policy, whereas in Nicaragua it was not (Massey 2020). Comparing the two, Massey summarises:

"Dealing effectively with refugees and asylum seekers from Central America is certainly within the nation's capacity to manage ... There is no humane rationale for treating Central Americans any differently than Southeast Asians, and indeed the potential number of refugees is much smaller" (2020, 24).

US policymakers have shown themselves able to confront this policy mismatch before by granting permanent residency to Vietnamese and later to Nicaraguans under NACARA. But the instability causing displacements did not end with the eligibility cut off for NACARA in 1995. As more time passes since the interventions of the 1980s, it will grow more difficult for the US public and policymakers to draw the connection between contemporary migration patterns at the US southern border and US policies in Nicaragua four decades ago. Only by addressing its history can the US confront its present.

Second, is there potential amongst the American public to make right the instability caused by interventions? This is an opportunity for what Molden (2016) called the insurrectional potential of counter-memory.

While the US is not a colonial power to the same extent as France, the concept of colonial aphasia can illuminate the dilemma faced by the US in the last several decades. It is not only that contemporary Americans, both public and policymakers, have forgotten their Government's historical intervention in Nicaragua – we have – but it is also that status quo Americans suffer from an active dissociation from the ongoing coloniality regime. This is not true of all Americans, as the growing number of followers of far-right, anti-immigrant Donald Trump praise his “tough talk” ideology of Latin America as inferior vassal States to do America's bidding. Look no further than Trump's rallying cry to “build the wall” and that he would “make Mexico pay for it”, or the US's heavy-handed expectations of States further and further south of the US to serve as American border patrol and stop the flow of migrants north. However, not all Americans followed Trump to the extreme right on immigration policies, and herein lies the insurrectional potential of counter-memory.

While polls are not authoritative, and indeed have been wrong in the past, representative sampling can still provide insight into popular beliefs. For example, despite the increase of sensationalist anti-immigrant messaging since 2015, many of the American public are favourable to offering protection to Central Americans. When a 2022 SRSS poll, funded by CNN, asked “Do you favor or oppose allowing refugees from Central American countries to seek asylum in the United States?”, 56 percent of respondents approved, versus 44 percent who disapproved (SRSS 2022). Similarly, a 2019 Gallup poll found that 57 percent of Americans approved of Central American refugees coming into the US to escape “the situation there”, versus 39 percent who disapproved (Gallup 2024).<sup>1</sup> A majority of Americans (59 percent) disagreed when asked if the US should pass a law preventing refugees from entering the US, versus 37 percent who were in favour (PRRI 2023). When asked in 2023 how sympathetic Americans are “toward people from other countries who travel to the US border in an attempt to enter the US”, 35 percent are very sympathetic, 43 percent somewhat sympathetic, 11 percent somewhat unsympathetic, and 10 percent very unsympathetic (Gallup 2024).

Poll data for Central American immigrants does not vary drastically from other immigration-related polls. For example, a majority of respondents (60 percent) to the American Values Survey believe that undocumented immigrants in the US should be given a pathway to citizenship (PRRI 2023). When asked if immigration is a good or bad thing for the country, 68 percent of Americans stated that immigration is a good thing for the country, 27 percent who responded it is bad, 3 percent had a mixed response, and 1 percent no opinion (Gallup 2024). Of those polled on whether immigration is a good or bad thing for the country, half of Republicans responded it was a good thing, along with 67 percent of independents and 87 percent of Democrats (Saad 2023).

1 Unfortunately, Gallup did not include this question in polls after 2019.

This poll data is included not as a quantitative analysis that Americans are in support of refugees and immigrants. Rather, this data hints that the beliefs of the American public do not reflect what is commonly depicted in the media and what is implemented in US anti-immigrant policies. More than not, Americans support immigration, pathways to citizenship, and granting asylum to those in need. There is an opportunity for counter-memory to challenge the mnemonic common sense that Central American migrants arriving at the US southern border are being displaced by problems created by their own country, but instead fleeing ongoing instability caused by US interventionism. A recent example shows the insurrectional potential of counter-memory. In 2020, US history and society burst at its seams following the murder of George Floyd. For many, one public murder shone a light on systemic racism in the US, and Americans were forced to either confront or deny their roles as implicated subjects of ongoing racism. From mass protests and education to book bans and the end of affirmative action, there is no doubt that the aftershocks are diverse and far reaching. All it took was one event in 2020 to force the American public to confront or deny the counter-memory of systemic racism in the US.

The opportunity exists for a counter-memory which challenges why Nicaraguan – and Guatemalan, Salvadoran, and Honduran – migrants are at the US border and, importantly, what the US must do about their plight. To continue offering piecemeal temporary protection every few years is to continue the status quo of policy mismatches. Instead, the American public must confront their roles as implicated subjects of ongoing coloniality and institute policy and legislation to rectify the very causes that displace Nicaraguans. Civil society organisations should work to increase public knowledge about US interventionism and its contemporary displacements, thereby using counter-memory to challenge mnemonic common sense of Central American migration patterns. Public officials must push for the reinstatement of TPS and Central American development funding, but also pass legislation to create pathways towards permanent legal residency similar to NACARA and for those displaced from Vietnam. Finally, the Courts must consider the ongoing effects of interventionism while ruling on challenges to immigration law and policy, as was demonstrated with the CHNV parole legal battles. Until the US confronts the ongoing effects of its interventionism in Nicaragua and Central America, policy mismatches will continue.

## **5. Conclusion**

US immigration policy toward Nicaraguans cannot be separated from the country's history of intervention in Central America, particularly its support for the Contras, which fuelled widespread violence, economic collapse, and displacement. Yet rather than acknowledge this role, the US has responded with short-term, politically motivated programmes –

TPS, NACARA, and CHNV parole — that offer temporary relief without addressing the root causes of Nicaraguan displacement. This failure reflects a broader colonial aphasia that severs the present immigration trends from their historical origins and enables continued policy mismatches.

However, reform remains possible. Drawing on memory and decolonial studies, this article argues for counter-memory as a tool to shift public understanding and policymaking. Durable reform — including permanent residency, expanded legal pathways, historical education, and judicial recognition of US responsibility — can move policy from denial to accountability. With growing public support for humane immigration solutions, the US has a chance to replace policy mismatches with just immigration policies rooted in historical truth.

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