

Article

Double Consciousness in the 21st Century: Du Boisian Theory and the Problem of Racialized Legal Status

Tiffany Joseph ^{1,*} and Tanya Golash-Boza ² 
¹ Department of Sociology, Northeastern University, 360 Huntington Ave., Boston, MA 02115, USA

² Department of Sociology, University of California, 5200 North Lake Road, Merced, CA 95343, USA; tgolash-boza@ucmerced.edu

* Correspondence: t.joseph@northeastern.edu

Abstract: In W.E.B. Du Bois' *Souls of Black Folk*, he argued that the problem of the 20th century in the United States was the problem of the color line. Given that de facto and explicit racial discrimination persist, anti-immigrant rhetoric is intensifying, and legal status has become more salient, we argue Du Boisian theory remains relevant for understanding social and political cleavages in the 21st century United States. The intersection of race, ethnicity, and legal status or "racialized legal status" represents a new variation of Du Bois' "color line," due to how these statuses generate cumulative disadvantages and exclusion for citizens and immigrants of color, particularly the undocumented. We begin with a review of Du Bois' double consciousness theory, highlighting the marginalization of African Americans. Next, we apply double consciousness to the 21st century U.S. context to empirically demonstrate parallels between 20th century African Americans and the marginalization faced today by people of color. We close with a discussion about how double consciousness enhances our understanding of citizenship and has also generated agency for people of color fighting for socio-political inclusion in the contemporary United States.

Keywords: Du Bois; white supremacy; racism; immigration; legality; racialized legal status



Citation: Joseph, Tiffany, and Tanya Golash-Boza. 2021. Double Consciousness in the 21st Century: Du Boisian Theory and the Problem of Racialized Legal Status. *Social Sciences* 10: 345. <https://doi.org/10.3390/socsci10090345>

Academic Editor: Nigel Parton

Received: 10 August 2021

Accepted: 2 September 2021

Published: 16 September 2021

Publisher's Note: MDPI stays neutral with regard to jurisdictional claims in published maps and institutional affiliations.



Copyright: © 2021 by the authors. Licensee MDPI, Basel, Switzerland. This article is an open access article distributed under the terms and conditions of the Creative Commons Attribution (CC BY) license (<https://creativecommons.org/licenses/by/4.0/>).

I may have citizenship, but I do not feel like I am American.
Eduardo, naturalized U.S. citizen from Brazil
One ever feels his two-ness, an American, a Negro.
W. E. B. Du Bois

1. Introduction

In Sociologist W.E.B. Du Bois (1903) seminal work outlining double consciousness theory, he argued that the problem of the 20th century in the United States was the problem of the color line. Despite the reduction of de jure racial discrimination, improved racial attitudes, and the election of the United States' first Black/biracial president, disparities between White Americans and Americans of color persist (Alexander 2010; Bobo 2017; Bonilla-Silva 2013; Williams and Collins 2001). Furthermore, the 2016 Presidential election was won by a candidate who campaigned on an explicitly racist, anti-immigrant, and nationalist platform (Bobo 2017; Lamont et al. 2017). Since that time, national discourse and political rhetoric have become more divisive while hate crimes and brutality towards people of color and immigrants have risen (Eligon 2018).

We argue that Du Boisian theory—specifically double consciousness—remains relevant for understanding social and political cleavages in the 21st century United States and that it can be extended to encompass "racialized legal status", the intersection of race, ethnicity, and legal (or documentation) status. For Du Bois, double consciousness symbolized the psychological impact of living in a racist society on 20th century African Americans.¹ Societal treatment of African Americans as a "problem" contributed to the development of "the Veil, a lens through which they viewed themselves from the perspective of White

Americans. Despite being citizens, African Americans were not fully regarded as such, a plight that contemporary Black Americans and other Americans of color still experience, as evidenced by Eduardo's comment that his U.S. citizenship does not make him "American." That is because legal citizenship has never guaranteed full socio-cultural inclusion for all Americans (Bloemraad et al. 2019; Marshall 1950; Smith 1997). Though legal citizenship means an individual is formally recognized as a member of a nation-state and entitled to certain rights from which non-citizens are excluded, socio-cultural citizenship encapsulates belonging and being viewed as a valuable member of society Americans (Bloemraad et al. 2019; Marshall 1950; Smith 1997).² Both citizenship types have been stratified based on race, gender, and other social categories throughout U.S. history (Bellamy 2010; Mettler 1998). Because legal citizenship does not confer socio-cultural citizenship, citizens and immigrants of color are still viewed and treated as "others" who do not fully belong to the nation (Joseph 2020a; Lee 2019). Thus, racialized legal status extensively shapes individuals' experiences, social outcomes, and understanding of citizenship.

Some scholars have used the concept of "racialized legal status" to highlight how the crucial intersection of race, ethnicity, and documentation status racializes citizenship, affects immigrants' social outcomes, and has spillover effects on citizens of color in the United States (Asad and Clair 2018; Negrón-Gonzales 2011).³ Negrón-Gonzales (2011) uses the term to argue that being racialized as Latinx and having an invisible legal status creates a "hybridized sense of self"—being both an insider and outsider—that shapes the political consciousness of undocumented Latinx youth (4). For Asad and Clair (2018), racialized legal status is a form of social stratification through which race-neutral legal classifications negatively affect people of color and contribute to health disparities. In this paper, we use the term "racialized legal status" to describe the intersection of race, ethnicity, and legal status in applying Du Boisian theory to the 21st century. We draw on this collective work to show how a Du Boisian framework can help us more concretely situate the racialized meaning of citizenship in the contemporary United States and its relevance for the global color line. In doing so, we elucidate the "us versus them" boundaries separating white people of various nationalities from people of color, and citizens from non-citizens.

Any contemporary theory of U.S. social and political cleavages must account for the country's shifting ethno-racial composition since the 1965 Immigration and Nationality Act, systematic incursion on non-citizens' rights, and the role of the United States in shaping the global color line. Such theory must also account for shifting manifestations of ethno-racial discrimination, from overt legally sanctioned or de jure discrimination in the pre-Civil Rights era to the more informal/implicit de facto discrimination in practice that characterized the late 20th and early 21st centuries. Both forms of discrimination remain pervasive and indicate how entrenched structural racism and White supremacy are in the fabric of American life. As the nation's demographics have shifted, so too have the targets of de jure and de facto discrimination. Both citizens and immigrants of color are not fully regarded as members of society due to their race, ethnicity, and/or legal status.

Similar divisions play out in other Global North countries that have also experienced migration-based ethno-racial demographic transformation, further reflecting Du Bois' 21st-century global color line (Bloemraad et al. 2019; Joseph 2020a). Quisumbing Quisumbing King (2018) argues that many scholars primarily focus on "the color line" without understanding the centrality of "the global" in Du Bois' work. These inaccurate interpretations fail to incorporate Du Bois' intersectional analyses of White supremacy, discrimination, imperialism, global inequality, and, as we argue, migration (Morris 2015; Quisumbing King 2018). We agree with this assessment, which is why we posit that Du Boisian theory is explicitly connected to scholarship on citizenship and thus, the most suitable theoretical lens to analyze the current moment. The global color line, as theorized by Du Bois, has significantly affected both how legal and socio-cultural citizenship have been extended (or not), and how de jure and de facto discrimination have been experienced by people of color in the U.S. and other Global North countries. Here, we conceptualize the global color line from a U.S. perspective—meaning, how people in the United States racialize people from

other countries. This is not to be conflated with studies of comparative racialization, which focus on how the color line may be drawn differently in other countries (Golash-Boza 2012; Joseph 2015).

To make our argument, we begin with a literature review outlining relevant theories of race, migration, and citizenship and explain how those theories do not fully account for explaining 21st century U.S. social and political cleavages. Next, we review the Du Boisian theory of double consciousness, highlighting the historical marginalization and diminished citizenship of African Americans. Then, we explore connections between Du Boisian theory and racialized legal status to demonstrate parallels between 20th-century African Americans and 21st-century immigrants' and citizens' of color marginalization and how such marginalization perpetuates a sense of two-ness among these groups. We demonstrate our argument about the relevance of Du Boisian theory for the present by discussing empirical work that shows how systemic racism has influenced the racialization of immigrants, the disproportionate impact of coercive law enforcement on Black and Brown people, and the influence of White supremacy and capitalism in shaping global migration flows. We close with a discussion about how double consciousness has also generated agency for both groups in fighting for socio-political inclusion in the contemporary United States. Du Boisian theory helps us understand how the intersection of race, ethnicity, and legal status generate cumulative disadvantages and exclusion for immigrants and citizens of color. This crucial intersection represents an updated variation of Du Bois' "color line," accounting for how de facto racial discrimination persists alongside intensifying anti-immigrant rhetoric and salience of legal status.

Given the renewed interest in Du Boisian theory, we aim to demonstrate its applicability and relevance for immigrants, a sizeable (mostly non-White) group facing similar de jure discrimination as African Americans did when Du Bois developed the double consciousness theory. Very little research has examined how definitions of citizenship or the experiences of immigrants fit into contemporary applications of Du Boisian scholarship (Hunter 2013; Itzigsohn and Brown 2020; Morris 2015; Wright 2016). Furthermore, sociological theories have not collectively or fully accounted for how citizenship and its foundations in patriarchal White supremacy have socio-economically disadvantaged citizens and non-citizens of color (Golash-Boza 2015; Golash-Boza et al. 2019). These theories also do not explicate the relationship between White supremacy, U.S. empire, capitalism, and Global South-North migration flows.

In showing and analyzing the parallels between 20th century African Americans' diminished citizenship and discrimination and that faced by people of color in the 21st century, Du Bois' double consciousness fills a significant gap that individual sociological subfields have not yet been able to do. Finally, this paper connects contemporary U.S. social cleavages regarding race and immigration to global capitalist processes that reflect Du Bois' theorization of the global color line. Thus, "updating" Du Boisian theory for the 21st century makes multiple contributions for understanding contemporary social and political cleavages in the United States and beyond.

2. Literature Review

Sociological Perspectives on Race, Immigration, and Citizenship

Various theories in race, immigration, and citizenship have been developed to assess social and political cleavages in the United States. However, collectively, these sociological perspectives rarely draw on a Du Boisian framework. Here, we briefly summarize some of the central tensions within these subfields to demonstrate the important gaps Du Boisian theory fills for understanding and analyzing the racialized legal status problem of the 21st century.

A number of racial theories have been formulated to explain race and racism in the 21st century (Golash-Boza 2016). Feagin (2014b) argues that White supremacy, White racial framing, and anti-Black racism have been at the core of the United States since its founding. The newest edition of his classic *Racist America* incorporates the experiences of other people of color but does not critique citizenship or include immigration as part of that analysis. Omi and Winant (2015) *Racial Formations* argues that race is a master status manifested structurally through racial formations and projects. Bonilla-Silva (1997, 2013) more concretely connects racist ideology with structure through “racialized social systems” and color-blind racism. Works by Collins (2004) and Crenshaw (1991) critically examine the role of gender in shaping racialized experiences while Valdez (2011) incorporates ethnicity alongside gender, race, and class to understand how entrepreneurship is constructed among Latinxs. All of this scholarship is crucially important to understanding how race, in combination with other forms of oppression, operates differentially among groups of people. However, most contemporary theories of race and racism lack detailed discussion of the role of citizenship, immigration, and documentation status in perpetuating racialized inequality in individuals’ lived experiences.

Just as research on race has not critically incorporated immigration, scholarship on migration and citizenship has not centralized race in its theoretical frameworks or analyses of the immigrant experience (Golash-Boza et al. 2019; Sáenz and Douglas 2015; Sanchez and Romero 2010). Scholars who examine migrant integration tend to use assimilation theories, which center on ethnicity rather than race and racism (Alba and Nee 2003; Jimenez 2010; Lee and Bean 2010; Portes and Rumbaut 2001; Waters 1990). Valdez and Golash-Boza (2017) argue that such theories focus on how immigrants of color become more socially and economically similar to or distant from the dominant group, middle-class Whites, over time. Those groups who emphasize aspects of their ethnic origins that are more positively regarded by the White American mainstream are thought to experience more social mobility and acceptance than those who exhibit cultural behaviors more similar to African Americans (Alba and Nee 2003; Waters 1999; Zhou 1997). Very little of that work critiques how the embeddedness of structural racism created and perpetuated the different structural positions of Black and White Americans as the comparison groups for immigrants. Such scholarship also has not centralized how structural racism, anti-Black racism specifically, and race differentially shape the integration of Asian immigrants and subsequent generations relative to their Black and Latinx counterparts. The latter experience more structural exclusion as evidenced by higher rates of residential and educational segregation, worse health outcomes, and lower employment rates (Asad and Rosen 2019; Gordon 2018; Williams and Cooper 2019).

Lastly, current works on citizenship center belonging and rights through analyses of legal citizenship—formal recognition as a member of a country and socio-cultural citizenship—the realization of civic, political, and social rights (Bellamy 2010; Bloemraad et al. 2019; Brubaker 1992; Marshall 1950; Smith 1997). Despite the extension of formal rights, some legal citizens lack socio-cultural citizenship as race, ethnicity, gender, sexual orientation, and religion have been used to stratify citizenship in the U.S. and elsewhere (Bloemraad et al. 2019; Joseph 2020a; Mettler 1998). Similar to migration scholarship, structural racism has not been effectively incorporated in citizenship research, nor has race been central to analyzing the distinctions between legal and socio-cultural citizenship or how citizens of color differentially view and experience citizenship relative to their White counterparts in the United States and other Global North Countries.

In the last decade, some scholarship has attempted to bridge the gaps between race, immigration, and citizenship scholarship. Sáenz and Douglas (2015) argue that immigration studies need to be racialized through more readily acknowledging how White supremacy has shaped U.S. immigration policy and subsequent migration flows, and, analyzing the race rather than the ethnicity of immigrants in incorporation theories. Sanchez and Romero (2010) suggest that critical race theory (CRT) is an appropriate framework for connecting these three subfields, as CRT explicitly connects the socio-historical construction of legal

citizenship to Whiteness and accounts for the diminished socio-cultural citizenship of Americans of color. Building on CRT, [Golash-Boza et al. \(2019\)](#) argue that the intersection of White supremacy, patriarchy, and capitalism is the foundation of global migration flows, shaping the experiences of people of color in migrant-sending and receiving societies. This scholarship collectively makes significant contributions to better understanding the complex relationship between race, migration, citizenship, and legal status.

However, we argue that a Du Boisian framework, double consciousness specifically, allows us to more deeply contemplate that complex relationship through examining the internal social-psychological impact of race, migration, citizenship, and legal status on individuals' perceptions of themselves and others, and interpretation of a racialized society. Du Bois' focus on structural racism in his early 20th-century theory of double consciousness represents a precursor to the concept of stratified citizenship.⁴ In outlining the experiences of African Americans as legal but not socio-cultural citizens, Du Bois provided relevant insights for understanding and analyzing the present-day marginalization of immigrants and other citizens of color in our more globalized society. As a consequence of the enduring legacy of structural racism in the United States, race has shaped immigration policy and differentiated those who are worthy of legal and socio-cultural citizenship. Thus, the intersectional lens of race, citizenship, and legal status has generated axes of stratification that have taken on more significance in the 21st century in perpetuating inequality for people of color regardless of their citizenship and legal status. In turn, this inequality reconfigures internalized meanings of belonging and Americanness. Some people of African descent are citizens whereas others are not. Some non-citizens are people of color whereas others are not. An undocumented Black immigrant can still be socialized to feel "American" even though their belonging will be questioned in both social and legal contexts. A White undocumented immigrant may be socially accepted but could experience the double consciousness of appearing to be American while lacking the documents that make them legally so. Muslim Americans can be racialized as White, Arab, Black, or Asian, yet will have their belonging questioned in various places. Although race, ethnicity, and legal status intersect in different ways for each person, this concept of two-ness, of being an "American" yet also something else resonates for people who are racialized as non-White as well as those who lack legal citizenship. These "warring ideals" and "two unreconciled strivings" ([Du Bois 1903](#), p. 3) have shaped and continue to shape peoples' experiences of racialized legal status in the United States.

3. Du Bois' Double Consciousness and the 21st Century Problem of Racialized Legal Status

3.1. Double Consciousness Theory

[Du Bois \(1903\)](#) developed the concept of double consciousness to theorize how living in an explicitly racist country negatively affected African Americans as legal citizens, but socio-cultural noncitizens in the early 20th century. [Du Bois \(1903\)](#) argued that being considered a "problem" was crucial for African Americans' self and group-identity formation and socio-cultural citizenship:

[A] sort of seventh son, born with a veil, and gifted with second-sight in this American world—a world which yields him no true self-consciousness, but only lets him see himself through the revelation of the other world. It is a peculiar sensation, this double-consciousness, this sense of always looking at one's self through the eyes of others, of measuring one's soul by the tape of a world that looks on in amused contempt and pity. One ever feels his two-ness, an American, a Negro; two souls, two thoughts, two unreconciled strivings; two warring ideals in one dark body, whose dogged strength alone keeps it from being torn asunder (2).

The interaction between the self and the larger society was evident and double consciousness produced “the Veil,” behind which African Americans lived and from which they viewed themselves through the lens of the larger (White) society. While double consciousness is described as social-psychological, we intimate that the veil which affects African Americans’ perceptions is institutional. The veil is institutional because it represents the de jure and de facto racial discrimination in institutions, structures, and interpersonal interactions that African Americans had with others in the early 20th century United States. The all-consuming burden of that discrimination significantly affected how they saw a society that excluded them despite their legal citizenship. In looking through the veil, African Americans’ views of themselves, as regarded by the society were reflected back, perpetuating their double consciousness and recognition of not belonging. African Americans lived in the society but were not a part of it.

The unresolved tension of the two-ness produced from life behind the veil, via institutional discrimination, also made it difficult for African Americans to be fully incorporated as socio-cultural citizens, producing two simultaneous worlds: the Black world and the White (American) world. The veil provided two functions within those worlds. For African Americans, the veil was omnipresent, ensuring their invisibility and exclusion, and preventing acknowledgment of their humanity by Whites. For White Americans, the veil functioned as a one-way mirror: when they looked on the faces of African Americans, Whites could only see themselves reflected back, and could not comprehend the plight of African Americans.

Although Du Bois’ depiction of the veil could be seen as negative in a racially oppressive system, Du Bois suggests that the veil yields a duality that also produced agency to shape the oppressive world in which African Americans lived. African Americans, as racialized subjects, experienced a simultaneous tension between suffering from oppression and wanting to transform their social world (Itzigsohn and Brown 2015). Consequently, life behind the veil, as produced by double consciousness, presented a ubiquitous two-ness for African Americans, referred to by Du Bois (1903) as “two warring ideals in one dark body” (2). African Americans, at the time of his writing, were recognized as legal citizens and had presumed that the end of slavery and passage of the 14th amendment would entitle them to the full social, economic, and political privileges associated with socio-cultural citizenship. However, Du Bois (1903) wrote poignantly about the failure of Reconstruction to make African Americans socio-cultural citizens: “Despite compromise, war, and struggle, the Negro is not free . . . Negroes are a segregated servile caste, with restricted rights and privileges. Before the courts, both in law and custom, they stand on a peculiar basis (24). Being non-White made African Americans the targets of de jure and de facto racial discrimination, inhibiting their socio-cultural citizenship and belonging as true Americans. Indeed, much of Du Bois’ scholarship on the marginalization of African Americans, as reflected in double consciousness and life behind the veil in *Souls* and *The Philadelphia Negro* (Du Bois 1899) reveal their lack of socio-cultural citizenship because of the persistent discrimination they experienced in all aspects of American life.

Given the socio-political context in which Du Bois lived and wrote his seminal texts, Du Bois’ double consciousness seems to have been the first theoretical attempt to problematize the meaning of citizenship for African Americans. The “two-ness” produced from the “color line” problem in double consciousness is parallel to the experience of stratified citizenship for African Americans and other people of color in the 20th and 21st centuries. Despite being legally recognized as members of the nation-state, citizens of color have remained socially excluded, and limited from belonging and recognition as full members of the body politic. In turn, this lack of belonging has shaped their view of society, perpetuating a two-ness of being legally American, but not socio-culturally American or in Du Bois’ words “two souls, two thoughts, two unreconciled strivings” (2). Today, this concept of two-ness continues to resonate for Black Americans and other citizens of color and has nuanced resonance for noncitizens of various legal statuses who sometimes feel socio-culturally American despite not being legally American.

More specifically, applying double consciousness to the 21st century means redefining it, or updating its definition to more fully incorporate other marginalized groups. Thus, drawing from Du Bois' 20th-century conception, we define 21st-century double consciousness as a psychological lens that is created from living in a racist and xenophobic society that treats racialized individuals as a problem and also as non-American, denying their ability to be legal and/or socio-cultural citizens. Subsequently, this racist and xenophobic treatment in social interactions and from larger institutions and structures shapes how the individual views themselves and the larger society. To recognize or identify double consciousness in the lives of individuals or in our data as researchers, we need to look for references to people of color as not feeling and/or identifying as American and experiencing the tension or twoness of stratified citizenship that results from being a legal citizen but not recognized as a socio-cultural citizen. This twoness might also be identified among immigrants of color who may feel more culturally American due to living most of their lives in the country but lack legal citizenship. The twoness resulting from 21st-century double consciousness also becomes more magnified from experiences of de jure and de facto discrimination associated with racialized legal status that further diminishes one's legal and/or socio-cultural citizenship.

3.2. *Double Consciousness and the Legacy of Stratified Citizenship*

As evidenced in Du Boisian theory, stratified citizenship has been a reality throughout U.S. history. Legal citizenship has racialized, economic, and gendered origins, as only White men with property were initially allowed to be legal citizens (Feagin 2006; Fitzgerald and Cook-Martín 2014; Ngai 2007; Smith 1997). Thus, the racial ideology of White supremacy was crucial in defining the origins of legal citizenship and upholding the belief that the country was made for and legitimately belongs to those racialized as White. White supremacy was also used to justify the conquest of Native American lands, the enslavement of African-descended peoples, and the westward expansion known as Manifest Destiny. With regard to double consciousness, white supremacy has played a central role in treating Americans of color as problems, resulting in the creation of the veil for those groups throughout U.S. history.

Over time and through constitutional amendments and domestic and colonial expansion, legal citizenship has been expanded to allow previously excluded groups into the American fold. In 1848, the Treaty of Guadalupe Hidalgo was signed, ending the Mexican-American war and extending legal citizenship to Mexicans (the first non-White group extended this privilege) living in annexed territories that would eventually become the states of the American West and Southwest. After the Civil War, African Americans were granted legal citizenship through the 14th amendment and subsequent 1870 Naturalization Act, which had important implications for establishing birthright citizenship (*jus soli*) for all subsequent U.S.-born individuals regardless of race or ethnicity.⁵ However, immigrants to the United States who were not of European or African descent were unable to become U.S. citizens until 1952, when the Immigration and Nationality Act removed all racial restrictions on naturalization. Although legal citizenship expanded to include previously excluded groups, the lack of equal voting rights and resource allocation minimized their socio-cultural citizenship.

Racial restrictions on naturalization and entry to the United States—also based in upholding White supremacy and de jure discrimination—significantly shaped socio-cultural citizenship, influencing what it means to be “American” and discourses about who belongs in the country (Castles and Davidson 2000; Ngai 2007). Coincidentally, “American” has been synonymous with Whiteness, excluding citizens of color, from full socio-cultural membership (Bloemraad et al. 2019; Lee 2019; Ngai 2007). Du Bois was painfully aware of this reality in the early 20th century, having experienced the limits of his own legal citizenship in U.S. academia and witnessed it while researching African Americans' plight in *The Philadelphia Negro*. Although the city's European immigrants lived in similar neighborhoods as African Americans, Du Bois recognized that European immigrants had more

social privilege than African American citizens, though they were not yet fully regarded as White at that time (Morris 2015).

When Du Bois wrote his seminal texts, the United States was becoming a global empire and global conflicts reconfigured geopolitical boundaries. These events would further affect the complex relationship between White supremacy, race, ethnicity, and the constructs of legal and socio-cultural citizenship. Du Bois (1899) published *The Philadelphia Negro* one year after the Spanish-American War in which the U.S. defeated Spain and acquired Puerto Rico, Cuba, Guam, and the Philippines (Ocampo 2016; Valle 2018).⁶ Globally, the Berlin Conference (1884–85), also known as the Scramble for Africa, resulted in European superpowers carving up the African continent among themselves without regard for its impact on Africa's native populations. Latin America and Asia were also caught in the midst of these geopolitical processes, dominated by European imperial powers. Moreover, the United States was on the verge of experiencing its next big migration wave from Southern, Central, and Eastern Europe that would eventually reconfigure the meaning of Whiteness for generations to come. Du Bois was aware of these transformative shifts when he wrote *Souls*, reflecting on the problem of the *global* color line and the "relation of the darker to the lighter races of men in Asia and Africa, in America and the islands of the sea" (9). The global color line significantly affected the extent to which the United States extended legal and socio-cultural citizenship to people of color migrating from conquered and colonized territories to the United States. Du Bois (1945, 1947) articulated more ideas on the global color line and its implications for people of color in his later scholarship, centering White supremacy, capitalism, and democracy in those analyses.

3.3. The Global Color Line and Racialized Legal Status among People of Color Today

Shifts in immigration policy in the Civil Rights era increased the immigration of the "darker races of men" from Asia, Africa, the Caribbean, and Latin America to the United States (Frey 2018; Lee and Bean 2007). However, these groups have had different incorporation experiences than their European predecessors due to ethno-racial de facto and de jure discrimination, some of which mirrored that of earlier 20th century African Americans in Du Bois' time. Today, the global color line shapes the extent to which immigrants are able to access full citizenship rights in the United States. First of all, immigrants from countries where the majority of the population is of European descent have easier access to the United States. Secondly, once in the United States, immigrants perceived to be people of color are marginalized. In this way, the global color line shapes racialized legal status.

Although the Civil Rights Movement ended explicit racist federal legislation and de jure discrimination in various social domains, it did not undo the legacy of such policies for people of color in terms of access to education, housing, and other domains. The 1896 court decision in *Plessy v. Ferguson* was used to justify the existence of separate educational facilities for White and non-White students. Until this decision was overturned with *Brown v. Board of Education* in 1954, it was legal to deny African Americans, Mexican Americans, Native Americans, and Asian Americans access to public schools and other facilities designated for Whites (Armor 1995; Martinez-Cola 2019). Despite this court decision, de facto segregation in education continues. In 2017, 70 percent of Black students attended a school that had a majority of students of color, as compared to 13 percent of White students (García 2020). Segregated and inferior schooling has lifelong consequences for perpetuating racial disparities in college completion, which also affects lifetime earnings. Whereas 70 percent of Asians and 43.5 percent of White people have a college degree in the United States, only 22.6 percent of Black people and 20.7 percent of Latinos have completed college (Snyder et al. 2019).

While segregation in education has been consequential, residential segregation has been referred to as the “structural linchpin of racial stratification” because it affects nearly every aspect of American life (Gordon 2018; Massey 2016; Pettigrew 1979). Residential segregation was codified in 1934 when the Homeowners Loan Corporation (HOLC) created a color-coded map of residential neighborhoods that determined where banks made housing and commercial development loans. Those with predominantly White residents were assigned higher property values and the color blue while neighborhoods with mostly Black and Latinx residents were assigned lower property values and the color red (Massey and Denton 1993; Rothstein 2017). Property values matter because they affect a family’s wealth accumulation, the tax base for funding neighborhood public schools, where job and business development happens, and individuals’ health and well-being (Dettling et al. 2017; Williams and Cooper 2019). Even though the 1968 Fair Housing Act prohibited racial discrimination in the sale, rental, and financing of housing, it did not dismantle the HOLC color-coding housing property value system. The legacy of this system has been directly connected with the devastating health impact that COVID-19 has had in Black, Latinx, and Native American communities, magnifying their stratified citizenship (Williams and Cooper 2020).

Research also indicates White Americans’ fears about ethno-racial demographic shifts, decreases in Whites’ socio-political power, and experiences of reverse discrimination (Abra-jano and Hajnal 2017; Craig and Richeson 2014). Concurrently, citizens of color—despite their varying degrees of perceived incorporation—continue to experience marginalization and discrimination and are not perceived as “really American” because the unhyphenated or “real” American is still imagined as Anglo, White, and Christian (Bloemraad et al. 2019; Joshi 2020; Lee 2019; Ngai 2014).⁷ Ngai (2007) developed the term “alien citizen” to describe legal citizens who have distinguishable racial traits and/or immigrant ancestry that marks them as foreigners and casts doubt on their status as socio-cultural Americans. Among people of color, Latinxs, Middle Eastern/Muslim Americans, and Asian Americans are more likely to be perceived as “citizens but not Americans,” “forever suspect,” and “forever foreigners” than Black Americans (Flores-Gonzalez 2017; Selod 2018; Tuan 1999). Thus, race and ethnicity magnify citizens’ of color two-ness between them and the larger society despite legally belonging to it. Citizens of color limited socio-cultural citizenship makes racialized legal status more salient and their double consciousness more apparent. Their non-Whiteness excludes them from being fully embraced as members of the American family.

While citizens of color experience double consciousness from their lack of socio-cultural citizenship, lack of legal citizenship has become a basis of civic stratification in the 21st century for immigrants (Bellamy 2010; Joseph 2020a; Torres and Waldinger 2015; Waldinger 2017). Legal citizenship is important because it entitles citizens to certain benefits and privileges and most importantly, provides permanent protection from deportation. All immigrants—regardless of documentation status—are deportable (Brotherton and Barrios 2011; Golash-Boza 2015). Since the 1970s, federal immigration and welfare policies have reduced immigrants’ (both documented and undocumented) access to public benefits. National security concerns after the September 11th attacks also led to stricter border enforcement, which has increased noncitizens’ deportability (Fox 2016; Golash-Boza 2015). These policy shifts represent legally sanctioned de jure discrimination whereby federal and subnational laws make distinctions in public resource allocation based on legal status. Such policies and enforcement not only affect immigrants but also citizens in mixed-status families, who are afraid to use public benefits for which they are eligible out of concern for retributions towards undocumented relatives (Castañeda 2019; Castañeda and Melo 2014; Enriquez 2015; Jarvie 2020). Consequently, this places all noncitizens at a significant disadvantage relative to citizens, which reemphasizes noncitizens’ lack of legal belonging.

This absence of legal citizenship further diminishes noncitizens' socio-cultural citizenship, increasing immigrants' marginalization and the extent to which they experience the two-ness associated with double consciousness. Despite being physically present in U.S. society, they feel excluded from it. Furthermore, throughout U.S. history and into the present, immigrants are scapegoats for societal ills and are perceived as a "problem" (Lee 2019; Molina 2014). This exclusion enhances their stigmatization, which in turn amplifies the double consciousness that noncitizens feel.

For both citizens and non-citizens of color, racialized legal status reveals significant parallels to 19th and 20th century African Americans' experiences—which were the basis of Du Bois' double consciousness theory. The intersection of race, ethnicity, and legal status reconfigures racialized belonging and manifestations of discrimination, and illustrates the constraints of legal and socio-cultural citizenship for both groups who continue to be perceived as problems and/or illegitimate Americans in the 21st century United States.

4. Parallels with Double Consciousness Today

Now that we have outlined our argument that Du Boisian theory can be applied to understand contemporary social and political cleavages, we turn our attention to demonstrating parallels double consciousness in the 21st century. We divide this discussion into two sections to provide evidence from empirical studies for our argument. First, we illustrate parallels for immigrants who face increasing racialized stigmatization in the current socio-political climate. Next, we discuss how double consciousness remains applicable to all people of color.

4.1. Du Bois' Double Consciousness and Contemporary Parallels for 21st Century Immigrants

Although the Civil Rights Movement ended race-based de jure discrimination, it did not dismantle de facto racial or de jure discrimination based on legal status. While only immigrants without documents experience illegality, all non-citizens—even those with legal status—experience marginalization due to lack of legal citizenship (De Genova 2002; Golash-Boza 2015; Gonzales 2015; Joseph 2020a). There are also many immigrants with temporary legal status (i.e., temporary protected status-TPS), which Menjivar (2006) refers to as "liminal legality," that grants some legal protections without a path to citizenship. Some scholarship indicates that immigrants of other documentation statuses—such as beneficiaries of Deferred Action for Childhood Arrivals (DACA) and Deferred Enforced Departure (DED) also experience "liminal legality" (Cebulko 2014; Simmelink 2011).⁸ Thus, the marginalization of immigrants continues through immigration policy and racialized enforcement practices. Menjivar and Abrego (2012) have argued that "immigration laws today create a new axis of stratification that, like other forms of stratification, significantly shapes life chances and future prospects" (1382). They call this stratification "legal violence" because of the harm it inflicts in immigrant communities.

Anti-immigrant sentiment and policy in the 21st century are often cloaked in discourses of national security. Kibria et al. (2018) studied the websites of organizations that work to limit the number of immigrants in the United States. These websites refer to immigrants as "illegal aliens" and use terms such as "invasion" to refer to their arrival and frequently mention the influx of crime, drugs, and terrorism in relation to migration flows. These anti-immigrant discourses shape public perceptions of immigrants, immigration policy, and immigrants' views of themselves in U.S. society (Haynes et al. 2016; Menjivar 2016).

Discourse about Brown bodies flooding the border continues to serve as fodder for anti-immigrant rhetoric and fear of foreigners is clearly racialized (Flores-Gonzalez 2017; Selod 2018). Nativist sentiments are directed at particular ethno-racial groups, like Mexicans and people from the Middle East. Antipathy towards languages other than English, the concern that immigrants are taking jobs away from (White) U.S. citizens, and the worry that undeserving immigrants and citizens of color are draining public resources are three features of racist nativism that persist (Embrick et al. 2020; Sanchez 1997; Schueths 2019).

Racist nativism is a prominent feature of contemporary U.S. society and shapes immigrants' experiences of racial profiling, interpersonal discrimination, and perceptions of local law enforcement agents and immigration enforcement (Armenta 2017; Asad 2020; García 2017; Huber et al. 2008; Schueths 2014). These racialized discourses and nativist sentiments have long existed in the country and are another symptom of immigration and immigrants as a "problem."

The narrative that immigrants are a "problem" in this country serves as a justification for social and legal discrimination against immigrants. During the 2019 State of the Union Address, President Trump stated, "Year after year, countless Americans are murdered by criminal illegal aliens. This statement and other similar statements by elected officials paint undocumented and some documented immigrants as criminals. Even though immigrants are less likely than their native-born counterparts to commit crimes, the discourse that they are criminals is pervasive (Flores and Schachter 2018; Haynes et al. 2016). The depiction of immigrants as a "problem" resonates with Du Bois (1903) description of how African Americans were viewed as a "problem" by White Americans:

Between me and the other world, there is ever an unasked question: by some through feelings of delicacy; by others through the difficulty of rightly framing it. All, nevertheless, flutter round it. They approach me in a half-hesitant sort of way, eye me curiously or compassionately, and then, instead of saying directly, How does it feel to be a problem?...To the real question, How does it feel to be a problem? I answer seldom a word" (1).

Du Bois' theory of double consciousness and life behind the veil can be applied to the marginalization of immigrants through this conceptualization of immigrants as a "problem. The Trump administration implemented a range of policies and proposals that were consistent with his and his supporters' views of immigrants as a problem. Though the administration made some progress on building a physical wall, President Trump's policies and executive orders created a stronger symbolic wall (Davis and Shear 2019; Joseph and Marrow 2019). The administration attempted to end the Deferred Action for Childhood Arrivals (DACA) program and made previously "protected statuses" of legal immigrants, such as those with temporary protected, refugee, or asylee status more susceptible to deportation (Pierce and Selee 2017). There were proposals to end birthright citizenship for the U.S.-born children of undocumented immigrants and strip recently naturalized citizens of their legal citizenship (Chang 2018; Lind 2018; Pierce and Selee 2017). The number of work visas, refugee, and asylum seekers was also significantly reduced. Perhaps one of the most consequential changes was to the "public charge" rule, which would use eligible documented immigrants' future use of public benefits against them when they apply for legal permanent resident (LPR or green card) status from abroad for themselves prior to entry (Artiga et al. 2019; USCIS 2020). The change would also apply to LPRs already here when they apply to sponsor family members abroad for green cards prior to their entry and also visa holders currently here seeking to obtain green cards (Artiga et al. 2019).⁹

The Trump administration also used the coronavirus pandemic, which the former President racistly referred to as an "invisible and foreign enemy" and "Kung Flu," as an excuse to further pursue its punitive immigration policy agenda (Dickerson and Shear 2020; Visser and Miller 2020). Executive orders banning the issuance of green cards and visas to overseas applicants, suspending refugee admissions, and postponing immigration hearings were in effect for 60 days to "protect American workers" (Alvarez 2020; Visser and Miller 2020). Detentions and deportations continued throughout the pandemic, putting many noncitizens at heightened risk of COVID transmission (Dickerson and Semple 2020; Hayman 2020; Joseph 2020c; LaGorce 2020). These efforts to curb both documented and undocumented immigration demonstrate that immigrants of any documentation status are perceived as a "problem" too.

Du Bois (1903) referenced “two warring ideals in one dark body” (2) and argued that this symbolizes the two-ness from being both “an American and a Negro. The immigrants’ stratification experience, especially for undocumented and DACA program young adults, produces a similar form of two-ness of having two warring identities—that of feeling “American” yet being labeled as a “criminal” or “foreigner. Although they may have spent most of their lives and have cultural tastes similar to those of the U.S.-born population, their lack of legal inclusion limits their ability to feel “American” (Gonzales 2015; Vargas 2018).

Just as Du Bois highlighted how the veil’s omnipresence for African Americans inhibited White Americans’ comprehension of African Americans’ plight, the veil performs a similar function for noncitizens today. For immigrants, the institutional veil is always there, a constant reminder of legal exclusion that prevents many from obtaining social security numbers, driver’s licenses, or work authorization. Immigrants’ positionality behind the veil also makes it difficult for legal citizens to fully comprehend the invisible privileges associated with citizenship and immigrants’ plight of not having those privileges (Joseph 2020b). Perhaps most importantly, the veil conceals immigrants’ humanity and contributions to society, making both difficult to be seen and recognized by citizens.

The stigmatization of immigrants as a problem and the fact that legal status generates and perpetuates sanctioned de jure discrimination for this sizeable population indicates the extent of their marginalization. Research demonstrates how such discrimination results in disparities in access to education, housing, jobs, health care, driver’s licenses, and simple peace of mind (Gonzales 2015; Joseph 2016; Waldinger 2017). Such disparities resemble the de jure discrimination African Americans experienced when Du Bois wrote about double consciousness at the turn of the 20th century. Immigrants’ non-citizen status creates an ever-present veil that legally marks them as expendable and prevents them from feeling fully secure in the country.

4.2. Du Bois’ Double Consciousness and Diminished Citizenship for People of Color

Noncitizens experience marginalization due to a lack of legal citizenship status, highlighting documentation status as a basis of stratification in the 21st century. But, despite having legal citizenship, citizens of color experience diminished socio-cultural citizenship. For citizens of color, race and ethnicity perpetuate the two-ness that Du Bois’ double consciousness alludes to, generating stratified citizenship. Being non-White presents a barrier to full inclusion, creating the veil through which people of color see the nation, but also perceive themselves as separate from the nation. Flores-Gonzalez (2017) argues that people of color define and identify themselves through the lens of exclusion from Americanness because citizenship is imagined as white. Consequently, Americans of color who have been in the country for generations are continually perceived as foreigners.

The racialization of public policies has repeatedly demonstrated the diminished socio-cultural citizenship of legal citizens of color (Fitzgerald and Cook-Martín 2014; Fox 2012; Joseph 2020a). Fox (2012) demonstrates how African and Mexican American citizens were routinely excluded from New Deal welfare reforms based on their race and ethnicity while White European immigrants were granted access. Other policy examples illustrating diminished social citizenship include drug conviction policies (e.g., crack vs cocaine), cuts to welfare, racial profiling and policing, and felony disenfranchisement (Alexander 2010; Feagin 2014b; Gonzalez Van Cleve 2016; Legewie 2016). Given that such policies have disproportionately and negatively affected Black and Latinx communities, this demonstrates the power of race and ethnicity in generating the “otherness” these groups feel from the White (“real”) American mainstream. Thus, Du Bois’ “veil” from double consciousness is the marginalization that perpetuates the “otherness” citizens of color feel. Relatedly, that veil, which creates the “two-ness,” results in the “otherness” that stratifies legal from socio-cultural citizenship for citizens of color.

De facto discrimination towards Black Americans and other people of color persists into the present, demonstrating how race and ethnicity continue to stratify citizenship. Such discrimination has manifested in segregated neighborhoods, under-serving schools in Black and Latinx segregated communities, unequal health outcomes, educational opportunities, and life chances (Colen et al. 2018; Feagin and Bennefield 2014; Feagin 2006; Korver-Glenn 2018; Legewie and Fagan 2019; Mehra et al. 2017). Moreover, during the Trump presidency, there was a resurgence of explicitly racist and White supremacist beliefs and a related rise in hate crimes in public discourse (Eligon 2018). Thus, race and ethnicity continue to undermine the full socio-cultural inclusion entailed by legal citizenship, covering the faces of Americans of color, forcing them to continue living behind the veil.

As the nation's demographics shift, indicating a decline in the White population and sizeable increases among Latinx and Asian Americans amid contentious debates over immigration, the problem of the racialized legal status line becomes more evident. Concerns about the coming "White minority" and increasingly blurred boundaries between race, ethnicity, and legal status for people of color indicate that recognition of full societal inclusion via socio-cultural citizenship is still racialized as White (Joseph 2020a; Molina 2014; Olmos 2019). In other words, the boundaries determining socio-cultural citizenship are being brightened between those who are racialized as White and those who are not regardless of legal citizenship status (Flores-Gonzalez 2017; Joseph 2020a).

While much research has focused on Black/White disparities, recent research has drawn attention to the increased scrutiny and marginalization that Latinx and Middle Eastern Americans also experience amid immigration and national security concerns (Flores-Gonzalez 2017; Selod 2018). Such scrutiny is connected to law and immigration enforcement practices that subject Black and Brown people to be stopped and frisked and national security protocols that disproportionately target individuals with Middle Eastern or Muslim phenotypes or names (Epp et al. 2014; Flores-Gonzalez 2017; Golash-Boza 2015; Selod 2018). Such enforcement is also entrenched within a system of surveillance and privately-run immigration detention centers, and prisons that earn more profits from detaining and incarcerating people deemed disposable (Golash-Boza 2015; Joseph 2020a). This hyper-surveillance further reveals the flawed reality of legal citizenship for Black and Latinx Americans (Glover 2008; Terrill 2015).

The extra scrutiny directed towards people of color has increased in recent years and demonstrates how being racially othered minimizes feelings of belonging and "Americanness" among people of color. As the quintessential group to which other ethno-racial minorities are compared, Black Americans have a long-standing history of being legal but not socio-cultural citizens and were the group of focus in Du Bois' research. However, as other ethno-racial groups have gained visibility in the United States, more attention has been devoted to their experiences of "two-ness"—from not being fully considered a part of the American family (Feagin 2014b; Flores-Gonzalez 2017; Lee 2019; Selod 2018). Despite having high levels of socio-economic mobility and intermarriage rates with White Americans, Asian Americans, regardless of ethnicity, are considered "forever foreigners" and have been perceived as national security threats (during wartime and the recent Coronavirus outbreak) and competition in education and business (Escobar 2020; Lee 2019; Trieu and Lee 2017; Tuan 1999).

The "two-ness" of Latinx Americans of various ethnicities has been heightened due to the issue of immigration, which has been racialized as a Latinx issue for two reasons. First, the majority of immigrants are Latinx. Second, Latinxs now represent the nation's largest ethno-racial minority. Because immigrants, and relatedly Latinxs, are stereotyped to have a certain phenotype—medium brown skin, black straight/slightly curly hair—anyone with that phenotype is presumed to not only be an immigrant but to also be undocumented regardless of documentation status (Flores-Gonzalez 2017; Gonzales 2015). Flores-Gonzalez (2017) argues that Latinx (citizen) millennials do not feel comfortable identifying as American because the broader society does not recognize them as such given the prevailing association of Whiteness with full legal and social citizenship. In Joseph

(2016, 2017) research that examines Latinx immigrants' healthcare access, she interviewed a Brazilian immigrant named Eduardo who shared that being an immigrant is his most important social identity, but Eduardo, who has medium brown skin, short dark curly hair, and identifies as Black, is a naturalized U.S. citizen and feels that most Americans do not perceive him as such:

Whether I like it or not, they [Americans] see me as an immigrant. They look at me and don't see me as an American. Even though I am a citizen, I will never be, in the mind of the real American, they will never see us, any immigrants, as Americans ... We don't have the same rights as Americans. I may have citizenship, but I do not feel like I am American. I will never stop being Brazilian, when you approach me, I will speak Portuguese.

Eduardo's quote highlights how his ethnicity and preferred language of communication prevents him from being seen as American, indicating how being a Brazilian—albeit naturalized—immigrant becomes the veil beyond and through which he sees society and society sees him. Other immigrant respondents in Joseph (2017, 2018) study, similar to the Latinx millennials in Flores-Gonzalez (2017) study, also discuss how they experience racial profiling by police and immigration officials who presume they are not American and feel unwelcome in White American social spaces. Such encounters further highlight their marginalization and perpetuate their otherness, leading to them feeling that they cannot fully claim Americanness because they are not White. The two-ness which Du Bois writes about in double consciousness for African Americans is evident in Eduardo's experiences and other respondents of Brazilian, Dominican, and Salvadoran heritage in Joseph (2017, 2018) study and those of Mexican heritage in Flores-Gonzalez (2017) study.

Another group that has been disproportionately targeted since the September 11th attacks is Muslim Americans, particularly those racialized to be Muslim such as Sikhs. Like Latinxs, Muslim Americans are (sometimes) presumed to be threats to national security and subjected to extensive surveillance (Armenta 2017; Haynes et al. 2016; Selod 2018). Although Muslim Americans, particularly those racialized as people of color, did not feel as though they fully "belonged" prior to 9/11, national security laws and policies implemented in the aftermath emphasized their otherness even further (Selod 2018). Selod (2018) examines how the intersection between race, ethnicity, gender, and religion differentially influenced Muslim Americans' experiences with hyper-surveillance. While men were perceived as threats, Muslim American women wearing the hijab were perceived as being in need of protection from the Muslim men in their lives and also had to defend their choice to wear the hijab. Writing about the intensifying anti-Muslim social climate, Selod (2018) discusses how her Pakistani American family's experiences align with those of her respondents in being perceived as un-American:

Shortly after the [9/11] attacks, my father was deboarding a plane after a work trip ... TSA agents stopped him and escorted him to a private room where he was interrogated about his travels. This made my dad feel that he was being watched and monitored by the government...But as the years have passed since 9/11, it has become increasingly apparent that because my father is a Muslim, he is vulnerable to being seen as un-American and a potential threat to national security (3).

Selod (2018) provides a clear example of how religion alongside race and ethnicity perpetuate the otherness of Muslim Americans. Religion and ethnicity create the veil for these individuals, setting them apart from society and affecting how they see and experience the world and how others see (or do not fully see) them because of the veil. Similar to African Americans in Du Bois' time, citizens of color are simply perceived as a problem that needs to be controlled and excluded from full socio-cultural citizenship.

In highlighting the marginalization of citizens of color from various ethno-racial groups, we show how Du Bois' double consciousness theory and veil can be applied to their experiences. The discrimination and exclusion that these groups experience demonstrate their otherness and how race and ethnicity limit the extension of full socio-cultural citizenship to them despite their legal citizenship. The socio-political context in which these groups now live, with intensifying and explicit racist, ethnocentric, and anti-Islamic rhetoric and policies, has striking parallels with the 20th century United States in which Du Bois wrote about the stratified citizenship of African Americans through the lens of double consciousness.

5. Exemplary Applications of Double Consciousness in the 21st Century

In this section, we further demonstrate our argument about the contemporary applicability of Du Bois' double consciousness by focusing on three areas illustrating the overlap between race, ethnicity, and legal status. These three exemplary applications of double consciousness are: (1) overlap between law and immigration enforcement, and surveillance; (2) capitalist demand for cheap labor supplied by Black and Brown bodies, and; (3) experiences of de jure and de facto discrimination. Each of these applications further highlights ties between systemic racism, the continued racialization of people of color, and the role of White supremacy in global migration flows. Just as domestic and global connections were central in DuBois' work, these three applications also show the relevance of the global context to the 21st-century problem of racialized legal status in the United States. Collectively, these applications reinforce the otherness and stratified citizenship that magnifies the veil and related double consciousness that people of color experience more acutely in the 21st century.

5.1. *Overlap between Law and Immigration Enforcement and Surveillance*

The overlap between law and immigration enforcement and surveillance symbolizes the increasing importance of racialized legal status because enforcement and surveillance target Black and Brown bodies regardless of legal status. Selod (2018) refers to this as "racialized surveillance," which she defines as "monitoring select bodies by relying on racial cues" (24). Determinations about who is stopped and surveilled are tied to racialized bodies: White bodies do not undergo the same scrutiny as Black and Brown bodies (Joseph 2020a; Selod 2018). Racialized surveillance became more pronounced during the War on Terror and has increased as immigration enforcement has intensified under recent presidential administrations. More cooperation between federal immigration authorities and local police and sheriff departments means that the enforcement arm of the state has further expanded its reach into citizen and immigrant communities of color (Armenta 2017; Golash-Boza 2015; Legewie 2016). The extent of this cooperation sometimes means that individuals in such communities fear anyone wearing an enforcement-type uniform and modify their behavior to avoid contact when possible. This sentiment was shared in an interview that Joseph (2018) conducted with an immigrant advocate about the implications of transit police screenings conducted at subway stations around the time of the Boston Marathon bombing in 2013:

People are randomly selected and their purse or briefcase is swabbed with a chemically treated cloth, which can detect when they put it into a machine if there's explosives. It's the subway police. It's not ICE [Immigrations and Customs Enforcement] and people should not worry. We had a big meeting with them [subway police], brought in as many community people as we could and asked "Can we put out a description of what you're doing? Could you guys wear something that says transit [police] or something, because if people see an armed [cop], five or six of them, guns, blue uniform, nobody looks at that little thing [badge] on your shoulder to see who the hell you are? And these are like stations where mostly Latinx immigrants are using the subway. And so, you've got these guys standing there, pulling people out of line and there were two kids who said

“oh, that’s what it is? We saw that and we turned around and went home. We didn’t go to class that day.

Unfortunately, legal citizenship does not prevent or minimize racial profiling of citizens of color (Alexander 2010; Epp et al. 2014; Golash-Boza 2015). On the contrary, race and ethnicity increase the likelihood that Black and Brown citizens will have encounters with law and immigration enforcement and be surveilled (Armenta 2017; Asad and Clair 2018; Golash-Boza 2015; Romero 2011). Such encounters disproportionately lead to death at the hands of enforcement authorities as indicated by the recent and highly publicized deaths of George Floyd, Breonna Taylor, Sean Monterrosa, and countless other Black and Brown citizens. In response to summer 2020 Black Lives Matter protests about police brutality and systemic racism, former President Trump re-emphasized his law-and-order stance and ordered the use of tear gas, rubber bullets, and dogs to quell protests (Martin et al. 2020). His response was reminiscent of the tactics used against nonviolent protesters during the Civil Rights Movement, which also aimed to bring African Americans’ socio-cultural citizenship in line with their legal citizenship.

The Trump administration’s hardline immigration enforcement proposals and racialized comments about “Mexican criminals” and “s-hole countries” also demonstrate how race and ethnicity remain a significant factor in U.S. immigration and foreign policies and rhetoric. Concerns about the influx of Central American migrants to the U.S. led the administration to separate families at the southern border and detain mostly Latinx children in cages in inhumane conditions (Domonoske and Gonzales 2018). As noncitizens, they lacked the protections of legal citizenship, which justified the Trump Administration’s position on their treatment (Domonoske and Gonzales 2018). More recently, the Biden administration has worked with government and border enforcement authorities in Mexico and Central America to stem the tide of migrants at the US-Mexico border (Morin 2021; Narea 2021). Despite using less racialized and inflammatory rhetoric, the Biden administration is sending the message that migrants from those countries are not welcome (Grant 2021; Narea 2021).

Another important connection between racialized legal status and enforcement is manifest in the prison industrial complex, where felons—predominantly Black and Latinx—experience diminished socio-cultural citizenship as they can be subjected to slave-like work conditions and lose their right to vote and access to public benefits (Alexander 2010; Goodwin 2019; Holloway 2014; Uggen and Manza 2002). Increasingly, the private corporations that run prisons also run immigrant detention centers in which Black and Brown people, both citizen and non-citizen alike, are detained and incarcerated by the state (Bosworth and Turnbull 2015; Cheliotis 2017; Joseph 2020a).

The overlap between surveillance, law, and immigration enforcement reinforces people of color’s “two-ness” and perception of them as a “problem. This racialized surveillance also decreases feelings of belonging and membership (Epp et al. 2014; Selod 2018). Furthermore, racialized surveillance reveals the parallel roots of enforcement in White supremacy: the system that led to George Floyd’s death is the same system that locks Brown and Black immigrant adults and children in cages in detention facilities. In both cases, tough law and order stances encouraging racial profiling, enforcement, detention, and incarceration of Black and Brown bodies illustrate people of color’s diminished legal and socio-cultural citizenship. This heightens the intensity of the veil, through the punitive reach of the state, in shaping their experiences.

5.2. Migration and Capitalist Demand for Cheap Labor

Another domain in which Du Bois’ double consciousness can be applied to the present is through the capitalist demand for cheap labor, usually performed by or at the expense of people of color. In a sense, the current global racialized capitalist system represents Du Bois’ global color line in the contemporary era, further complicating the “relation of the darker to the lighter races of men in Asia and Africa, in America and the islands of the sea. The demand for cheap labor has generated a global economy in which the predominantly

non-White Global South provides cheap labor for the predominantly White Global North (Golash-Boza 2015). Furthermore, the legacy of White supremacist imperialism, colonialism, and exploitation have contributed to high levels of inequality in the Global South, leaving the majority of Global South residents jobless or working in highly precarious occupations. Immigration to the Global North becomes the only viable option to achieve social mobility (United Nations et al. 2016). In the United States, the largest immigrant-receiving country, (some) immigrants of color work either in low-paying jobs that Americans do not want or high-paying jobs that Americans do not have the education for (Krogstad et al. 2020). These migrants summarily experience de jure discrimination and exploitation because of their non-citizen status. However, they also experience de facto discrimination on the basis of their race and ethnicity due to living in Global North countries, which primarily equate socio-cultural citizenship with Whiteness (Joseph 2020a). Their lack of legal citizenship perpetuates diminished socio-cultural citizenship and recognition of their two-ness.

The United States has long depended on marginalized and vulnerable populations for labor. Agricultural labor is a prime example. In the 19th century, enslaved people of African descent worked in the fields producing food and commodities for consumption across the United States and around the world. Although slavery was abolished in 1854, people of African descent continued to work in the fields as sharecroppers and other forms of coerced labor. Shortly after enslaved people were emancipated, the United States brought immigrants from Asia to perform agricultural and other essential tasks. When a ban on Asian immigration was implemented in 1924, Mexican braceros became the primary agricultural workforce in California and Texas (Ngai 2014).

Today, undocumented workers make up the bulk of farmworkers across the United States. Given the vulnerable status of farm workers, it should be no surprise that “farm work is one of the lowest-paid, least protected, and most dangerous occupations in the US” (Wiggins 2020, p. 227). Undocumented workers’ lack of legal citizenship makes it challenging for them to form effective labor unions and challenge the difficult conditions under which they work. Thus, although it is clear that farm workers are “essential workers,” they continue to be denied basic human and labor rights.

5.3. Experiences of De Jure and De Facto Discrimination

The applicability of double consciousness to the contemporary intersection of race, ethnicity, and legal status is also evident through the rise of de jure and de facto discrimination that disproportionately affects people of color who are increasingly seen and treated as “others,” and not as full socio-cultural citizens (Flores-Gonzalez 2017; Joseph 2020a; Lee 2019; Selod 2018). The legacy of stratified citizenship has been manifested in the COVID-19 pandemic, in which Black, Latinx, and Native American communities contracted and died from the virus at disproportionate rates (Henderson et al. 2020; Joseph 2020c; Williams and Cooper 2020). Decades of residential segregation, lack of access to quality housing, and employment in essential jobs without health insurance or paid sick leave created a perfect storm of pre-existing socio-economic and health conditions that made COVID more deadly for communities of color (Joseph 2020d; Williams and Cooper 2020). Furthermore, historic mistreatment and mistrust of the healthcare system and inability to get proper testing and treatment also worsened COVID’s impact in these communities (Joseph 2020c, 2020d; Snow 2020). All of these factors stem from pervasive systemic de jure and de facto discrimination.

The experience of Asian Americans during the Coronavirus pandemic also merits special mention as an application of double consciousness. Former President Trump blamed China for “creating” the virus and called it the “Chinese virus,” vilifying the country and its people (Louie and Viladrich 2021; Reja 2021; Yam 2020). Despite singling out China and the Chinese, Trump’s rhetoric was credited with contributing to a spike in Anti-Asian hashtags and hate crimes towards those perceived as Asian regardless of citizenship status and ethnicity (Gover et al. 2020; Reja 2021; Rubin and Wilson 2021; Yam 2020). This example

again demonstrates Asian Americans as threats and forever foreigners who are subjected to extensive de facto discrimination despite also being considered “model minorities”.

Aside from COVID-19, stereotypes about the criminality of Black and Brown individuals continue to shape their experiences of de facto racial discrimination in public and private spaces (Asad and Rosen 2019; Clair 2021; Gordon 2018). Police are routinely called on Black Americans for mundane activities like birdwatching in Central Park, sitting in Starbucks, sleeping in their cars, or entering their apartment buildings (Fausset et al. 2020; Griggs 2018; Nir 2020). Unarmed Black and Latinx Americans are routinely shot and killed by police in encounters with law enforcement or by civilian vigilantes who perceive them as threats (Coates 2013; Fox 2018; Streeter 2020). Latinx individuals report being stopped by law enforcement, some of whom are then detained and almost deported by immigration enforcement, despite being legal citizens and even military veterans (Associated Press 2019).

Hate crimes and explicit de facto ethno-racially-based discrimination are increasing (Lopez 2018). In 2017, a White American shot two Indian immigrants (one died and one survived) because they looked like foreigners in Kansas (Stevens 2017). In 2018, a White American shot and killed two Black Americans at a grocery store after being unable to enter and shoot Black parishioners at a nearby church in Kentucky (Baldacci and Levenson 2018). In early 2019, three White teenagers were arrested for plotting to attack a Muslim enclave in Rochester, New York (Gold 2019). Supportive of President Trump’s divisive anti-Latinx and immigrant rhetoric, the suspect in the August 2019 mass shooting at an El Paso Walmart wrote an online post before the shooting stating that he aimed to stop the “Hispanic Invasion of Texas” (Romero et al. 2019). These incidents reveal that race, ethnicity, legal status, and religion diminish socio-cultural citizenship for people of color regardless of citizenship status. Race and ethnicity perpetuate people of color’s two-ness in a society built on White supremacy where Americanness and full citizenship are primarily reserved for White Americans (Joseph 2020a; Lee 2019). Thus, Du Bois’ double consciousness is an appropriate theoretical framework and the veil is an appropriate lens through which to examine, interpret, and analyze how race, ethnicity, and legal status stratify citizenship and perpetuate a racialized legal status boundary in the 21st century.

6. Discussion and Conclusions

Du Bois’ theory of double consciousness is a precursor to the concept of stratified citizenship and can shed light on the marginalization of immigrants in the 21st century, where the problem of racialized legal status has become prominent. Bringing Du Boisian theory to citizenship and immigration scholarship has allowed us to make crucial links between scholarship on race and immigration. African Americans in the early 20th century and immigrants and citizens of color in the 21st century have been portrayed as a “problem,” which shapes both how they are treated and how they view themselves. Each group has experienced de jure and de facto discrimination and is disproportionately subjected to state violence.

Our argument allows us to return to Du Bois’ original conceptualization of the color line as a global color line. Du Bois wrote that the problem of the color line involves “the relation of the darker to the lighter races of men in Asia and Africa, in America and the islands of the sea (1903, p. 13). An analysis of the racialized legal status and stratified citizenship makes it clear that the color line is not a Black/White binary (Quisumbing King 2018). Rather, the color line is a spectrum of exclusion where race, color, nationality, and legal status shape the extent to which people benefit from full inclusion into the nation.

Updating Du Bois’ double consciousness for the 21st century not only allows us to connect various sociological subfields and assess how racialized legal status shapes individuals’ interpretations of and interactions in a racialized society. It also reminds us of the centrality of race in configuring boundaries of belonging, citizenship, and Americanness now as much as it did in Du Bois’ time a century ago. In assessing double consciousness through the contemporary lens of racialized legal status, we can better connect the present

with the past and gain a nuanced appreciation for the relevance of Du Bois in making sense of our complicated racialized society.

Nevertheless, Du Boisian theory also helps bring to light how immigrants and citizens of color can be gifted with a “second sight”. Du Bois argued that the double consciousness of the veil produces unique insight and agency to shape the world in which the oppressed live. Double consciousness generated the agency for Du Bois and 20th century African Americans to challenge the status quo and advocate for full socio-cultural citizenship. Drawing inspiration from those struggles which led to the Civil Rights Movement, both immigrant and citizen youths of color have been leading contemporary movements for social justice. Immigrant youth, especially the undocumented, joined forces to advocate for legislation (DREAM Act) that would eventually grant them a path to citizenship. While that legislation did not make it through Congress, this youth-led movement led to the implementation of DACA under President Barack Obama and the Sanctuary Campus Movement. The strength of the immigrant rights movement engendered widespread support for DACA and may have played a role in the Supreme Court decision to uphold DACA despite the Trump administration’s attempt to dismantle it (Redden 2020). Furthermore, the rise in the social activism of citizens of color advocating for full socio-cultural citizenship demonstrates the agency generated from their double consciousness.

The force of this activism became clear in May and June 2020 when, in the aftermath of the killing of Ahmaud Arbery, Breonna Taylor, and George Floyd, the nation erupted in one of the most widespread and enduring protests seen in decades. Although these protests were met with tear gas, rubber bullets, mass arrests, and curfews, protests persisted for months demanding an end to the extrajudicial killing of Black people, the defunding of police departments, and reinvestment in Black communities.

The Black Lives Matter, Immigrants’ Rights, and Anti-Islamophobia movements have been responses to the continued denial of citizens’ and non-citizens’ of color humanity in the 21st century United States. Together, these groups’ efforts have been at the forefront of struggles for social justice today, and although our focus on the problem of racialized legal status focused primarily on the U.S. context, we, like Du Bois, also believe that the problem of the 21st-century color line still has global significance as inequality and discrimination persist for people of color—both migrants and citizens—around the world.

Author Contributions: T.J. and T.G.-B. contributed equally to the theoretical conceptualization, review, writing, and editing of this article. All authors have read and agreed to the published version of their manuscript.

Funding: This research received no external funding.

Institutional Review Board Statement: Not applicable.

Informed Consent Statement: Not applicable.

Data Availability Statement: Not applicable.

Acknowledgments: The authors would like to acknowledge Tony Chen, Derek Robey, Anna Skarpelis, Nicholas Wilson, members of the Harvard University Weatherhead Center Comparative Inequality and Inclusion Cluster, and reviewers for providing feedback on previous versions of this manuscript.

Conflicts of Interest: The authors declare no conflict of interest.

Notes

- ¹ We use “African Americans” since the majority of African-descended individuals in the United States during Du Bois’ time were the descendants of the formerly enslaved population. When discussing the contemporary era, we use “Black Americans” to account for the increasing ethnic diversity within that racial group.
- ² Bloemraad et al. (2019) and Marshall (1950) separate socio-cultural citizenship into social and cultural citizenship. We combine these two types of citizenship in our paper to more concisely connect socio-cultural citizenship to Du Boisian theory.
- ³ We interchangeably use legal and documentation status throughout the paper.

- 4 Social scientific scholarship theorizing legal and socio-cultural citizenship dates back to Marshall (1950) *Citizenship and Social Class*.
- 5 This was challenged and upheld in *U.S. vs. Wong Kim Ark* (1898), who was born in the United States to Chinese parents prior to the 1882 Chinese Exclusion Act. Despite being legal citizens, White American women were not legally extended the right to vote until the 19th Amendment in 1920. Due to structural racism, most Black American women remained excluded until the Voting Rights Act of 1965. Native Americans were not granted formal legal citizenship under 1924 under the Indian Citizenship Act.
- 6 See De Valle (2018) and Ocampo (2016) for more on legal and socio-cultural citizenship in Puerto Rico and the Philippines post-1898.
- 7 While “White American” was initially Anglo-Saxon Protestant, the category expanded over time to include Central, Southern, and Eastern Europeans (Feagin 2014b; Waters 1990).
- 8 DED, like TPS, allows individuals from designated countries with political instability and natural disasters to stay in the U.S. Currently, Liberia is the only DED country. Some Liberians with DED status recipients can apply for legal permanent residency status.
- 9 After some court challenges, the rule change went into effect on 24 February 2020 (USCIS 2020). But, amid the coronavirus pandemic, USCIS (2020) stated that immigrants’ use of public benefits related to the pandemic would not count as public charge.

References

- Abrajano, Marisa, and Zoltan Hajnal. 2017. *White Backlash: Immigration, Race, and American Politics*. Princeton: Princeton University Press.
- Alba, Richard, and Victor Nee. 2003. *Remaking the American Mainstream: Assimilation and Contemporary Immigration*. Cambridge: Harvard University Press.
- Alexander, Michelle. 2010. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: New Press.
- Alvarez, Priscilla. 2020. What Trump’s New Executive Order on Immigration Covers”: CNN. Available online: <https://www.cnn.com/2020/04/22/politics/immigration-executive-order-trump/index.html> (accessed on 18 January 2021).
- Armenta, Amada. 2017. Racializing Crimmigration: Structural Racism, Colorblindness, and the Institutional Production of Immigrant Criminality. *Sociology of Race and Ethnicity* 3: 82–95. [CrossRef]
- Armor, David. 1995. *Forced Justice: School Desegregation and the Law*. New York: Oxford University Press.
- Artiga, Samantha, Rachel Garfield, and Anthony Damico. 2019. “Estimated Impacts of Final Public Charge Inadmissibility Rule on Immigrants and Medicaid Coverage”: Kaiser Family Foundation. Available online: <https://www.kff.org/disparities-policy/issue-brief/estimated-impacts-of-final-public-charge-inadmissibility-rule-on-immigrants-and-medicaid-coverage/> (accessed on 20 February 2020).
- Asad, Asad L. 2020. On the Radar: System Embeddedness and Latin American Immigrants’ Perceived Risk of Deportation. *Law & Society Review* 54: 133–67. [CrossRef]
- Asad, Asad L., and Matthew Clair. 2018. Racialized Legal Status as a Social Determinant of Health. *Social Science and Medicine* 199: 19–28. [CrossRef]
- Asad, Asad L., and Eva Rosen. 2019. Hiding within Racial Hierarchies: How Undocumented Immigrants Make Residential Decisions in an American City. *Journal of Ethnic and Migration Studies* 45: 1857–82. [CrossRef]
- Associated Press. 2019. Ice Almost Deported a U.S.-Born Marine Veteran, Says Aclu. Available online: <https://www.nbcnews.com/news/latino/ice-almost-deported-u-s-born-marine-veteran-says-aclu-n959516> (accessed on 15 February 2020).
- Baldacci, Marlena, and Eric Levenson. 2018. Kroger Shooting in Kentucky Is Being Investigated as a Hate Crime: CNN. Available online: <https://www.cnn.com/2018/10/29/us/kroger-shooting-hate-crime/index.html> (accessed on 5 March 2020).
- Bellamy, Richard. 2010. The Nature of Citizenship. In *Citizenship*. Edited by Richard Bellamy and Antonino Palombo. Burlington: Ashgate, pp. vii–xxv.
- Bloemraad, Irene, Will Kymlicka, Michèle Lamont, and Leanne Son Hing. 2019. Membership without Social Citizenship? Deservingness and Redistribution as Grounds for Equality. *Daedalus* 148: 73–104. [CrossRef]
- Bobo, Lawrence. 2017. Racism in Trump’s America: Reflections on Culture, Sociology, and the 2016 Us Presidential Election. *British Journal of Sociology* 68: S85–S104. [CrossRef]
- Bonilla-Silva, Eduardo. 1997. Rethinking Racism. *American Sociological Review* 62: 465–80. [CrossRef]
- Bonilla-Silva, Eduardo. 2013. *Racism without Racists: Color-Blind Racism and the Persistence of Racial Inequality in the United States*. Lanham: Rowman & Littlefield.
- Bosworth, Mary, and Sarah Turnbull. 2015. Immigration, Detention, and the Expansion of Penal Power in the United Kingdom. In *Extreme Punishment*. Edited by Keramet Reiter and Alexa Koenig. London: Palgrave MacMillan, pp. 50–65.
- Brotherton, David, and Luis Barrios. 2011. *Banished to the Homeland: Dominican Deportees and Their Stories of Exile*. New York: Columbia University Press.
- Brubaker, Rogers. 1992. *Citizenship and Nationhood in France and Germany*. Cambridge: Harvard University Press.
- Castañeda, Heide. 2019. *Borders of Belonging: Struggle and Solidarity in Mixed-Status Immigrant Families*. Palo Alto: Stanford University Press.

- Castañeda, Heide, and Milena Melo. 2014. Health Care Access for Latino Mixed-Status Families: Barriers, Strategies, and Implications for Reform. *American Behavioral Scientist* 58: 1891–909. [CrossRef]
- Castles, Stephen, and Alastair Davidson. 2000. *Citizenship and Migration: Globalization and the Politics of Belonging*. New York: Routledge.
- Cebulko, Kara. 2014. Documented, Undocumented, and Liminality Legal: Legal Status During the Transition to Adulthood for 1.5 Generation Brazilians. *Sociological Quarterly* 55: 143–67. [CrossRef]
- Chang, Ailsa. 2018. All Things Considered. *White House Launches Effort To Take Citizenship From Those Who Lied To Get It: National Public Radio*, July 4.
- Cheliotis, Leonidas. 2017. Punitive Inclusion: The Political Economy of Irregular Migration in the Margins of Europe. *European Journal Criminology* 14: 78–99. [CrossRef]
- Clair, Matthew. 2021. Criminalized Subjectivity: Du Boisian Sociology and Visions for Legal Change. *DuBois Review*, 1–31. [CrossRef]
- Coates, Ta-Nehisi. 2013. Trayvon Martin and the Irony of American Justice. *The Atlantic*, July 15.
- Colen, Cynthia, David Ramey, Elizabeth Cooksey, and David Williams. 2018. Racial Disparities in Health among Nonpoor African Americans and Hispanics: The Role of Acute and Chronic Discrimination. *Social Science and Medicine* 199: 167–80. [CrossRef]
- Collins, Patricia Hill. 2004. *Black Sexual Politics: African Americans, Gender, and the New Racism*. New York: Routledge.
- Craig, Maureen, and Jennifer Richeson. 2014. More Diverse yet Less Tolerant? How the Increasingly Diverse Racial Landscape Affects White Americans' Racial Attitudes. *Personality and Social Psychology Bulletin* 40: 750–61. [CrossRef]
- Crenshaw, Kimberle. 1991. Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color. *Stanford Law Review* 43: 1241–99. [CrossRef]
- Davis, Julie Hirschfield, and Michael D. Shear. 2019. *Border Wars: Inside Trump's Assault on Immigration*. New York: Simon and Schuster.
- De Genova, Nicholas. 2002. Migrant "Illegality" and Deportability in Everyday Life. *Annual Review of Anthropology* 31: 419–47. [CrossRef]
- Dettling, Lisa, Joanne Hsu, Lindsay Jacobs, Kevin Moore, and Jeffrey Thompson. 2017. *Recent Trends in Wealth-Holding by Race and Ethnicity: Evidence from the Survey of Consumer Finances*. Technical Report. Washington, DC: Board of Governors of the Federal Reserve System (US).
- Dickerson, Caitlin, and Kirk Semple. 2020. U.S. Deported Thousands Amid COVID-19 Outbreak. Some Proved to Be Sick. *New York Times*, April 18.
- Dickerson, Caitlin, and Michael Shear. 2020. Before COVID-19, Trump Aide Sought to Use Disease to Close Borders. *New York Times*, May 3.
- Domonoske, Camila, and Richard Gonzales. 2018, "What We Know: Family Separation and 'Zero Tolerance' at the Border": NPR. Available online: <https://www.npr.org/2018/06/19/621065383/what-we-know-family-separation-and-zero-tolerance-at-the-border> (accessed on 25 April 2019).
- Du Bois, William. 1899. *The Philadelphia Negro: A Social Study*. Philadelphia: University of Pennsylvania.
- Du Bois, William. 1903. *Souls of Black Folk*. Chicago: A.C. McClurg and Company.
- Du Bois, William. 1945. *Color and Democracy: Colonies and Peace*. New York: Harcourt, Brace, and Company.
- Du Bois, William. 1947. *The World and Africa*. New York: Oxford University Press.
- Eligon, John. 2018. Hate Crimes Increase for the Third Consecutive Year, F.B.I. Reports. *New York Times*, November 13.
- Embrick, David, J. Scott Carter, Cameron Lippard, and Bhoomi Thakore. 2020. Capitalism, Racism, and Trumpism: Whitelash and the Politics of Oppression. *Fast Capitalism* 17: 1. [CrossRef]
- Enriquez, Laura E. 2015. Multigenerational Punishment: Shared Experiences of Undocumented Immigration Status within Mixed-Status Families. *Journal of Marriage and Family* 77: 939–53. [CrossRef]
- Epp, Charles, Steven Maynard-Moody, and Donald Haider-Markel. 2014. *Pulled Over: How Police Stops Define Race and Citizenship*. Chicago: University of Chicago Press.
- Escobar, Natalie. 2020. Code Switch. *When Xenophobia Spreads Like a Virus: National Public Radio*, March 4.
- Fausset, Richard, Johnny Diaz, and Nicholas Bogel-Burroughs. 2020. Atlanta Police Chief Resigns after Officer Shoots and Kills a Black Man. *New York Times*, June 13.
- Feagin, Joe R. 2006. *System Racism: A Theory of Oppression*. Philadelphia: Taylor & Francis.
- Feagin, Joe. 2014b. *Racist America: Roots, Current Realities, and Future Reparations*. New York: Routledge.
- Feagin, J., and Zinobia Bennefield. 2014. Systematic Racism and U.S. Health Care. *Social Science & Medicine* 103: 7–14.
- Fitzgerald, David, and David Cook-Martín. 2014. *Culling the Masses: The Democratic Origins of Racist Immigration Policy in the Americas*. Cambridge: Harvard University Press.
- Flores, René, and Ariela Schachter. 2018. Who Are the "Illegals"? The Social Construction of Illegality in the United States. *American Sociological Review* 83: 839–68. [CrossRef]
- Flores-Gonzalez, Nilda. 2017. *Citizens but Not Americans: Race and Belonging among Latino Millennials*. New York: New York University Press.
- Fox, Cybelle. 2012. *Three Worlds of Relief: Race, Immigration, and the American Welfare State from the Progressive Era to the New Deal*. Princeton: Princeton University Press.
- Fox, Cybelle. 2016. Unauthorized Welfare: The Origins of Immigrant Status Restrictions in American Social Policy. *The Journal of American History* 102: 1051. [CrossRef]

- Fox, Maggie. 2018. Police Killings Hit People of Color Hardest, Study Finds. *NBC News*. Available online: <https://www.nbcnews.com/health/health-news/police-killings-hit-people-color-hardest-study-finds-n872086> (accessed on 18 May 2020).
- Frey, William. 2018. *Diversity Explosion: How New Racial Demographics Are Remaking America*. Washington, DC: Brookings Institution Press.
- García, San Juanita. 2017. Racializing “Illegality”: An Intersectional Approach to Understanding How Mexican-Origin Women Navigate an Anti-Immigrant Climate. *Sociology of Race and Ethnicity* 3: 474–90. [CrossRef]
- García, Emma. 2020. Schools Are Still Segregated, and Black Children Are Paying a Price. *Economic Policy Institute*. Available online: <https://www.epi.org/publication/schools-are-still-segregated-and-black-children-are-paying-a-price/> (accessed on 4 November 2019).
- Glover, Karen. 2008. Citizenship, Hypersurveillance, and Double Consciousness: Racial Profiling as Panoptic Governance. *Sociology of Crime, Law, and Deviance* 10: 241–56.
- Golash-Boza, Tanya. 2012. *Yo Soy Negro: Blackness in Peru*. Gainesville: University Press of Florida.
- Golash-Boza, Tanya. 2015. *Deported: Immigrant Policing, Disposable Labor and Global Capitalism*. New York: New York University Press.
- Golash-Boza, Tanya. 2016. A Critical and Comprehensive Sociological Theory of Race and Racism. *Sociology of Race and Ethnicity* 2: 129–41. [CrossRef]
- Golash-Boza, Tanya, Maria Duenas, and Chia Xiong. 2019. White Supremacy, Patriarchy, and Global Capitalism in Migration Studies. *American Behavioral Scientist* 63: 1741–59. [CrossRef]
- Gold, Michael. 2019. 4 Arrested and 23 Guns Seized in Plot against Muslim Enclave in Upstate N.Y. *New York Times*, January 22.
- Gonzales, Roberto. 2015. *Lives in Limbo: Undocumented and Coming of Age in America*. Oakland: University of California Press.
- Gonzalez Van Cleve, Nicole. 2016. *Crook County: Racism and Injustice in America's Largest Criminal Court*. Palo Alto: Stanford University Press.
- Goodwin, Michele. 2019. The Thirteenth Amendment: Modern Slavery, Capitalism, and Mass Incarceration. *Cornell Law Review* 104: 899–975.
- Gordon, Daanika. 2018. Daily Mobility in the Black-White Segregated City: Linking Material Realities and Repertoires of Meaning. *Sociological Perspectives* 1: 1–20. [CrossRef]
- Gover, Angela, Shannon Harper, and Lynn Langton. 2020. Anti-Asian Hate Crime During the COVID-19 Pandemic: Exploring the Reproduction of Inequality. *American Journal of Criminal Justice* 45: 647–67. [CrossRef] [PubMed]
- Grant, Will. 2021. Kamala Harris Tells Guatemala Migrants: ‘Do Not Come to Us’. *BBC News*, June 8.
- Griggs, Brandon. 2018. Living While Black: Here Are All the Routine Activities for Which Police Were Called on African-Americans This Year. *CNN*. Available online: <https://www.cnn.com/2018/12/20/us/living-while-black-police-calls-trnd/index.html> (accessed on 20 June 2021).
- Hayman, Mari. 2020. This Is What It’s Like to Have a Loved One in Ice Detention During a Pandemic. *Huffington Post*, May 5.
- Haynes, Chris, Jennifer Merolla, and Karthick Ramakrishna. 2016. *Framing Immigrants: News Coverage, Public Opinion, and Policy*. New York: Russell Sage Foundation.
- Henderson, Loren, Hayward Derrick Horton, and Melvin Thomas. 2020. Linking Higher Black Mortality Rates from COVID-19 to Racism and Racial Inequality (Racial and Ethnic Minorities). Footnotes: American Sociological Association Newsletter. Available online: <https://www.asanet.org/news-events/footnotes/may-jun-2020/research-policy/linking-higher-black-mortality-rates-COVID-19-racism-and-racial-inequality-racial-and-ethnic> (accessed on 16 October 2020).
- Holloway, Pippa. 2014. *Living in Infamy: Felon Disfranchisement and the History of American Citizenship*. New York: Oxford University Press.
- Huber, Lindsay, Corina Benavides Lopez, Maria C. Malagon, Veronica Velez, and Daniel G. Solorzano. 2008. Getting Beyond the ‘Symptom,’ Acknowledging the ‘Disease’: Theorizing Racist Nativism. *Contemporary Justice Review* 11: 39–51. [CrossRef]
- Hunter, Marcus. 2013. *Citymakers: How the Philadelphia Negro Changed Urban America*. New York: Oxford University Press.
- Itzigsohn, José, and Karida Brown. 2015. Sociology and the Theory of Double Consciousness: W.E.B. Dubois’s Phenomenology of Racialized Subjectivity. *DuBois Review* 12: 231–48. [CrossRef]
- Itzigsohn, José, and Karida L. Brown. 2020. *The Sociology of W. E. B. Du Bois: Racialized Modernity and the Global Color Line*. New York: New York University Press.
- Jarvie, Jenny. 2020. These U.S. Citizens Won’t Get Coronavirus Stimulus Checks—Because Their Spouses Are Immigrants. *Los Angeles Times*, April 20.
- Jimenez, Tomas. 2010. *Replenished Ethnicity: Mexican Americans, Immigration, and Identity*. Berkeley: University of California Press.
- Joseph, Tiffany. 2015. *Race on the Move: Brazilian Migrants and the Global Reconstruction of Race*. Palo Alto: Stanford University Press.
- Joseph, Tiffany. 2016. What Healthcare Reform Means for Immigrants: A Comparison of the Affordable Care Act and Massachusetts Health Reforms. *Journal of Health Policy, Politics, and Law* 41: 101–16. [CrossRef]
- Joseph, Tiffany. 2017. Falling through the Coverage Cracks: How Documentation Status Minimizes Immigrants’ Access to Health Care. *Journal of Health Policy, Politics, and Law* 42: 961–84. [CrossRef]
- Joseph, Tiffany. 2018. Stratification and “Universality”: Immigrants and Barriers to Coverage in Massachusetts. In *Unequal Coverage: The Experience of Health Care Reform in the United States*. Edited by Heide Castañeda and Jessica Mulligan. New York: New York University Press.

- Joseph, Tiffany. 2020a. Whitening Citizenship: Race, Ethnicity, and Documentation Status as Brightened Boundaries of Exclusion in the U.S. And Europe. In *International Handbook of Contemporary Racisms*. Edited by John Solomos. New York: Routledge Press.
- Joseph, Tiffany. 2020b. Unpacking the Invisible Citizenship Knapsack. *American Sociological Association. Contexts Blog Post*. Available online: <https://contexts.org/blog/unpacking-the-invisible-citizenship-knapsack/> (accessed on 27 August 2020).
- Joseph, Tiffany. 2020c. Trump's Immigration Policies Are Making the Coronavirus Pandemic Worse. *Newsweek*, April 24.
- Joseph, Tiffany. 2020d. Being an Immigrant with Limited Social Protections Is a Killer During a Pandemic Too. *American Sociological Association. American Sociological Association Footnotes*. Available online: <https://www.asanet.org/news-events/footnotes/may-jun-2020/research-policy/being-immigrant-limited-social-protections-killer-during-pandemic-too-international-migration> (accessed on 18 August 2020).
- Joseph, Tiffany, and Helen B. Marrow. 2019. Why Anti-Immigrant Policies Matter for Population Health. *Interdisciplinary Association for Population Health Science. Interdisciplinary Association for Population Health Science Blog Post*. Available online: <https://iaphs.org/anti-immigrant-policies-matter-population-health/> (accessed on 18 May 2020).
- Joshi, Khyati. 2020. *White Christian Privilege: The Illusion of Religious Equality in America*. New York: New York University Press.
- Kibria, Nazli, Megan O'Leary, and Cara Bowman. 2018. The Good Immigrant Worker: 2013 Us Senate Bill 744, Color-Blind Nativism and the Struggle for Comprehensive Immigration Reform. *Journal of International Migration and Integration* 19: 1–13. [CrossRef]
- Korver-Glenn, Elizabeth. 2018. Compounding Inequalities: How Racial Stereotypes and Discrimination Accumulate across the Stages of Housing Exchange. *American Sociological Review* 83: 627–56. [CrossRef]
- Krogstad, Jens Manuel, Mark Hugo Lopez, and Jeffrey Passel. 2020. A Majority of Americans Say Immigrants Mostly Fill Jobs U.S. Citizens Do Not Want": Pew Research Center. Available online: <https://www.pewresearch.org/fact-tank/2020/06/10/a-majority-of-americans-say-immigrants-mostly-fill-jobs-u-s-citizens-do-not-want/> (accessed on 30 June 2020).
- LaGorce, Tammy. 2020. 'Everybody Was Sick': Inside an Ice Detention Center. *New York Times*, May 15.
- Lamont, Michele, Bo Yun Park, and Elena Ayala-Hurtado. 2017. Trump's Electoral Speeches and His Appeal to the American White Working Class. *British Journal of Sociology* 68: S153–S180. [CrossRef] [PubMed]
- Lee, Erika. 2019. *America for Americans: A History of Xenophobia in the United States*. New York: Basic Books.
- Lee, Jennifer, and Frank D. Bean. 2007. Reinventing the Color Line: Immigration and America's New Racial/Ethnic Divide. *Social Forces* 86: 561–86. [CrossRef]
- Lee, Jennifer, and Frank Bean. 2010. *The Diversity Paradox: Immigration and the Color Line in Twenty-First Century America*. New York: Russell Sage Foundation.
- Legewie, Joscha. 2016. Racial Profiling and Use of Force in Police Stops: How Local Events Trigger Periods of Increased Discrimination. *American Journal of Sociology* 122: 379–424. [CrossRef]
- Legewie, Joscha, and Jeffrey Fagan. 2019. Aggressive Policing and the Educational Performance of Minority Youth. *American Sociological Review* 84: 220–47. [CrossRef]
- Lind, Dara. 2018. Denaturalization, Explained: How Trump Can Strip Immigrants of Their Citizenship. Retrieved July 19. Available online: <https://www.vox.com/2018/7/18/17561538/denaturalization-citizenship-task-force-janus> (accessed on 19 July 2018).
- Lopez, German. 2018. Fbi: Reported Hate Crimes Increased by 17 Percent in 2017. Available online: <https://www.vox.com/policy-and-politics/2018/11/13/18091646/fbi-hate-crimes-2017> (accessed on 29 May 2019).
- Louie, Vivian, and Anahí Viladrich. 2021. Divide, Divert, & Conquer" Deconstructing the Presidential Framing of White Supremacy in the COVID-19 Era. *Social Sciences* 10: 280. [CrossRef]
- Marshall, Thomas. 1950. *Citizenship and Social Class*. Cambridge: Cambridge University Press.
- Martin, Jonathan, Maggie Haberman, and Katie Rogers. 2020. As Public Opinion Shifts on Racism. *Trump Digs New York Times*, June 11.
- Martinez-Cola, Marisela. 2019. Visibly Invisible: Tribalcrit and Native American Segregated Schooling. *Sociology of Race and Ethnicity* 6: 468–82. [CrossRef]
- Massey, Douglas. 2016. Residential Segregation Is the Linchpin of Racial Stratification. *City & Community* 15: 4–7. [CrossRef]
- Massey, Douglas, and Nancy Denton. 1993. *American Apartheid*. Cambridge: Harvard University Press.
- Mehra, Renee, Lisa M. Boyd, and Jeannette R Ickovics. 2017. Racial Residential Segregation and Adverse Birth Outcomes: A Systematic Review and Meta-Analysis. *Social Science & Medicine* 191: 237–50.
- Menjívar, Cecilia. 2006. Liminal Legality: Salvadoran and Guatemalan Immigrants' Lives in the United States. *American Journal of Sociology* 111: 999–1037. [CrossRef]
- Menjívar, Cecilia. 2016. Immigrant Criminalization in Law and the Media: Effects on Latino Immigrant Workers' Identities in Arizona. *American Behavioral Scientist* 60: 597–616. [CrossRef]
- Menjívar, Cecilia, and Leisy Abrego. 2012. Legal Violence: Immigration Law and the Lives of Central American Immigrants. *American Journal of Sociology* 117: 1380–421. [CrossRef]
- Mettler, Suzanne. 1998. *Divided Citizens: Gender and Federalism in New Deal Public Policy*. Ithaca: Cornell University Press.
- Molina, Natalia. 2014. *How Race Is Made in America: Immigration, Citizenship, and the Historical Power of Racial Scripts*. Berkeley: University of California Press.
- Morin, Rebecca. 2021. White House Lays out New Strategy to 'Change the Ways' People Migrate from Central America. *USA Today*, July 29.
- Morris, Aldon. 2015. *The Scholar Denied: W.E.B. Dubois and the Birth of Modern Sociology*. Berkeley: University of California Press.
- Narea, Nicole. 2021. Biden's Immigration Policy Isn't Trump's—But It's Still a Disappointment. *Vox*, August 4.

- Negrón-Gonzales, Genevieve. 2011. *The Making & Unmaking of Common Sense: Undocumented Latino Youth & Political Consciousness*. Ph.D. thesis, University of California, Berkeley, CA, USA.
- Ngai, Mae. 2007. Birthright Citizenship and the Alien Citizen. *Fordham L. Rev.* 75: 2521–3295.
- Ngai, Mae. 2014. *Impossible Subjects: Illegal Aliens and the Making of Modern America*. Princeton: Princeton University Press.
- Nir, Sarah Maslin. 2020. How 2 Lives Collided in Central Park, Rattling the Nation. *New York Times*, June 14.
- Ocampo, Anthony Christian. 2016. *The Latinos of Asia: How Filipino Americans Break the Rules of Race*. Palo Alto: Stanford University Press.
- Olmos, Daniel. 2019. Racialized Im/Migration and Autonomy of Migration Perspectives: New Directions and Opportunities. *Sociology Compass* 13: 1–14. [CrossRef]
- Omi, Michael, and Howard Winant. 2015. *Racial Formation in the United States*. New York: Routledge.
- Pettigrew, Thomas F. 1979. Racial Change and Social Policy. *The Annals of the American Academy of Political and Social Science* 441: 114–31. [CrossRef]
- Pierce, Sarah, and Andrew Selee. 2017. Immigration under Trump: A Review of Policy Shifts in the Year since the Election”: Migration Policy Institute. Available online: <https://www.migrationpolicy.org/research/immigration-under-trump-review-policy-shifts> (accessed on 18 January 2018).
- Portes, Alejandro, and Rúbén Rumbaut. 2001. *Legacies: The Story of the Immigrant Second Generation*. Berkeley: University of California Press.
- Quisumbing King, Katrina. 2018. Recentering U.S. Empire: A Structural Perspective on the Color Line. *Sociology of Race and Ethnicity* 5: 11–25. [CrossRef]
- Redden, Elizabeth. 2020. “Daca Lives for Now”: Inside Higher Ed. Available online: <https://www.insidehighered.com/news/2020/06/19/supreme-court-rules-trump-administration-cannot-immediately-end-daca> (accessed on 5 July 2021).
- Reja, Mishal. 2021. Trump’s ‘Chinese Virus’ Tweet Helped Lead to Rise in Racist Anti-Asian Twitter Content: Study. *ABC News*, March 19.
- Romero, Mary. 2011. Keeping Citizenship Rights White: Arizona’s Racial Profiling Practices in Immigration Law Enforcement. *Law Journal for Social Justice* 1: 99–113.
- Romero, Simon, Caitlin Dickerson, Miriam Jordan, and Patricia Mazzei. 2019. It Feels Like Being Hunted: Latinos across U.S. In Fear after El Paso Massacre. *New York Times*, August 6.
- Rothstein, Richard. 2017. *The Color of Law: A Forgotten History of How Our Government Segregated America*. New York: Liveright Publishing.
- Rubin, Daniel Ian, and Faith Agostinone Wilson. 2021. Blame China: Trump and Anti-Asian Sentiment During COVID-19. In *A Time of Covidiocy: Media, Politics, and Social Upheaval*. Edited by Daniel Rubin and Faith Wilson. Boston: Brill.
- Sáenz, Rogelio, and Karen Manges Douglas. 2015. A Call for the Racialization of Immigration Studies: On the Transition of Ethnic Immigrants to Racialized Immigrants. *Sociology of Race and Ethnicity* 1: 166–80. [CrossRef]
- Sanchez, George. 1997. Face the Nation: Race, Immigration, and the Rise of Nativism in Late Twentieth Century America. *International Migration Review* 31: 1009–30. [CrossRef]
- Sanchez, Gabriella, and Mary Romero. 2010. Critical Race Theory in the Us Sociology of Immigration. *Sociology Compass* 4: 779–88. [CrossRef]
- Schueths, April. 2014. It’s Almost Like White Supremacy’: Interracial Mixed-Status Couples Facing Racist Nativism. *Ethnic and Racial Studies* 37: 2438–56. [CrossRef]
- Schueths, April. 2019. They Watch for Color: Mixed-Status Couples Experience with the Police. *Contemporary Justice Review* 22: 139–56. [CrossRef]
- Selod, Saher. 2018. *Forever Suspect: Racialized Surveillance of Muslim Americans in the War on Terror*. New Brunswick: Rutgers University Press.
- Simmelink, Jennifer. 2011. Temporary Citizens: U.S. Immigration Law and Liberian Refugees. *Journal of Immigrant & Refugee Studies* 9: 327–44. [CrossRef]
- Smith, Rogers. 1997. *Civic Ideals: Conflicting Visions of Citizenship in Us History*. New Haven: Yale University Press.
- Snow, Anita. 2020. Latino, Black Neighborhoods Struggle with COVID-19 Test Disparities. *Newshour: PBS*. Available online: <https://www.pbs.org/newshour/health/latino-black-neighborhoods-struggle-with-test-disparities> (accessed on 7 May 2021).
- Snyder, Thomas D., Cristobal de Brey, and Sally A. Dillow. 2019. *Digest of Education Statistics 2018*. Washington, DC: National Center for Education Statistics, Institute of Education Sciences, U.S. Department of Education.
- Stevens, Matt. 2017. Kansas Man Indicted on Hate Crime Charges in Shooting of Indian Immigrants. *New York Times*, June 9.
- Streeter, Kurt. 2020. Running While Black: Our Readers Respond. *New York Times*, May 18.
- Terrill, Robert. 2015. *Double Consciousness and the Rhetoric of Barack Obama*. Charleston: University of South Carolina Press.
- Torres, Jacqueline M., and Roger Waldinger. 2015. Civic Stratification and the Exclusion of Undocumented Immigrants from Cross-Border Health Care. *Journal of Health and Social Behavior* 56: 438–59. [CrossRef] [PubMed]
- Trieu, Monica, and Hana Lee. 2017. Asian Americans and Internalized Racial Oppression: Identified, Reproduced, and Dismantled. *Sociology of Race and Ethnicity* 4: 67–82. [CrossRef]

- Tuan, Mia. 1999. *Forever Foreigners or Honorary Whites? The Asian Ethnic Experience Today*. New Brunswick: Rutgers University Press.
- Uggen, Christopher, and Jeff Manza. 2002. Democratic Contraction? The Political Consequences of Felon Disenfranchisement in the United States. *American Sociological Review* 67: 777–803. [CrossRef]
- United Nations, Department of Economic and Social Affairs, and Population Division. 2016. *International Migration Report 2015: Highlights*. New York: United Nations.
- USCIS. 2020. “Public Charge”: U.S. Citizenship and Immigration Services. Available online: <https://www.uscis.gov/green-card/green-card-processes-and-procedures/public-charge> (accessed on 20 March 2021).
- Valdez, Zulema. 2011. *The New Entrepreneurs: How Race, Class, and Gender Shape American Enterprise*. Palo Alto: Stanford University Press.
- Valdez, Zulema, and Tanya Golash-Boza. 2017. U.S. Racial and Ethnic Relations in the Twenty-First Century. *Ethnic and Racial Studies* 40: 2181–209. [CrossRef]
- Valle, Ariana J. 2018. Race and the Empire-State: Puerto Ricans’ Unequal U.S. Citizenship. *Sociology of Race and Ethnicity* 5: 26–40. [CrossRef]
- Vargas, Jose Antonio. 2018. *Dear America, Notes of an Undocumented Citizen*. New York: Dey Street.
- Visser, Nick, and Haylie Miller. 2020. Trump Says He’ll Suspend All Immigration into the United States Amid Coronavirus Pandemic. *Huffington Post*, April 20.
- Waldinger, Roger. 2017. A Cross-Border Perspective on Migration: Beyond Theassimilation/Transnationalism Debate. *Journal of Ethnic and Migration Studies* 43: 3–17. [CrossRef]
- Waters, Mary. 1990. *Ethnic Options: Choosing Identities in America*. Berkeley: University of California Press.
- Waters, Mary. 1999. *Black Identities: West-Indian Immigrant Dreams and American Realities*. New York: Russell Sage Foundation.
- Wiggins, Melinda F. 2020. Farm Labor and the Struggle for Justice in the Eastern United States. In *Latinx Farmworkers in the Eastern United States: Health, Safety, and Justice*. Edited by Thomas Arcury and Sara Quandt. Switzerland: Springer International Publishing, pp. 227–51.
- Williams, David, and Chiquita Collins. 2001. Racial Residential Segregation: A Fundamental Cause of Racial Disparities in Health. *Public Health Reports* 116: 404–16. [CrossRef]
- Williams, David, and Lisa A. Cooper. 2019. Reducing Racial Inequities in Health: Using What We Already Know to Take Action. *International Journal of Environmental Research and Public Health* 16: 606. [CrossRef] [PubMed]
- Williams, David, and Lisa Cooper. 2020. COVID-19 and Health Equity-a New Kind of “Herd Immunity”. *JAMA* 323: 2478. [CrossRef] [PubMed]
- Wright, Earl, II. 2016. *The First American School of Sociology: W. E. B. Du Bois and the Atlanta Sociological Laboratory*. New York: Routledge/Ashgate Publishing Company.
- Yam, Kimmy. 2020. After Trump’s COVID-19 Diagnosis, Anti-Asian Tweets and Conspiracies Rose 85%: Report. *NBC News*, October 15.
- Zhou, Min. 1997. Segmented Assimilation: Issues, Controversies, and Recent Research on the New Second Generation. *The International Migration Review* 31: 975–1008. [CrossRef]