

United States v. Bhagat Singh Thind (1923)

Case Summary: Bhagat Singh Thind was born in 1892 in the state of Punjab in India and immigrated to the United States in 1913 to pursue higher education. He served in World War I and achieved the rank of Acting Sargent. Although his application for US citizenship was initially granted, it was almost immediately rescinded. At the time, the law granted naturalization only to “aliens being free white persons and to aliens of African nativity and to persons of African descent.”

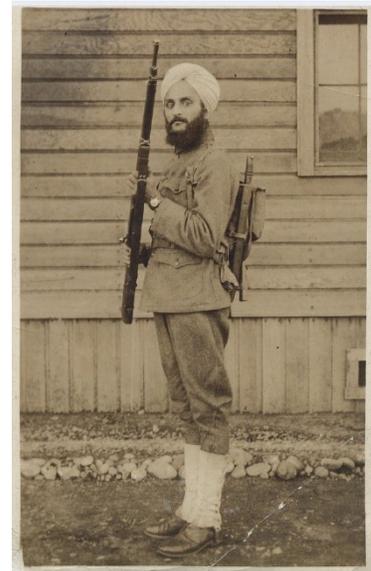
Thind’s case argued that as a “high class Hindu¹ of full Indian blood, born at Amrit Sar, Punjab, India” he should be considered Caucasian. If White and Caucasian were synonymous, he should, therefore, be eligible for citizenship. The Supreme Court ruled against Thind, coming to the conclusion that Caucasian referred only to the popular understanding of the term to mean White.

The case of Bhagat Singh Thind provides rich opportunities to explore immigration and citizenship laws of the early 20th century, racial and religious discrimination, and the challenges faced by Sikh-Americans as they built communities and lives in the United States.

Content and Thematic Connections: Immigration policy, civil rights, religious minorities in the US, Supreme Court cases, race and citizenship, Sikh-Americans, Indian-Americans, racial classification

Guiding Questions:

- How and why have definitions of citizenship changed throughout US history?
- Who benefitted from denying Thind’s citizenship?
- How have discussions of citizenships changed today? How have they remained the same?



Bhagat Singh Thind during WWI

¹ At the time, all persons from India or of Indian descent were identified as “Hindu” by the courts and media, despite the fact that Thind was, in fact, a practicing Sikh.



Primary Source Set for *United States v. Bhagat Singh Thind* (1923)

Primary Sources:

Supreme Court Opinion: *United States v. Bhagat Singh Thind*

(<https://supreme.justia.com/cases/federal/us/261/204/>)

"Hindus Too Brunette To Vote Here" (1923)

The Literacy Digest

(<https://www.saada.org/item/20101210-148>)

Except from speech by Senator Ellison DuRant Smith in favor of immigration quotas in 1924:

<http://historymatters.gmu.edu/d/5080>



The United States Supreme Court (Taft Court 1921-1930)

"Court Rules Hindu Not a 'White Person'",

Feb. 20, 1923 NYT article

(<https://timesmachine.nytimes.com/timesmachine/1923/02/20/105848811.html?pageNumber=21>)

US v. Wong Kim Ark (1897) – Birthright citizenship granted to all people born in the United States, regardless of race or nationality

Ozawa v. United States (1922) – Japanese-American seeking citizenship, arguing that Japanese people should be classified as "free white persons," and therefore legally entitled to citizenship. The Court ruled against Ozawa.

Relevant Legislation:

Immigration Act of 1917– "*An Act to regulate the immigration of aliens to, and the residence of aliens in, the United States*": Restricted immigration to exclude almost all of Asia and the Pacific Islands (<https://www.loc.gov/law/help/statutes-at-large/64th-congress/session-2/c64s2ch29.pdf>)



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Immigration Act of 1924 Johnson-Reed Act – Replaced earlier laws barring immigration from Asia, setting quotas for immigration from countries outside of the Western Hemisphere and effectively stopping immigration from Asia.

<https://govtrackus.s3.amazonaws.com/legislink/pdf/stat/43/STATUTE-43-Pg153a.pdf>)

Luce-Cellar Act (1946) – Allowed small numbers of Filipinos and Indians to immigrate to the US. Allowed immigrants from the Philippines and India to become citizens, and therefore own their own homes and land. <https://www.loc.gov/law/help/statutes-at-large/79th-congress/session-2/c79s2ch534.pdf>

Hart-Cellar Act (1965) – Abolished the quota-based immigration system based on national origin, dramatically opening immigration from Asia and Africa.

(<https://www.govtrack.us/congress/bills/89/hr2580/text>)

Secondary Sources:

Echoes of Freedom: South Asian Pioneers in California, 1899-1965, Chapter 10, *US v. Bhagat Singh Thind* (<https://guides.lib.berkeley.edu/echoes-of-freedom>)

“When the US Supreme Court Ruled that Indians Aren’t Legally White” March 19, 2018, *The Wire* (<https://thewire.in/history/when-the-us-supreme-court-ruled-that-indians-arent-legally-white>)

“Bhagat Singh Thind in Jail” by Philip Deslippe, Feb 19, 2018

<https://www.saada.org/tides/article/bhagat-singh-thind-in-jail>