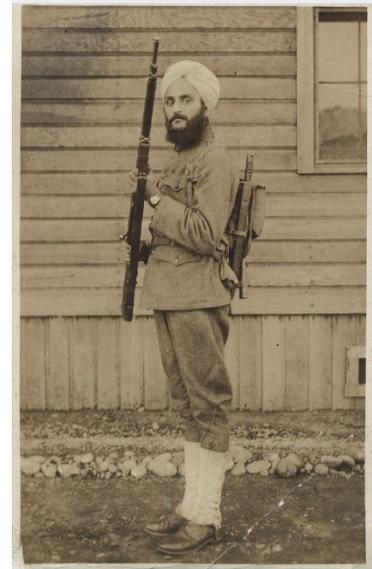


United States v. Bhagat Singh Thind (1923) Primary and Secondary Sources

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. Following the war, Thind applied for citizenship for US citizenship twice. Although both applications were initially approved and he was granted citizenship, his citizenship was ultimately rescinded. In 1918, the state of Washington revoked Thind's citizenship only four days after it had been approved later. His second application, in 1919 in the state of Oregon, was approved and granted in 1920, but challenges from the Bureau of Naturalization ultimately brought the case to the Supreme Court in 1923.



Bhagat Singh Thind during WWI

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, as the *Ozawa v. United States*² case had ruled in 1922, he should, therefore, be eligible for citizenship. However, the Supreme Court ruled against Thind, coming to the conclusion that Caucasian referred only to the popular understanding of the term to mean White. This decision also resulted in other Indians who had been naturalized having their citizenships revoked.

Thind was ultimately granted citizenship in 1936. It was not until the Luce-Cellar Act was passed in 1946 that all Indian immigrants were allowed to naturalize and become US citizens.

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.

² Although the ruling in this case provided a useful argument for Thind’s case, it more significantly ruled that Japanese immigrants were not eligible for citizenship because they could not be classified as Caucasian.



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

The case of Bhagat Singh Thind provides rich opportunities to explore immigration and citizenship laws of the early 20th century. It is only one of many cases during this period that addressed issues of race, ethnicity and citizenship. Investigating this case along with related cases adds another layer of complexity to the social, political, and legal changes during this era. Students can examine themes of racial and religious discrimination and investigate 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

Questions for additional exploration:

- How and why have definitions of citizenship changed throughout US history?
- What has caused changes in citizenship laws at different times in history? Who took action? What did they risk?
- Who benefitted from denying citizenship to Indian immigrants? What are the benefits of being a legal citizen?
- How have discussions about citizenship and immigration changed today? How have they remained the same? Who is the focus of these discussions today?



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

Primary Sources:

As you explore these sources, keep in mind the author and audiences of each source. What is the author trying to accomplish?

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

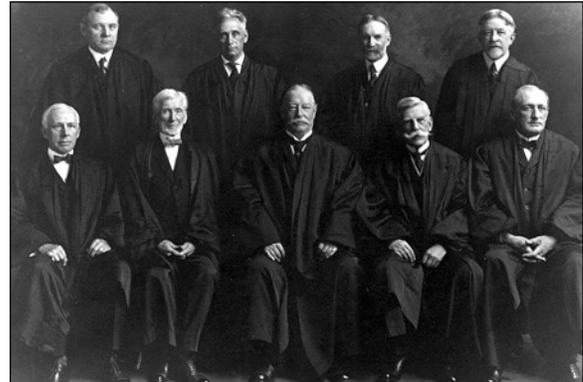
(<https://supreme.justia.com/cases/federal/us/261/204/>)

"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>)

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>)



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

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:

This is just a small selection of possible secondary sources related to Bhagat Singh Thind. Beyond his role in the 1923 Supreme Court Case, Thind went on to be a writer, scholar, and spiritual guide.

Dr. Bhagat Singh Thind Spiritual Science Foundation –In depth information about Thind’s life as well as primary sources written by Thind and others close to him.

<https://www.bhagatsinghthind.com/>

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>