Name

Institution

**US vs Bhagat Singh Third 1923**

US vs Bhagat Singh Third 1923 was a case decided in the United States Supreme court on naturalization of a Hindu man referred to as Bhagat Singh Thind to United States’ citizenship. The bench of Justices of the Supreme Court assigned to the case unanimously held that Bhagat who was an Indian Sikh man, was not racially eligible to be a naturalized citizen (US vs Bhagat Singh Thind). The plaintiff had placed a petition for naturalization. Under the Naturalization Act of 1906, only allowed free white persons and free individuals from the African decent had the right to be citizens by naturalization. The law hence shut out individuals from other racial backgrounds. Interestingly, in his petition, instead of Bhagat challenging the constitutionality of how his people were racially restricted, he made attempts towards securing a classification of “high-caste Hindus” as “free white persons” (US vs Bhagat Singh Thind).

According to Thind’s argument, the Aryans, his people, conquered the indigenous people of India. In this view, Thind the definition of his people as “conquering” was meant to categorize them as “white” (Ling and Austin 363). He further argued that just like the Aryan languages were considered as Indigenous to Europe, Indo-Aryan languages remained indigenous to the Aryan section of India. Development of such connection between the Europeans and the Indo-Aryan speakers was aimed as characterizing his people as white. Based on an earlier case, Ozawa v. United States, which defined white as Caucasian, Thind argued that his people were Caucasian, an aspect that made them white (Ling and Austin 264). According to the verdict, the “common understanding” of Caucasian was used to define the term and its scope, without reliance on the scientific definition of the term as it had been used by Thind in view of his bloodline, with the Justices agreeing that there were a number of disagreements among authorities over who to include under the Caucasian category (US vs Bhagat Singh Thind). As such, the Justices concluded that considering the common understanding of the definition, Thind was not Caucasian.

The Court also maintained that “Aryan” referred to a linguistic representation, as opposed to a physical representation or a characteristic (US vs Bhagat Singh Thind). In this vein, the Court argued that resemblance in language was not enough to prove that the high-caste Hindu’s and the Europeans were of the same racial origin. Thind’s argument of his people as being superior to the rest of the Indians was nullified by the Court, arguing that racial difference, as opposed to racial superiority, was the only determinant of exclusion of non-whites. In addition, the Court also argued that according to 39 Stat. 874, c. 29, § 3, an Act passed by Congress in 1917, natives of Asian from established latitude and longitude limits had been excluded from entry into the US (Ling and Austin 364). India as a whole was within this limited region. As a consequence, the court ruled that Thind was not eligible for citizenship by naturalization due to his racial identity as a no-white.

This was an important ruling in the history of the US as it was to be applied beyond the immediate case both retrospectively and prospectively. As such, it led to the revocation of applications of citizenship by naturalization.

**Work Cited**

Ling, Huping and Allan W. Austin. *Asian American History and Culture: An Encyclopedia*. London: Routledge, 2015.

US vs Bhagat Singh Thind. No. 261 U.S. 204. U.S. Supreme Court. 19 February 1923.