5th Grade Lesson

Who Gets to Be a Citizen? The Stories of Takao Ozawa and Bhagat Singh Thind
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GA Standards

- SS5H2 Describe U.S. involvement in World War I and post-World War I America.
- ELAGSE5RI9: Integrate information from several texts on the same topic in order to write or speak about the subject knowledgeably
- ELAGSE5RI3: Explain the relationships or interactions between two or more individuals, events, ideas, or concepts in a historical, scientific, or technical text based on specific information in the text.

Background Information

When the United States was first formed, national laws defined citizenship only for white male property owners. The Naturalization Act of 1790 limited the ability of immigrants to become U.S. citizens to "free white persons" of "good character." Much later, the Naturalization Act of 1870 extended this right to include people of African descent, but it still excluded people from other parts of the world, including Asia. In the early 1900s, two Asian immigrants took their fights all the way to the U.S. Supreme Court to challenge these unfair exclusions.

Takao Ozawa v. United States (1922)



Takao Ozawa was born in Japan in 1875 and moved to California in 1894. He lived in the U.S. for twenty years, spoke fluent English, raised his children here, and worked for an American company. In 1914, he applied for naturalization (the legal process to become a citizen).

Because the law only allowed white immigrants or people of African ancestry to become citizens, Ozawa argued in court that his skin color was just as white as, or even whiter than, many European immigrants. In 1922, the Supreme Court unanimously rejected his request. The judges ruled that having light skin did not make a person legally "white." Instead, they stated that "white" meant belonging scientifically to the Caucasian race, and since Ozawa was Japanese, he did not qualify.

United States v. Bhagat Singh Thind (1923)



Bhagat Singh Thind was born in India in 1892 and moved to the United States in 1913. He attended college and even served in the U.S. Army during World War I. After the war, he was granted citizenship, but the government later took it away, forcing him to appeal his case to the Supreme Court.

Thind knew that the Court had just ruled in the Ozawa case that being "white" meant being "Caucasian." Because scientists at the time classified

people from northern India as Caucasian, Thind argued that he met the Court's exact rule.

However, in 1923, the Supreme Court rejected his argument too. The judges completely changed their reasoning, stating that scientific definitions did not matter. Instead, they ruled that the word "white" must mean what the "common man" popularly understood it to mean. Since the average person on the street would not see an Indian immigrant as white, Thind was denied.

The Bigger Picture

Together, these two cases reveal that the government changed its definitions of race whenever it wanted to protect the status quo of white dominance and exclude certain groups. It is also important to note that to try and win their cases, neither Ozawa nor Thind directly argued that the nationalization law excluding Asian people was racist. Instead, they argued that they should be included in the definition of "white." While this was a practical strategy to get their cases heard by the Court, it meant they did not challenge the underlying unfair system itself.

Suggested Teaching Activity

1. Hook (10 minutes)

Start the lesson with an interactive analogy to introduce fairness and changing definitions.

- Ask students to imagine playing a game of soccer. A player kicks the ball directly into the net, but right before it crosses the line, the referee physically moves the goalposts ten feet to the left and shouts, *"No goal! The rules just changed!"*
- Have students share how they would feel. Connect this to the lesson: Explain that in the 1920s, two immigrants followed the rules perfectly, but the Supreme Court kept "moving the goalposts" to prevent them from becoming citizens.

2. Split-Group Reading (20 minutes)

Divide the classroom into two groups to study the figures using the provided short biographies and multimedia resources.

- **Group A (Ozawa)**
  - Read Ozawa story from Densho.
  - Watch the PBS video clip: Racial Identity and American Citizenship in the Court.
- **Group B (Thind)**
  - Read Thind story from National Park Service
  - Watch the PBS video clip: How A Supreme Court Case Redefined Whiteness.

Have students from Group A partner with students from Group B to teach each other about their assigned historical figure.

3. Comparison Chart Analysis (15 minutes)

Have students work in pairs to fill out a simple analysis chart. This visual organizer helps them easily spot the logical contradiction made by the Supreme Court.

Historical Figure	**What was his argument?**	**What did the Supreme Court rule?**
Takao Ozawa	My skin is physically white, so I should count as a white person.	Skin color does not matter. To be white, science says you must be Caucasian.
Bhagat Singh Thind	Science says people from India are Caucasian, so I should be a citizen.	Science does not matter. You have to look like what an average person thinks is white.

4. Guided Group Discussion (15 minutes)

Gather the class together to discuss the unfairness of the rulings and the tough choices the men faced. Use these guiding questions:

- How did the Supreme Court's definition of "white" change from the Ozawa case to the Thind case? Why do you think the judges changed their minds?
- Instead of saying the law itself was wrong, why do you think both Ozawa and Thind tried to argue that they were white?
- If you were a friend advising Ozawa or Thind back then, what would you have suggested they do?

5. Exit Ticket Reflection (5 minutes)

Have each student write a brief response on a sticky note or index card to turn in at the door:

Prompt: "If you could write a letter to the 1923 Supreme Court judges, what is one reason you would give them for why their decision was unfair?"

Images Used:

1. Takao Ozawa (1875-1936). Courtesy Japanese American National Museum (Gift of the Takeya Family, 99.208.1).
2. Bhagat Singh Thind, National Park Service/Public Domain