

SIKHISM AND THE SIKH KIRPAN FACT SHEET

WHAT IS SIKHISM?

Sikhism is the fifth largest world religion, with over 25 million followers. Sikhism was founded in Punjab, India in 1469 by Guru Nanak, who rejected the caste system and declared all human beings equal. The Sikh religion is monotheistic, believing in one God that is all eternal, all pervading, and all equal. Sikhs maintain five articles of faith to bind them to the beliefs of the religion, which include advocating for equality and justice, engaging in selfless *seva* (community service), and remembering God at all times.



WHAT ARE THE SIKH ARTICLES OF FAITH?

Initiated Sikhs are required to carry/maintain at all times: kesh (unshorn hair covered by a turban), kara (steel bracelet), kanga (small wooden comb), kacchera (undershorts), and a kirpan (resembles a knife/sword). Taken together, the five articles of faith signify an individual's commitment to the Sikh faith and to the highest ideals of love and service to humanity. They are an external uniform that unifies and binds Sikhs to the beliefs of the religion, and are a daily reminder that Sikhs must live an honest, moral, kind, brave, and loving life.



Kara



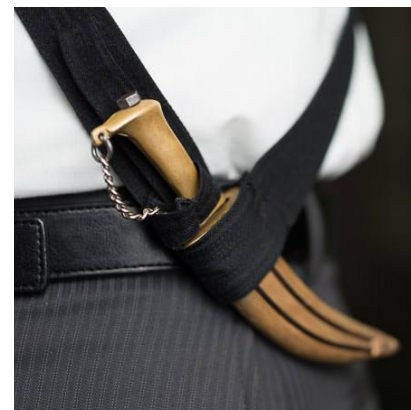
Kanga

WHAT IS A KIRPAN?

- A kirpan is a mandatory Sikh article of faith. It is carried by Amritdhari (initiated) Sikhs at all times. The word “kirpan” comes from two Punjabi words: ‘Kirpa’ means an act of kindness, a favor; and ‘Aan’ means honor and self-respect.
- A kirpan resembles a knife or sword. There is no prescribed length or sharpness for a kirpan in Sikhism; they are determined by the individual religious convictions of the wearer. Kirpans are typically sheathed and worn with a gatra (a strap) underneath clothing.
- The kirpan obligates a Sikh to the ideals of generosity, compassion and service to humanity. It acts as a reminder to its bearer of a Sikh's solemn duty to protect the weak and promote justice for all.
- The kirpan also plays an important role in Sikh ritual practice. Kirpans are featured prominently in ceremonies marking major life events, including religious initiation (*amrit sanchar*), marriage (*anand karaj*), and death (*antim sanskar*). In congregational settings, a kirpan is touched to the *parshad* (sweet pudding) to indicate the grace of the Guru and then distributed for consumption.



Kirpan (above and below)



WHAT ARE SOME EXAMPLES OF KIRPAN ACCOMMODATIONS MADE IN THE U.S.?

Government Accommodations

- In 2012, the U.S. Department of Homeland Security Federal Protective Service (FPS) instituted a kirpan accommodation policy that facilitates the entry of kirpan-wearing Sikhs into the 9,000+ federal buildings that FPS secures.
- The White House, the Hart Senate Building, the Federal Bureau of Investigation, the U.S. Department of Justice, and the California State Capitol Building in Sacramento have all provided accommodations to kirpan-carrying Sikhs.

Workplace Accommodations

- The U.S. Equal Employment Opportunity Commission has litigated and favorably settled at least two separate cases under Title VII of the Civil Rights Act of 1964 protecting the right of Sikhs to wear kirpans in the workplace. *See EEOC v. Heartland Employment Services, LLC d/b/a ManorCare Health Services-Citrus Heights*, Case No. 2:08-cv-00460-FCD-DAD (E.D. Cal. consent decree entered May 2010); *EEOC v. Healthcare and Retirement Corp. of America d/b/a Heartland Health Care Center - Canton*, Case No. 07-13670 (E.D. Mich. consent decree entered Dec. 2009).
- Large employers, including AT&T, Boeing, and the International Monetary Fund, have also provided kirpan accommodations to Sikhs.
- Employers normally provide accommodations because a number of secular objects found in most workplaces are often as or more dangerous than many sheathed kirpans. (These include letter openers, scissors, kitchen knives, boxcutters, etc.)

IS IT LEGAL TO WEAR A KIRPAN? YES

- On rare occasions, Sikhs have been mistakenly arrested and charged under anti-weapons statutes for carrying kirpans. However, criminal charges for carrying the kirpan are consistently dropped by prosecutors or dismissed by judges because of the kirpan's religious nature and Sikhs' benign intent in wearing them. *See e.g., State of Ohio v. Harjinder Singh*, 690 N.E.2d 917, 920 (Ohio Ct. App. 1996) (reversing trial court criminal conviction because the Sikh defendant carried his kirpan as a religious article and not a mere weapon); *New York v. Partap Singh*, 516 N.Y.S.2d 412 (1987) (*sua sponte* dismissing weapons charge against kirpan-wearing Sikh).
- Courts and prosecutors consistently refuse to apply anti-weapons statutes to kirpans even when the "bladed" sections of Sikhs' kirpans are longer than allowed by anti-knife laws. *See, e.g., City of Detroit v. Sukhpreet Singh Garcha*, Slip op., No. Z-775606 (36th Dist. Ct., City of Detroit) (refusing to apply Detroit's anti-weapons statute to Sikh student's ten-inch kirpan).

***Note, this guide is not intended to be an exhaustive list of kirpan accommodations made to Sikhs in the United States. For more information about Sikh kirpans, please contact the Sikh Coalition at legal@sikhcoalition.org.

The Sikh Coalition is a community-based organization that works towards the realization of civil and human rights for all people. The Sikh Coalition's Legal Program defends and safeguards religious freedom by providing essential legal services to victims of hate crimes, employment, discrimination, public accommodations discrimination, profiling and other forms of discrimination.

