

Sikh woman wins settlement from U.S. government over wearing religious knife

by [Stacy Teicher Khadaroo](#)

November 6, 2014

([The Christian Science Monitor](#)) Sikh accountant Kawal Tagore won a settlement Thursday from the U.S. government that will open the doors of federal buildings to many of her fellow Sikhs around the country—and help counter the discrimination they often face.

Tagore worked at the Internal Revenue Service in 2005 when she was baptized in the Sikh faith. She wore a kirpan, a small ceremonial knife usually kept in a sheath, to work. Her supervisor asked her to leave, and she was later fired.

There is no prescribed length for the kirpan, one of five articles of faith maintained by Sikhs; hers was three inches long and duller than a butter knife. The policy of the Department of Homeland Security's Federal Protective Service effectively barred her from all federal buildings. Her lawyers argued that the policy excluding her was discriminatory because the same building permitted sharper pocketknives, as well as other sharp objects used in offices, such as scissors.

The Fifth Circuit Court of Appeals ruled last November that the lower court would have to weigh whether the government had a compelling interest that justified the substantial burden its policy placed on Tagore's religious beliefs.

The settlement with DHS came as that trial was getting under way. Tagore's record has been cleaned so that she can seek employment again with the federal government, and she's been given permission to carry her kirpan to federal buildings relevant to her work, though she is not currently employed by the government.

In 2012, her case also prompted FPS to set up an accommodation policy for Sikhs so that they can apply to bring their kirpan into federal buildings. Part of the settlement is that FPS will continue to educate staff about the policy.

“It’s a huge accomplishment and one that’s going to set a precedent for Sikhs nationwide,” says Daniel Blomberg, legal counsel for the Becket Fund for Religious Liberty in Washington, which also argued on behalf of religious accommodations in the Hobby Lobby case.

Before Tagore’s case, the government “essentially made Sikhs choose between their faith and their ability to serve the country honorably,” Blomberg said. “She’s really broken through that and set aside that discriminatory ban on Sikh religious access to federal buildings.”

DHS did not respond to request for comment. The settlement included no admission of wrongdoing.

A number of employers, including large ones such as AT&T and Boeing, also have kirpan accommodation policies, according to the Sikh Coalition.

In California, the Jurupa Unified School District agreed in 2012 to allow students to wear kirpans after parents agreed to sew them into their sheaths so they could not be removed, according to the Associated Press. Some school districts have allowed only kirpan-shaped pendants to be worn.

In a settlement in 2012, a Sikh airport security officer won \$30,000 after the Equal Employment Opportunity Commission agreed that his supervisor should not have been allowed to order him to take off or hide his kara, a wristband worn as a reminder to behave righteously, Religion News Service reported.

Sikhism is a monotheistic religion started in Punjab, India, in 1469 by Guru Nanak, who rejected the caste system and declared all human beings equal, according to the Sikh Coalition. The word kirpan comes from kirpa, meaning an act of kindness, and aan, meaning honor and self-respect. The kirpan reminds the wearer of a Sikh’s duty to protect the weak and promote justice for all, the coalition explains.

Tagore’s experiences in court illustrate the need for education about Sikh articles of faith. In October, when she showed up at the court in Houston, she had already received permission from the judge to carry her kirpan. She followed instructions to present it for inspection, but her lawyers say U.S. marshals pinned down her arm, seized the kirpan, and questioned her about her citizenship (she is a U.S. citizen).

When she returned a few days later, clearly some education had taken place, and the marshals “were very gracious and respectful,” Blomberg said.

Once the settlement was reached, the judge respectfully asked if he could see her kirpan, and, after praying about it, she agreed to show it to him, Blomberg says.

Familiarity with Sikhs and their articles of faith has been growing in the military, too, he says, where various religious groups have long sought accommodation for religious dress, facial hair or long hair, and head garb.