

Ethics in the West: A Sikh Viewpoint

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IN FEBRUARY 2005, THE JATHEDAR of the Akal Takht, Joginder Singh Vedanti, declared same-sex marriages to be incompatible with the Sikh faith. In doing so, the Jathedar effectively entered the Sikh community into the spirited North American culture war, which pits liberal conceptions of liberty and fundamental rights against traditionalist moral judgments and sincerely held religious beliefs.

The opinion practically stayed the collective hands of Sikh granthis and provided guidance to lay Sikhs. More importantly, it sent a pointed message to Sikh lawmakers who are in a position to vote on or at least promote legislation affecting the rights of homosexuals. The question becomes, to what extent should the Jathedar's views influence Sikh lawmakers, particularly the six Sikh members of Canadian Parliament (MPs), if at all? The Jathedar's opinion forces us to reconsider the appropriate balance between public policy and moral judgments, and in this respect offers a novel look at the pervasive North American culture war.

The Culture War

In the United States, the tension between homosexual rights and traditional ideology has never been greater. For example, Congress defined marriage as that between a man and a woman, President George W. Bush renewed his interest in a constitutional amendment codifying this interpretation, and voters in eleven states considered referendums that would define marriage as that between a man and a woman – and all eleven passed. On the other hand, the U.S. Supreme Court has equated moral disapproval of homosexuals with animus; a Massachusetts court struck down the state's ban on same-sex marriages; and a federal district court found the federal obscenity laws to be unconstitutional, explaining "the government can no longer rely on the advancement of a moral code."

The situation is not as contentious in Canada, which is generally more progressive with respect to the rights of homosexuals. For example, the Supreme Court of Canada paved the way for same-sex marriages by permitting Parliament to change the definition of marriage and by rejecting the argument that a traditional definition is rooted in Canadian history.

The Sikh Entrance into the Fray

The Canadian Parliament recently introduced legislation to legalize same-sex marriage. Standing in the way of its passage are the vigorous objections of several religious groups, including Sikhs. On the eve of the Canadian Prime Minister's visit to India, the Jathedar announced that same-sex marriage was the product of a "sick mind" and that the practice of recognizing more expansive rights for homosexuals "needs to be curbed."

In response, three of the Sikh MPs have spoken out against the same-sex marriage bill, two are in support of the bill, while a sixth is apparently torn. Gurbax Singh Malhi admitted, "the people have to follow the rules and regulations of the [Sikh] traditions." For Malhi, then, the moral judgment of the Jathedar became his

own and he was under a sacred obligation to enforce it. However, Navdip Singh Bains remarked, “ If I decide to vote against [the bill], I will be breaching my resolve and opposing the basic preamble of the Charter [of Rights].” Bains clearly is expressing his allegiance to the secular laws that he swore to uphold. One may respond to Bains that Sikhism does not carve out an exception for the political realm and that Sikh word is surely more authoritative than law developed by the polity.

The implications of this debate are momentous. If a Sikh order can be set aside, then what of other facets of the religion? If an exception to Sikh edicts can be made for politics, then what prevents an individual Sikh from poking other holes, whenever it may be convenient or there is a competing interest? Or, if a Sikh follows the edict, has he betrayed the people who elected him? Indeed, it is unlikely that a Canadian voter, in selecting a MP, meant to select the commands of a candidate’s faith.

Resolution

Clearly, the relationship between religion and public policy is complex, and its contours depend the subjective judgments of the individual. The individual Sikh’s answer to these contentious issues thus defines his own place in the culture war, and his own views on the proper meaning of the *miri-piri* duality.

