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**INDIAN ETHNIC CIVIL SOCIETY MOVEMENT IN
MALAYSIA : THE CASE OF HINDU RIGHTS ACTION
FORCE (HINDRAF)**

M. Mahalingam



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Abstract

This paper examines the causes for the rise of the Indian ethnic civil society movement in relation to the HINDRAF in the recent past in Malaysia. The paper is premised on the theoretical proposition of the role of civil society is an important instrument for political and social action in the context of ethnicity based political system. It also throws light on the various socio-economic, political and cultural processes within the Indian ethnic minority community. Moreover, it reveals the impending issues and challenges of the Indian ethnic minority in Malaysia. Finally, the paper explains the response of the state for the mobilization of Indian ethnic minority led by the HINDRAF.

Keywords: Civil society, Malaysian state, Indian ethnic minority, Hindu Rights Action Force,

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Statement: All the views expressed in the paper are of the author(s).

Indian ethnic civil society Movement in Malaysia: The case of Hindu Rights Action Force (HINDRAF)

M. Mahalingam

INTRODUCTION

Malaysia is a multiracial and multi cultural society strategically located in the South East Asian region of the world. The native Malays and the immigrants namely Chinese and Indians are the main ethnic, racial, social and political groups over there. The formation of a multicultural and multi racial society in Malaysia had been engineered by the British during its occupation of the country in the 19th and 20th centuries in order to meet their colonial interests. Numerically speaking, the Indians are the third largest ethnic group after the Malays and Chinese. As per the 2000 Census, Indians were around 1.8 million representing 7.7 percent of the Malaysian population. Though the Indians have gained economic and social mobility, the majority of them are still in a position of disadvantage as compared to Malays and Chinese. After the emergence of Malaysia as a modern nation state in 1957, it has been so obsessed with pro-Malay majoritarian policies which have had a deepening effect on the social, cultural and economic level of the minority ethnic groups. This resulted in hatred, prejudice and suspicion among the races that later culminated in racial riots. It has been argued that the gap between the majority and minority has been widening ever since independence due to the practice of discriminative and racially biased public policies. Further, in the absence of a multi cultural discourse, it has been observed that the Indian ethnic minority cultural and religious rights are at stake during the various regimes. Be that as it may, as recently as, on 25th November, 2007, there was the mobilization of Indian ethnic crowd numbering around 30,000 that participated in a public outcry in Kuala Lumpur. It was organized and spearheaded by the HINDRAF- a unregistered non-governmental organization along with a cluster of 30

non-governmental organizations - in defense the of ethnic minority's social, cultural and political rights and to fight against the discrimination and disadvantaged position of Indians in the prosperous economy of Malaysia. The unprecedented demonstration was supported by various civil society groups of Indian ethnicity to show their solidarity and it had also received a huge response from the different sections of Indian ethnic minority belonging to rural or urban parts of Malaysia. Even though the protest was carried out in a peaceful and non-violent manner, the protesters were forcibly disbursed with tear gas and water cannon, the reason being cited that it would lead to a communal backlash. The leaders were arrested and also detained without any trail by applying a draconian law namely Internal Security Act (ISA). Recently, The HINDRAF has been banned and so, has been made as an illegal organization by the Malaysian government on 15th October, 2008. Ethnic minority civil society organizations (CSOs) are facing the axe of the government and public space has been denied for civil society discourses of the ethnic minority. This paper traces the causes of the rise of the Indian ethnic minority civil society's social movement, the ideology, tension and contradictions between the Malaysian state and Indian ethnic minority's civil society organization in relation to the HINDRAF. The paper also argues the importance of the civil society groups or institutions for the Indian ethnic minority in the context of Malaysian parliamentary democratic practices.

Civil Society: Definition and Theoretical Outline

There has been proliferation of definitions about civil society. Generally, it has been used and understood as a space between the family and the state where people associate across kinship lines, aside from market, and independent of the state. It includes both relatively

formal organizations and an informal array of friendship and networks of social life outside the family. It is the arena of community meetings and street corner activity, clubs and churches, sabhas and samajs, professional associations and unions, social movements and community action groups. Some other scholars argue that the Market also must be included in conceptions of civil society. Let us discuss various theoretical perspectives on the importance of state and civil society. It has been argued that there is always a close relationship or complimentary role between the state and civil society. Both Hobbes and Locke viewed state as the creation of civil society in order to take care of the interests of the citizens. Even though Hobbes had emphasized the sovereignty of the state, he did not deny the ruler's obligation to assure civil society rights. Locke had discussed the inalienable rights of the civil society over the state. Both Hegel and Marx had also recognized about relationship between the state and civil society. But both differed in their views. In the case of Gramsci, he said that state and civil society have a reciprocal relationship and are interdependent. Habermas said that civil society is a site where public opinion is formed through discourse in which private individuals forge a common understanding about public goals and exercise scrutiny over the state. Based on the above discussed theoretical perspectives, this paper argues that the civil society groups are very important for the effective role of the state. Given the multicultural and plural nature of Malaysian society, ethnic civil society groups are invaluable to mediate between the state and citizens.

Tracing the Indian diasporic formation in Malaysia

There was always symbiotic relationship between India and the South East Asian regions of the world since time immemorial in the realm of culture and trade. The systems of South East Asia was deeply influenced by the Hindu-Buddhist traditions of India. In the Context of migration, there was a small scale migration of traders to Malaysia from India dating back to the 16th century. But, the Indian diasporic formation began only after the arrival of labour migrants in large numbers to toil on the plantations of the British during 19th and 20th centuries from India. The colonial labour policy favoured the Indian migrants though the surplus availability of Chinese immigrant labour and the presence of native Malays so as to balance the racial composition in the

labour sector. Above all, The British thought that the influx of large numbers of Chinese migrants would be a social and political threat to them as they already dominated the tin and mining sectors. Besides, the Chinese migrants demanded high wages and their transit process was also cumbersome. So, Indians were preferred especially South Indians. As Kernial singh sandhu puts it, "south Indian labourers were malleable, worked well under supervision and were easily manageable. He was not as ambitious as most of his Northern Indian compatriots and certainly nothing like Chinese.... he was the most amenable to the comparatively lowly paid and rather regimented life of estates and government departments. He had fewer qualms of religious susceptibilities, such as aversion to crossing the dreaded kalapane and food taboos..... and cost less in feeding and maintenance"(Sandhu1969:47-48). The mass recruitment of labour was carried out through "assisted and unassisted" mechanisms. The assisted mechanism was popularly known as "Kangani" system in the context of Malaysia which was considered cheap and had less possibility for desertion of labourers from the plantations. This mode of labour recruitment was at the peak in 1910. Thousands of Indian labour migrants arrived annually in Malaysia this way. From 1844 to 1938, Kangani assisted migration accounted for 62.2 percent of total Indian labour migration compared to 13 percent for indentured migration. After the Indian immigration fund in 1910 was set up with the help of plantation employers to provide free passage for labourers by covering the travel costs, this kind of recruitment facilitated the voluntary migration and was also cheaper than Kangani system since it bypassed intermediaries. So, it paved the way for abolition of Kangani system later. Though the economic depression in 1930s invoked the repatriation of labourers due to unemployment, the Indian labourers remained the majority in the plantation sector. It is very important to note that the labour migration was cyclical in nature till the beginning of 20th century. Since the mass influx of labour immigrants from Southern India, the Malaysian plantation sector was monopolized by the Indian labour immigrants. Apart from labour immigrants, other skilled professionals and traders also immigrated voluntarily in large numbers to take up jobs in the colonial government. For instance, Sikhs were hired as policemen, paramilitary force, security guards, watchmen and care takers by the colonial authorities and the private sector as well. But, they were "free migrants" not like labour migrants, as they had embarked their journey on their own. Apart from Sikhs, Other North Indians were most

ly merchants, traders, shop keepers and peddlers. Gujarathi traders were especially visible in the urban landscapes of Malaysia selling silk and other textile goods in exchange for tin and other spices. They were also involved in financial trading systems like the chettiers of Southern India. Among the traders, no one could deny the South Indian Chettiers role in the development of plantation sector through money lending and they also acted as a money transfer agents to remit the labourer's money back home. They were basically an urban South Indian trading community in Malaysia unlike the South Indian labour migrants living in the rural parts of Malaysia. The third main urban Indian group was the English-educated South Indians who were recruited as Junior or subordinate administrative staff in the clerical and technical sectors and served as intermediaries between colonial administrators and labourers. It has been observed that there was always a communication gap between Rural Indians (plantation group) and urban Indians (traders and professionals). Owing to this gap, the plight of the rural or grass roots Indian labour migrants under the plantation system was unknown or ignored by the flourishing Indian middle class in the urban areas of Malaysia for long period. Moving on to the composition of Indian ethnicity, the Indian ethnic groups are very much fragmented on the basis of class, language and region wise. Among the Indians, Tamils are around 80 percent; Malayalis 4.7 percent and Telugus 3.4 percent and North Indians; 7.7 percent (mainly Sikhs and a small number of Gujarathis). Looking at the religious composition, Hindus consists of 81.2 percent of the Malaysian Indian population; Christians 8.4 percent; Muslims 6.7 percent; Sikhs 3.1 percent; Buddhists 0.5 percent. During the colonial rule, Cultural pluralism as conceptualized by J. S. Furnivall was practiced as part of the "divide and rule policy" of the British colonial government, It led to construction of Indian identity as "otherness." Since the labour migrants were "transients" in the beginning, the social, cultural and religious ethos of the Indians were maintained so that they could be accepted back in the homeland when they returned. Owing to various reasons, they had become settlers and emerged as diasporic community. Given the numerical majority of Tamils among the Indian ethnicity, the "Tamil-ness" is being asserted in the realm of culture, religion and political representation in Malaysia.

The Modern Malaysian Nation State and Indian Ethnicity

Economic deprivation

The political independence from the British colonial rule in 1957 was achieved by a political alliance between United Malay National Organization (UMNO), Malaysian Chinese Association (MCA) and Malaysian Indian Congress (MIC). For realizing the formation of modern nation state, UMNO leaders negotiated a 'social contract' with the two major non-Malay political parties, the Malayan Chinese Association (MCA) and the Malaysian Indian Congress (MIC) on the basic principles for cooperation, partnership, and power sharing in the administration of the future nation state. But, later, there was a major paradigm shift in the public policies of the government ever headed by the Malay dominated political party. The Malay majoritarian government as well as Malay dominated bureaucracy started giving a thrust to pro-Malay centric socio, economic and cultural public policies. In order to balance the racial economic inequality in terms of economic functions that has been inherited from the colonial British, the New Economic Policy (NEP) was enacted and implemented in the 1970 for eradicating poverty and restructuring Malaysian society, but actually it became the major vehicle for Malay social mobility and excluded other ethnic minorities namely Chinese and Indians. Subsequently, there was a surge of communal and hatred feelings between the races and resulted in racial riots. It had repercussions on the racial harmony and solidarity among the races and it tarnished the image of the nation. In the context of poor rural Indians, they bore the brunt of the racially biased public policies. For instance, the Indian plantation labourers were excluded from the successive development plans though they fell under the category of "targeted group" for the removal of poverty. The constant ignorance and indifferent attitude of the policy makers was visible if we look at the development plans after independence. The first and second Malaysian plans did not recognize the vulnerability of the plantation working class but it recognized poor Malays. Only the third plan had included them as a "focus group". The welfare of plantation workers finally received official recognition in the third Malaysian plan, which identified these workers as a poverty group along with small holders, paddy farmers, fishermen, coconut small holders, new village residents, other agricultural workers, the urban poor, and indigenous people (Ramachandran and et.al 1995:395). But it has been argued that the third plan of the government too failed to enhance the deplorable conditions of the Indian plantation labor. At

the same time, the rural poverty redressal program, which excluded the plantation sector, as it was monopolized by Indian ethnic groups, was implemented by expanding the productive base of the poverty group of Malay and Chinese. This was done through new land development, replanting and rehabilitation, drainage and irrigation, improved provision of basic needs, various subsidy schemes, and an employment creation programs. None of these programs were extended to plantations, and the fourth and fifth five year plans also failed to address poverty of the Indian plantation section. The sixth plan's poverty eradication program was also not extended to the plantation sector. The plantation industry fell under the jurisdiction of three or four ministries namely ministry of rural development, human resources development, health and education in terms of responsibility and the execution of government welfare schemes, so much so that it was easy to pass the buck on to others whenever the ineffective and exclusion of plantation sector had been brought to the notice of authorities in the development plans. It has been observed that the subsequent development plans had excluded the plantation sector resulting in marginalization or ghettoization of Indian plantation working class. Further, lack of interests shown by the state as well as the hostile Malay bureaucracy towards the Indian plantation working class stranded them on the plantation sector with lingering poverty. This situation was correctly observed by Colleta, "Ignored by the government policy, hidden from the eyes of mainstream Malaysian society, the plantation Indian labour force indeed have become Malaysia's forgotten people"(Ramachandran and et.al1995:396). At present, as the government offers priority to manufacturing and export oriented industries, plantation industries are either being converted or dismantled for setting up industrial parks or special economic zones (SEZ) or information super high way corridors. At this juncture, the Indian plantation working class has been evicted or forced to leave the plantations without any compensational measures. Without knowing a way out, they have squatted on the urban fringes and have become blue collar workers of the urban economy. Besides, generally being rural bound they were left in the lurch, as they also historically lacked the social and cultural capitals and had to deal with the servile nature of plantation system as well. Faced with poverty, low self esteem and hopelessness, there have been reports that they have been involved in anti-social activities by forming gangs and indulging in criminal activities. There were 38 Indian

based gangs with 1500 active members from the plantation working class background, and also in Kuala Lumpur, 14 percent of the squatters were Indians; they had the highest suicide rates; 41 percent of vagrants and beggars were Indians; and 20 percent of child abusers and 14 percent of juvenile delinquents were Indians of plantation working class background (Ramachandran and et.al1995:406). The Indians are facing economic deprivation and marginalization not only in the plantation sector but also in other sectors due to ethno-centric policy of the state. Moreover, it has been found that even after fifty years of Independence, the share of public equity by the Indians is 1.5 percent in 2005 from 0.9 percent in 1969.

Indians in the public sector

During the colonial era, the employment policy of the British was very much in favour of the Indians for the recruitment of subordinate, clerical and technical posts. Indians who were English educated and technically qualified were considered the right people for the various administrative posts to assist the colonial government to carry out the developmental projects initiated over there. It has been observed that the Indians dominated the clerical and technical posts till 1938. Later, when the educational facilities were expanded under the British regime, the Malays were advocating for their entry to low level administrative and technical jobs as their representation was poor, yet the Indians continued to dominate as less number of educated Malays were there to take over the jobs at the time. Further, even though the entry was restricted for Indians in Malaysian Civil service (MCS) and Malaysian Administrative Service (MAS) during the colonial era, the Indian representation was higher than its population proportion. As Mavis Puthuchery confirms, "By 1970, the ethnic composition of the higher civil service showed that Indians and others made up 1,245 out of 4,744 or 26.2 percent of the total staff in higher civil service - far excess of their proportion in the population which was 11.4 percent in 1970 (Puthuchery:1993:355-356). And also, he says that the over representation of the Indians in the higher civil service was even more dramatically demonstrated in certain technical and professional services, where they constituted 54.1 percent of the medical service, 43.8 percent of the veterinary service, 26.9 percent of the telecommunications service, and 28.6 percent of the geology service (Ibid). The implementation of New Economic Policy (NEP) after 1970s, the

Malayanisation had begun in bureaucracy and other high professional jobs. The Indians representation started diminishing at faster rate. Particularly, the Malay dominance has been steadily increasing in the civil service while the Indians representation has been dropping down. Over the years, the share of ethnic Indians has witnessed a sharp decline from 9.8 percent during the 5th Malaysian plan (1986-90) to 5.2 percent in 2003. The Malay share in the civil service stood at 83.3 percent. A study done by Chakravarty and Roslan confirms that the share of ethnic Indians came down from 10.8 percent in 1970 to 7.6 percent in 2000 in the professional and technical sectors and the share of ethnic Indians in the clerical jobs came down from 17.2 percent in 1970 to 8.6 percent in 2000 (cited in Sekar-2008:23). Owing to the preferential treatment and discriminative practices in accessing and sharing the employment opportunities, there has been adverse impact on the socio, economic position of educated Indians and they are now living in deplorable conditions.

Educational deprivation

During the colonial period, the British liberal and western education was only extended to the urban landscapes of Malaysia. So, the beneficiaries were urban Indians, urban Chinese and Malay ruling elites. As the Malays were rural bound, they were receiving vernacular education, in the rural parts of Malaysia. Likewise, The Indian plantation labour migrants in the rural parts of Malaysia were offered Tamil medium schools, as requested by them, with support from the plantation management. After independence, the rural Malay schools were nationalized and heavily funded for the expansion of facilities for the conducive atmosphere for learning of rural Malay students. But, the Indian plantation schools were excluded from the developmental process. They are in sorry state at present.

According to Coletta, the plantation school was an instrument for the labouring class to push their children into the estate class structure instead of achieving social mobility (Coletta 1975:87-112). In order to facilitate and encourage the rural Malays for the educational empowerment, the new educational policy was spelled out in 1969 by the ministry of education, which emphasized the Bahasa Malaysia as the medium of instruction in all the national schools and English would be a compulsory second language. However, the provisions were made for non-Malays to learn their mother tongue if they desired. Moreover, the universities were instructed to use

Bahasa Malaysia as the medium of instruction by the year 1983 so that the rural Malays could catch up with ever expanding higher educational facilities. The other ethnic minorities could study in their mother tongue up to primary level. After wards, they should switch over to Malay as their medium of instruction. Besides, The Razak report of 1986 also stated that the Bahasa Malaysia (Malay language) would be the sole medium of instruction at all levels of the country's education system so that it would pave a way for the emergence of national identity and promotion of unity among the races. The preferential treatment and Malayanisation was adopted in order to accommodate them excessively. It led to reduction of life chances of other ethnic minorities. So, the inequality rose in the educational sphere and it deprived the other deserving ethnic minority students to avail educational facilities.

The State and Islamisation

The intensification of Islam has begun since 1970s as part of political rivalry among the Malay political parties and within the ruling Malay political parties to woo the Majority Malay population who follow Islam as their religious faith. For instance, the United Malay National Organization (UMNO), the dominant Malay party and Parti Islam Se-Malaysia (PAS), the Islamic party have been raising for religious, language and class issues and also making tall claims for establishment of Islamic state. The attitude and false claims of these parties undermine the sentiments and jeopardize the respective religious faiths of the other ethnic minorities. Further, though the constitution of Malaysia does not explicitly say that Malaysia is an Islamic state or secular state, with the heightening Islamic consciousness around the globe and the assertion of local Islamic extremist groups and parties, as part of populist measures, the ruling UMNO party leader Mahathir Mohammed has declared Malaysia an Islamic state in 2001. This hasty announcement further disgruntled the confidence of the ethnic minorities. Following this, in order to meet the political ends, the Islamisation programmes were in full swing with subsequent governments being the chief architect. The establishment of an Islamic bank, an international Islamic university, an Islamic research center, and various Islamic administrative organizations stands testimony to the government's commitment to strengthen the Islamic character in Malaysian public life. No doubt, The Islamisation policy of the government posed threat to social and cultural life of the ethnic minority. Moreover, it created

general paranoia, suspicious tendencies and anxiety among the ethnic minorities. The Islamic religious sensitivity programmes deeply scarred the non muslim religious minorities. Hinduism as practiced by the majority Indians in Malaysia, faced major threats from the unofficial public policies of the government. In view of the development projects, the old Hindu temples which were usually built on the unregistered and un authorized lands during colonial period as the general temple building practice in India were bulldozed in the last ten years. But, recently, this activity has gained momentum despite resistance from the Hindu ethnic minority. For instance, the sixty year old AumSri Siva BalaKrishna Muniswarar temple at setapak and MahaMariamman temple at Selangor and other temples were razed in the name of development citing the reason that it was built on illegal lands and were demolished even in the midst of protest from the community. The HINDRAF and other civil society groups came in to existence at this time in order to oppose the relentless destruction of Hindu temples and also to fight against the unofficial policy of this kind in future. Above all, as part of the Islamisation programme, it seems that there is a pressure from the Islamic groups to extend Shariah laws, which is so far applicable only to Malay muslims, to the social life's of the non Malays as well. The Sharia laws were only implemented in Malay dominated three provinces. Now, it has fully been extended to all the provinces. It has been felt that the sharia laws are given more importance than civil laws and the civil or federal courts could not interfere or question while it has been exercised. Constitution article 121(1A) clearly states that the civil court or federal court will have no jurisdictions on the matter falling under the sharia court. This statement would become clear from the following case. In the recent past, after the death of one Mr.Moorthy, the deceased person's wife Mrs.Kali Ammal wanted to perform Hindu rites, but she was denied that as Mr. Moorthy was a convert from Islam earlier. When she approached the federal court, it was said that even the federal court could not deliberate on this matter as it came under the jurisdiction of shariat court. Hence, The Islamisation agenda of the government has created insecurity and the unwarranted temple demolitions and erosion of civil laws in protecting the citizen's rights provoked the consciousness of the Hindu majority of the Indian ethnic minority to seek for equal rights and advocate the preservation of the secular ethos and conventions of the country. For attaining the political mileage, at the cost and sentiments of the non Malay religious community, the politically dominant

Malay ruling party has damaging to the cultural symbols of the ethnic minority and hurting them with draconian religious laws. The government might be right to defend the interests of the Majority Malay Muslims, but, in the long run, it would lead to unbearable consequences and it would jeopardize the image of the country in near future.

The political system in Malaysia and the failure of Indian ethnic political parties

Malaysian political system is much dependant on ethnicity and it follows the "consocial or consociational democracy "in which all the major ethnic political party members will be represented as part of the coalition government through proportional representation method which is based on the proportion of population of ethnic groups. Needless to say, as Malays are the majority, Malay political parties are obviously dominant and other ethnic parties are minority in the coalition. So far, During the post independence period, the three major ethno-centric parties namely United Malay National Organisation (UMNO), Malaysian Chinese Association (MCA),Malaysian Indian Congress (MIC)have been in the Barisan Nasional (National Front).It is very important to note that given the electoral politics of Malaysia, the Indian representation is very weak despite being the third largest ethnic group as they are scattered all over the country and do not even have a simple majority in a single parliamentary constituencies. So, the majoritarian politics has become the hallmark in the governance of the country. Knowing this, the UMNO headed government brought out various steps to infringe the rights of the ethnic minorities, the ethnic minority parties could not encounter those anti people measures knowing their dependent political position as part of the government. In the case of Indian ethnic minority, the MIC as part of ruling coalition in power since independence could not articulate the interests of the Indians. It could not strive for aggressive campaigns pressing Indian issues. Instead, an extreme form of loyalty was shown to be in power and to save its political identity. Despite its political disadvantage and weakness in the ethnic coalition, Indians have benefited to some extent. Scholars like P.Ramasamy criticize that unfortunately, the real beneficiaries are those in the MIC and their families and not the rank and file Indians(Ramasamy2001:4314). Always, the MIC was confronted with its internal structural problems like leadership crisis, existence of cronies and factional strife. And also, the corruption charges were leveled

against it in the Moka holdings. For ever, it has been argued that MIC is divided on caste, regional, linguistic and economic background and more elitist in nature not having the grassroots representation. This being the reason, it failed to focus on confronting the problems of Indians by being lenient and subservient to the ruling national coalition. Apart from MIC, The other Indian Ethnic parties like Indian progressive front (IPF) led by M.G.Pandithan and People's Progressive party which was a multi racial party but predominantly Indian which was headed by seenivagam brothers and later by K.subramaniam could not make much head way in assisting the Indians and translating their plight in to reality given their marginal existence as part of Barisan Nasional coalition. Hence, not only the Malaysian Indians are in economic marginalization but also they are in political marginalization as well. Since the existence of political void to articulate the interests of the Indian ethnic minority, the civil society groups must wake up to protect the citizen or to confront the state as well as to bargain for collective welfare of the ethnic Indians.

The Rise of HINDRAF movement and the state response

To fill the political vacuum and to express the legitimate interests of the Indian ethnic minority, above all, it is an imperative to rise against the state when it is using its unlimited power against its own citizens and is infringing their rights and it is the task of the civil society organization or groups to protect the welfare of the citizens and the community interests. Viewed in this perspective, The HINDRAF's demonstrations on 25th November, 2007 in Kuala Lumpur with the backing from other civil society groups and with the mass strength of around 30,000 had highlighted the grievances of the Indian ethnic minority and drew the attention of the world to their problems. Above all, it relected the resilience of ethnic Indians in fighting for social justice further stirring up the community. Moreover, the overwhelming support from the community clearly revealed the growing disenchantment with the state by the community. In response to the ethnic mobilization, the state instead of accepting their demands and stocktaking its political commitments, used its arbitrary power to dismantle the people's movement. Despite the denial of permission to hold a peaceful rally for emphasizing their civil rights, it was organized as part of democratic exercise, But, the state acted aggressively to disburse the crowd and the leaders were arrested and detained without any trail so far by the use of draconian laws

such as Internal Security Act. The application of repressive measures to hamper the rally was severely condemned by the world human rights organizations. The HINDRAF named this rally as "Makkal Shakthi" or "people's power" and they submitted a memorandum to the British high commission stating that the United Kingdom should intervene to stop the ethnic cleansing in Malaysia and demanded compensation from them. Basically, it was a civil rights movement seeking their inalienable rights to live with dignity. The discrimination, marginalization, unequal treatment and denial of justice has been persisting for long time, the HINDRAF only provided a mantle of leadership as responsible civil society organization to vent out the despair and frustration of the Indian ethnic minority. Further, it was a social movement advocating for social transformation and social change for the ethnic Indians who have been witnessing discrimination and deprivation must be pulled out of the mess. It only demanded fair deal for Ethnic Indian minorities even though the main ideology of the HINDRAF was to protect the Hindu temples from the destruction and committed to preserve and promote of Hindu identity. It neither had any unlawful activity nor had any links with international extremist bodies. At the same time, it was also not propagating any sectarian ideology. On 15th October, 2008, under the pretext of posing threat to security, racial harmony and public order, The HINDRAF has been banned and accused of having links with world extremist organizations without any probe and scrutiny of facts. It shows that the state does not like any kind of dissent and uses its unlimited power to crush dissenting forces.

Conclusion

From the above discussion, one could understand that the Malaysian state has been pursuing the pro-majoritarian socio, economic, cultural and political public policies in order to gain political mileage of the Malay majority despite the substantial presence of other ethnic minorities namely Chinese and Indians. Eventually, it will have an adverse effect on the socio, economic and cultural profile of the ethnic minorities. The Indian ethnic minority in Malaysia is the main victim of the ongoing "pro-majoritarian Project" (see for details Wade2009) of the government since they were the historically disadvantaged group over there. Apart from the majoritarian orientation in public policies, it has been argued that as the revival of Islamic consciousness around the globe, the Malaysian state has been implementing "cultural homogenization policy" (see for details

Lal(2006) last a few years as part of creating "one nation, one state and one religion" though given historically the state had implemented multi cultural practices since its inception. With the continuation of the anti-ethnic minority measures, Particularly, Indian ethnic minority appears to have developed a sense of fear and anxiety over their future. As we analyzed earlier, the Indian ethnic political parties could not be an instrumental force to resist the negative measures perpetrated against Indian ethnic minority because of its delicate position in the political institutional setup of the country. At this critical juncture, when the civil society organizations like HINDRAF was trying to act as "level playing field" to articulate the legitimate grievances of the Indian ethnic minority. The Malaysian state has used its hegemonic as well as arbitrary power to sabotage it under the various pretexts. It has been argued by the theorists that the state and civil society are inter dependent and has a reciprocal relationship for the creation of healthy society and responsible state. When the civil society confronts the state if it goes wrong, the state has to heed to it instead of infringing upon it. They will have to play complementary roles in this state of affairs.

End Notes

1. Kangani system means foreman or over seer in Tamil in the Malaysian plantations. As per the system, he was labourer already employed on the plantation who was sent by his employer to recruit labour from his village.
2. Furnivall notion of cultural pluralism means the co-existence of different races, cultures religions without integration, living separately side by side under one political unit is controlled or ruled by colonial power. On the economic front too, the division of labour is based on racial lines.

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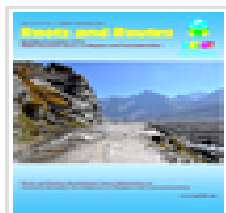
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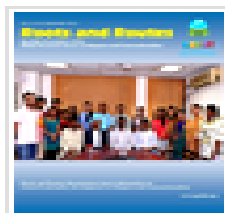
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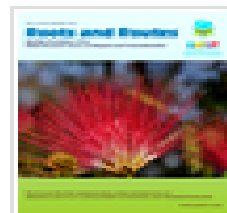
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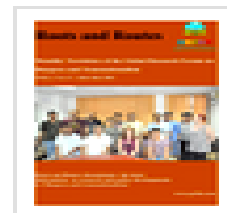
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