

Multiculturalism at Risk

The Indian Minority in Malaysia

The unique Malaysian experiment in multiculturalism is increasingly at risk today. Policies of the state are being consciously framed to favour the Malay-speaking population. Concomitantly, minorities, including Indian Hindus, find their cultural and social identity under threat in the name of development.

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Malaysia has long claimed that it represents one of the world's most arresting experiments in multiculturalism, but recent events, at the centre of which are political and cultural negotiations wrought by the Indians to assure some semblance of dignity for themselves among the dominant Malays, have very much put Malaysia's claims to be a genuinely multicultural and pluralistic society seriously in doubt. To be sure, Malaysia is a multicultural society, even if it never quite peddled its multiculturalism with the ostentatiousness with which, for example, the US customarily announces its "diversity" and multiculturalism as its unique gifts to the world. One might, indeed, make a strong prima facie case for Malaysian varieties of multiculturalism that one seldom encounters in the west and almost never in the Anglo-American world. The formidable Consumer Association of Penang (CAP), which spearheaded the consumer rights' movement in Malaysia and south-east Asia more generally, and has in many ways been something of a model to the burgeoning NGO movement, furnishes a good demonstration of Malaysian multiculturalism at work. Its monthly newsletter, with wide circulation in Malaysia, is published not only in Bahasa Melayu (Malay), the official language, but also in Chinese, Tamil and English, which retain official language status in neighbouring Singapore, once part of the Malay Federation.

Most urban Malaysians, whatever their ethnic background, religious affiliation, or educational background, are easily fluent in two or three languages. In the metropolitan areas of Los Angeles and New York, on the other hand, more than 100 languages are encountered, but these languages exist as utterly discrete pockets of the city's life. The US has remained resolutely monolingual, though now that

Spanish is "creeping" upon large urban spaces, the movement to proclaim English as the official language is attracting much attention. Multiculturalism in Malaysia is not merely a yellow pages list of ethnic foods to be consumed, or a celebration of "world music" and "international cinema", even as the American attachment to the most parochial politics remains undiminished.

Malays have an absolute if slim majority in Malaysia, constituting nearly 54 per cent of the population, but there are very significant minorities, among them the Chinese and Indians, with 26 per cent and 8 per cent of the population, respectively. (These figures are drawn from the 2000 Census.) However, arithmetical notions of "majority" and "minority" do not always coincide with the psychological states or political conditions that one might associate with "majority" and "minority". The Hindu majority of India, judging from the pronouncements of many of the ideologues of Hindu nationalism, often imagines itself as a minority; on the other hand, the Jewish population of India, which was always so minuscule that even rendering it as a "minority" would be something of a stretch, displayed an extraordinary confidence in a country where it does not ever appear to have been subjected to anti-Semitic sentiments or discrimination.

Mohandas Gandhi, for one, was not particularly receptive to the idea that minorities always feel like minorities, and his lengthy encounters with dalits, Christians, Muslims, Sikhs, Anglo-Indians, Buddhists and Jains persuaded him that the idea of majority and minority is a modern form of political calculus. Nonetheless, he was sufficiently attentive to the turns taken by modern political life to understand that no group can afford to disavow the politics of recognition, and he was unequivocally clear that the litmus test of a democracy must perforce be its treatment of minorities. It is doubtful that more than a handful of

nation states, if that many, could today meet that imposing test, and Malaysia now seems to be drawing precipitously close to the point where its entire multicultural edifice is at grave risk.

South Indian Tamils account for 81 per cent of the Indian population of Malaysia, and the bulk of them are Hindus; there is a also generous sprinkling of Bengalis, Sindhis, Gujaratis, Malayalis, Telugus and Sri Lankan Tamils. Recent developments point to the increasingly precarious position in which non-Muslim Indians find themselves, and one could point to the fact that even the former deputy prime minister, Anwar Ibrahim, who promoted the movement to instill Islamic values into politics and then found himself hauled into jail on what are widely believed to be trumped-up charges of sodomy and sexual solicitation, has recently expressed misgivings about the increased "Arabisation" of Malaysian society. Though it is by no means certain that the disabilities from which non-Muslims suffer always have some intrinsic relationship to the privileges conferred on Muslims, the unique status conferred on Malays and Islam in Malaysia cannot be doubted. Whereas in most countries affirmative action programmes or quotas are reserved for underprivileged or disenfranchised minorities, in Malaysia the beneficiaries of government largesse are the bumiputras, (sons of the soil), a category that includes, expectedly, the orang aslis and other aboriginal people, but also, quite unexpectedly, the numerically dominant Malays. It has been argued, of course, that though the Malays are a majority, the Chinese are the dominant economic force. But the claim that bumiputra must be understood in the economic register can only be viewed as disingenuous, considering that the Indians, whose poverty is only eclipsed by that of aboriginals, are not only not entitled to affirmative action privileges but, some five generations after they arrived in Malaysia, still may find themselves denied citizenship and even identity cards. In the eastern Malaysian state of Sabak, as has been documented, entry permits, residency status, and identity cards have been conferred on thousands of recent Muslim immigrants from the Philippines, and the category of bumiputra is sometimes extended to all those, whether Indonesians or Filipinos, who can lay claim to ancestral origins in the Malay archipelago. Yet the status of some Indians who have known no country other than Malaysia remains doubtful.

Article 3 of Malaysia's Federal Constitution states that the religion of the Malaysian Federation is Islam; but the same article permits practitioners of other religions to follow their faiths. In this respect, Malaysia is clearly quite unlike Saudi Arabia, where the public display of any faith other than Islam can subject the religious practitioner to censure, ignominy, and punishment. Article 11, however, suggests clearly why Islam in Malaysia might perhaps best be understood as embodying the principle of *primus inter pares*, the first among equals: Muslims are free to proselytise to adherents of other faiths, but non-Muslims by law are forbidden from preaching to Muslims. In the words of the constitution itself, the "law may control or restrict the propagation of any religious doctrine or belief among persons professing the religion of Islam". A Muslim cannot leave his or her faith: but this stipulation, while it uniquely safeguards Islam, and renders it pre-eminent among the religious faiths in Malaysia, simultaneously prevents Muslims from exercising the right, recognised in the Geneva conventions and other international protocols, to freedom of religious expression. Federal Constitution article 160 is unambiguous: "Malay", it states, "means a person who professes the religion of Islam, habitually speaks the Malay language, [and] conforms to Malay custom". Interestingly, although the Malaysian Consultative Council for Buddhism, Christianity, Hinduism and Sikhism (MCCBCHS) speaks for the adherents of these faiths, the practitioners of Islam are not similarly represented. They have no such representation, not because they are among the excluded, but because they are the state. Muslims in Malaysia, as Roland Barthes would have put it, are *ex-nominat*: they nominate others, but do not themselves need to be named.

The death last December of M Moorthy Mohamad Abdullah, a Hindu soldier who first gained fame in Malaysia as the hero of Mt Everest, has brought to the fore the increased jeopardy under which Indians live in Malaysia. He had fallen into a coma after a bad fall in his house, and shortly before his death the Federal Territory Islamic Affairs Council alleged that he had converted to Islam. The council insisted on giving him a burial at his death, but his widow, S Kaliammal, was forthright in declaring that her late husband's supposed conversion was not a matter of knowledge to the family. Though she sought

an injunction to prevent his burial, so that she might cremate him according to Hindu rites, Kuala Lumpur high court judge Raus Sharif declared the civil courts to be without jurisdiction in this matter and ruled the matter fit for deliberation by the shariah (sharia) high court, which on December 22 pronounced Moorthy a Muslim and authorised the Islamic Affairs Council to give him a burial. As a non-Muslim, Kaliammal was unable to file a petition or to tender any evidence with the sharia court. Not surprisingly, the MCCBCHS has now sought an amendment to the constitution so that cases of religious conversion can come under the purview of the (civil) high court, but in the meantime it remains clear that non-Muslims have no remedy under common law in Malaysia.

A Threatened Diaspora

As alarming as is Moorthy's case, the Hindu community has been more profoundly disturbed by the seemingly relentless destruction of Hindu temples over large parts of the country in the last six months. The chairman of the Hindu Rights Action Force, a coalition of some 50 Hindu organisations, has gone on record to say that "there appears to be an unofficial policy of Hindu temple-cleansing in Malaysia in recent months". Al-jazeera's correspondent states that "the destruction of Hindu temples by Malaysian authorities is inflaming religious tensions", and Hindu groups worldwide are endeavouring to bring this matter to the attention of human rights groups. Malaysian authorities have described the targeted temples as "illegal buildings", lacking registration or land titles, and they are being demolished to make way for highways, housing projects, and shopping centres. The 60-year old Aum Sri Siva Balakrishna Muniswarar temple in Setapak, to take one example, was found to be "in the way" of the Kuala Lumpur-Damansara-Hulu Klang Expressway. To understand the circumstances under which some of these temples arose, it is necessary to recall the history of Indian indentured immigration to Malaysia and the shepherding of Indians, when they were not building the railways, to rubber estates. Thousands of smaller temples, often originating in the placement of a deity under a tree, mushroomed across rubber plantations and the rural countryside. As the Indian community grew, some were converted to larger structures; elsewhere, as

Indians gravitated towards larger urban areas and acquired greater affluence, more formal temples came into shape. But the indubitable fact remains that many of the temples trace their history to a time when registration was not required, and Indians could not easily claim possession of land deeds. While it maybe unreasonable to expect Malaysian authorities to understand that in Hinduism trees themselves are seen as embodiments of the divine, or that groves of trees provide a spiritual habitat for temples, it is surely just as unreasonable to claim that Hindus should be in compliance with the development agendas of a modern nation state or that they should be held to be in violation of laws that were drafted long after temples were founded not only as abodes of worship but to cement ties of solidarity among a people torn from their roots and cast adrift from their ancestral lands.

Section 295 of the Malaysian Penal Code makes it a criminal offence to violate or defile places of worship, and the Federal Constitution, as we have seen, guarantees freedom of religious expression. These legal sanctions aside, the Hindu temple in the Mid-Valley Megamall in Kuala Lumpur, around which an entire shopping complex has been built even though there were threats to tear it down, has been mentioned as an illustration of the accommodations that can be made if Hindus, state authorities, and developers can be brought into conversation with each other. Samy Vellu, president of the Malaysian Indian Congress and works minister in the present government, has urged that demolitions should cease until plans can be made to relocate Hindu temples. However, judicious might be some of the proposed measures to prevent the wanton destruction of temples, the more fundamental problem should not be obscured. If the Malaysian state and its intellectual spokespersons are unable to recognise the fact that Indian hands fed the population and that Hindu temples are inescapably part of the social, cultural, spiritual and physical landscape of Malaysia, it is very unlikely that the Indian population will ever receive more than a cursory treatment in Malaysian history textbooks or anything remotely resembling the recognition that the history of Malaysia belongs to Indians, whether Hindus and Muslims, as much as it belongs to the Malays or the Chinese. [27]

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