

Academic Freedom and the Freedom of Opinion and Expression
in Pakistan

Civil Society Submission by Media Matters for Democracy, Pakistan

Submitted to the United Nations Special Rapporteur on the Protection and Promotion of the Right to Freedom of Opinion and Expression

1. This submission from Media Matters for Democracy aims to outline the extent to which freedom of opinion and expression is accorded in Pakistan's universities, specifically in relation to academic freedom. We believe that universities have a special role to play in a democracy, and are key sites for defining freedom of expression and opinion, or lack thereof, in countries around the world, and in Pakistan's academic spaces.

A. About Media Matters for Democracy

2. Media Matters for Democracy (MMfD) is a Pakistani non-profit organisation that works on media policy research and advocacy. MMfD's focus areas are freedom of expression, internet governance, and media and information literacy. Its activities include research, advocacy, capacity building, and provision of legal support to journalists. MMfD works closely with journalists and human rights defenders on issues related to online and offline freedom of expression, media independence, pluralism, and journalists' safety. It also monitors threats and attacks against freedom of expression in the country.

B. Introduction

3. Pakistan undeniably faces an education crisis. A report by Alif Ailaan titled '25 Million Broken Promises' states that there are currently over 25 million out-of-school children in the country. This is despite the fact that universal primary education is guaranteed by Pakistan's constitution. From inadequate resource provision to teacher absenteeism and badly designed curricula, the challenges confronting our education sector are profound. While most of the discussion in regards to quality of

education focuses on low economic returns, the other implications for society such as rising intolerance are unfortunately overlooked.¹

4. Access to primary education for girls in parts of the country is restricted due to conservative sociocultural and religious practices that perpetuate gender inequality.² The violent threats to girls' education, as witnessed in the assassination attempt on Malala Yousafzai by the Taliban in 2012, are real.³
5. Issues with school education extend to textbooks that are mostly published under government supervision and often peddle religious intolerance.⁴ Parallel private and public school education systems also introduce or exacerbate existing inequalities in society.⁵
6. However, the real site of contestation for political ideas and power in the country's education landscape is the higher education system where the principle of academic freedom and the voices of students constantly clash with state narratives, religious orthodoxy, and authoritarian administrative policies.
7. The results manifest in the forms of crackdowns on student participation in politics, sudden terminations of professors, legal and extralegal actions against academics for their political and social views, lax responses to campus violence and sexual harassment offences, and physical attacks on students and teachers on the basis of political and religious identity or ideology.
8. This tension is a permanent feature of the relationship between the State and academia that has remained confrontational throughout the country's history. The movement to topple the martial law regime of General Ayub Khan in the late 1960s was largely supported by student activists alongside trade union workers and journalists.⁶ Scholars argue that the dictatorship of Zia-ul-Haq from 1977 to 1988 saw a widespread crackdown on progressive academics and scholars, which were replaced in the academia by reactionaries that supported the regime's religious vision.⁷ The current resistance against authority from academia is set against the changes brought about in the '80s and consolidated in the '90s.
9. On university campuses nowadays, students are actively discouraged to think critically and challenge the status quo. Even in textbooks, a distorted picture of historical events and facts is presented to reinforce a particular Islamized ideology and exclusionary national identity.⁸ The curriculum followed in public schools and universities fuels attitudes of intolerance and leaves little ideological space in regards to the contributions and inclusion of religious minorities in Pakistan.

¹ Siddiq, H. "Violent extremism in Pakistan: A failure of public education", LSE Blogs, 4 May 2017, <https://blogs.lse.ac.uk/southasia/2017/05/04/violent-extremism-in-pakistan-a-failure-of-public-education>

² "Shall I Feed My Daughter, or Educate Her?' Barriers to Girls' Education in Pakistan", *Human Rights Watch*, 12 November 2018, <https://www.hrw.org/report/2018/11/12/shall-i-feed-my-daughter-or-educate-her/barriers-girls-education-pakistan>

³ See Malala's story <https://malala.org/malalas-story>

⁴ AP, "Pakistan schools teach Hindu hatred", *Dawn*, 09 November 2011 <https://www.dawn.com/news/672000/pakistan-schools-teach-hindu-hatred>

⁵ Bari, F. & Sultana, N. "Inequality in education", ASER, http://aserpakistan.org/document/aser/2011/notes_aser_2011/Faisal_bari_and_Nargis_Sultana.pdf

⁶ "Pakistani students, workers, and peasants bring down a dictator, 1968-1969", Global Nonviolent Action Database, <https://nvdatabase.swarthmore.edu/content/pakistani-students-workers-and-peasants-bring-down-dictator-1968-1969>

⁷ Roof, J.D. "Problems of common interest: The shaping of education in Pakistan 1970-2014", *Pakistan Journal of Commerce and Social Sciences*, 2015, <http://www.jespk.net/publications/220.pdf>

⁸ Khan, A. "The threat of Pakistan's revisionist texts", *The Guardian*, 18 May 2009, <https://www.theguardian.com/commentisfree/belief/2009/may/18/pakistan-textbooks-religious-extremism>

10. Academics and students face a lot of pressures from the government in regards to their academic freedom and the ability of university spaces to operate in a free, open and inclusive manner. The fear of targeted violence and terminations is palpable for university professors who promote free thinking and progressive values.⁹
11. This submission will briefly outline the international and domestic frameworks that govern academic freedoms in Pakistan, as well as the factors shaping academic freedoms in Pakistan, such as religious intolerance, state intervention, campus unrest, suppression of dissent, gendered violence, physical attacks and murders, and student resistance.

C. International Legal Framework

12. Pakistan ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) in 2008.¹⁰ Article 13 of the ICESCR calls upon State Parties to recognise the Right to Education.¹¹ Therefore, Pakistan is legally bound to honour the right to education. As a State Party to the Covenant, it recognises that it must provide free, compulsory primary education for all, make secondary education generally accessible, and make higher education equally accessible, in order to realise the right.
13. The Committee on Economic, Social and Cultural Rights has also linked the full realisation of the right to education to academic freedom.¹² The definition of academic freedom in the committee's General Comment 13 is of particular importance to Pakistan's context: "Academic freedom includes the liberty of individuals to express freely opinions about the institution or system in which they work, to fulfil their functions without discrimination or fear of repression by the State or any other actor, to participate in professional or representative academic bodies, and to enjoy all the internationally recognized human rights applicable to other individuals in the same jurisdiction."¹³
14. Even though the committee's general comment is considered an interpretation of the provisions of the ICESCR, it provides a valuable frame to examine the violations of academic freedom in Pakistan and the acts of violence reported against students and teachers in the country.
15. In addition to the ICESCR, Pakistan is obligated to "scrupulously" observe the principle of academic freedom as a Member State of the United Nations Educational, Scientific and Cultural Organisation (UNESCO).¹⁴

⁹ Shadow report submission on academic freedom to the Universal Periodic Review of Pakistan, Scholars at Risk, 2017, <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx%3Ffilename%3D4249%26file%3DEnglishTranslation+%&cd=43&hl=en&ct=clnk&gl=pk>

¹⁰ See UN Treaty Collection entry for ICESCR at https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-3&chapter=4&clang=_en#EndDec

¹¹ See ICESCR articles at <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

¹² See General Comment 13 on the on the implementation of the ICESCR at https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/CESCR_General_Comment_13_en.pdf

¹³ *ibid.* pg 9

¹⁴ See Section VI(A) of the Recommendation concerning the Status of Higher Education Teaching Personnel http://portal.unesco.org/en/ev.php-URL_ID=13144&URL_DO=DO_TOPIC&URL_SECTION=201.html

D. Domestic Legislative and Regulatory Framework

16. The Constitution of Pakistan guarantees the Right to Education in Article 25-A to provide free and compulsory education to all children.¹⁵ But it does not speak directly about academic freedom.
17. In 2002, General Pervez Musharraf founded the Higher Education Commission (HEC), meant to oversee and regulate all public and private sector universities. The HEC does not have a separate and clear academic freedom policy publicly available. However, it mentions academic freedom as a “core value” for all the research programmes and policies and requires the Offices of Research, Innovation and Commercialisation set up at public-sector universities to ensure it at their respective institution of higher learning.¹⁶
18. Some private universities have also come up with their own academic freedom policies.¹⁷ However, this practice is not consistently observed across the range of public-sector and private universities.
19. There is at least one instance of the use of a law criminalising online speech to curb the online expression of academics in Pakistan. The official telecom regulator sent a content takedown request to Google in 2018 to get an online open letter removed. The open letter, hosted as a Google Drive document, had highlighted four recent events connected to censorship and stifling of academic freedom on university campuses across Pakistan. The government agency cited hate speech and unlawful online content clauses from the Prevention of Electronic Crimes Act 2016 for the content removal request, which was turned down by the Internet company.¹⁸

E. Obstacles to Academic Freedom in Pakistan

I. Religious Intolerance

20. Since the 1970s, political factions in Pakistan have played a significant role in arming students and encouraging them to participate in violence. Violence gradually escalated in the following years. For instance, at the University of Karachi, particularly between 1979 and 1987, students were pitted against each other through conscious planning by religious political leaders.¹⁹ Over time, the Islami Jamiat Talba (IJT), the student wing of the right-wing religious political party the Jamaat-e-Islami (JI), began using strong arm tactics and regularly clashed with members of left-leaning student wings such as the National Students Federation (NSF) and Democratic Students Federation (DSF). The rise of the IJT militia was prominent in major public universities of Pakistan’s major urban centres. Eventually, student organizations were militarized and their power became conditional upon their military

¹⁵ Article 25-A, Constitution of Pakistan: <https://pakistanconstitutionlaw.com/article-25a-right-to-education/>

¹⁶ See Higher Education Commission of Pakistan guidelines here:
<https://www.hec.gov.pk/english/services/universities/ORICs/Pages/Objectives.aspx>

¹⁷ See NED University of Engineering academic freedom policy
https://www.neduet.edu.pk/sites/default/files/users/directorate_industrial/Academic%20Freedom%20Policy_0.pdf;
LUMS core values <https://lums.edu.pk/books/core-values>

¹⁸ McLaughlin, S. "Pakistan cites 'hate speech' restriction in effort to censor academic freedom petition", *The Fire*, 10 January 2019,

<https://www.thefire.org/pakistan-cites-hate-speech-restriction-in-effort-to-censor-academic-freedom-petition/>

¹⁹ Gayer, L. "Karachi: Ordered Disorder and the Struggle for the City", New Delhi: Hurst & Co. Publishers. 2014.

strength.²⁰ The procurement of weapons was tolerated under the regime of General Zia-ul-Haq, which wanted to reduce the traction of left-wing forces within campuses across Pakistan. Moreover, Pakistan's social, educational, and political fabric transformed drastically under General Zia's dictatorship, as everything from laws to educational curriculum and literature was gradually Islamized. Student unions were then effectively banned in 1984.²¹

21. Today, many universities in Pakistan have become breeding grounds for fundamentalism, extremism, linguistic and ethnic hatred, and violence.²² In 2018, the National Counter Terrorism Authority (NACTA) and the Higher Education Commission signed an MoU for the prevention and awareness of on campus extremism and terrorism.²³ This was done in light of various ghastly incidents of violence at Pakistani campuses. One of the most horrific incidents that took place in recent years was the brutal murder of Mashal Khan, a progressive student, in 2017. Mashal was stripped, beaten and shot by a mob of students who happened to be his class fellows at Abdul Wali Khan University in Mardan, Khyber Pakhtunkhwa. He was accused of posting blasphemous content online, a charge that was later proved to be false. The fact that this incident took place on a university campus is particularly disconcerting.
22. Levelling blasphemy charges against progressive students is a common occurrence in Pakistan. For bright university professors like Junaid Hafeez²⁴ who are falsely accused of blasphemy and have been sentenced to death, it has also often been extremely difficult to find a lawyer willing to defend them because of the risks involved. The murder of lawyer Rashid Rehman in May 2014, as a result of his defence of Junaid, is likely to make it even more difficult to obtain a fair trial when blasphemy laws are involved.²⁵ Such incidents have reportedly affected the ability of some Muslims to access education, especially those such as Hazara Shi'a Muslims in Balochistan. An attack in Quetta by a suicide bomber on a bus carrying students of Sardar Bahadur Khan Women's University in 2013, followed by another suicide bomb in the hospital where the injured were being treated, left 14 students dead. Such incidents have also had a gendered impact, in that they have had a chilling effect on the ability of girls and women to access education. Many girl students belonging to Shi'a families have had to leave schools, colleges and universities, whereas the rest of the students are also in tense circumstances.²⁶
23. Moreover, while there is a 5 percent minimum quota for hiring religious minorities at the federal level, and the Constitution of Pakistan also prohibits discriminatory admission policies, based on religious affiliation, within governmental educational institutions, students must declare their religious affiliation on application forms. This declaration is also required for private educational institutions, including universities. Students who identify themselves as Muslims must declare in writing they believe in the Prophet Muhammad as being the final prophet. Non-Muslims are required to have the

²⁰ *ibid.*

²¹ Babar, F. "Reviving student unions", *The Friday Times*, 22 November 2019, <https://www.thefridaytimes.com/reviving-student-unions/>

²² Baloch, S. M. & Musyani, Z. "Pakistan's Dark History of Student Extremists" *The Diplomat*, 16 November 2018, <https://thediplomat.com/2018/11/pakistans-dark-history-of-student-extremists/>

²³ *ibid.*

²⁴ "Junaid Hafeez: Academic sentenced to death for blasphemy in Pakistan" *BBC News*, 21 December 2019, <https://www.bbc.com/news/world-asia-50878432>

²⁵ "Searching for Security: The Rising Marginalization of Religious Communities in Pakistan" *Minority Rights Group International / Sustainable Development Policy Institute (SDPI)*, December 2014, <https://minorityrights.org/wp-content/uploads/old-site-downloads/mrg-searching-for-security-pakistan-report.pdf>

²⁶ *ibid.*

head of their local religious communities verify their religious affiliation.²⁷ Furthermore, content of Pakistani public school textbooks related to non-Islamic faiths and non-Muslims continue to teach bias, distrust, and inferiority.²⁸

II. State Intervention

24. The policing of academic spaces has increased rapidly in recent years, specifically under the pretext of national security. Moreover, the Pakistani military is now openly interventionist in regards to higher education institutions.²⁹ One of the earliest instances of violent policing on campus was during the language movement protest at Dhaka University in the 1950s. Students were gathered to protest against the state and demand for Bangla to be made the national language. However, police opened fire at this peaceful protest, thereby killing several students.³⁰
25. Under the pretext of academic freedom and safety, university institutions continue to closely monitor and surveil their students. Under no circumstances do university administrations want students and teachers unionising and protesting against fee hikes, or demanding higher salaries. Student and teacher unions have been strictly prohibited along with student politics, with universities often using tactics of intimidation and silencing.³¹
26. In 2015, Pakistan witnessed a series of repressive attempts by the military establishment to police knowledge in the university. One of the first widely known cases of censorship occurred at the Lahore University of Management Sciences (LUMS), an elite private university. The student council had organised an event on campus titled ‘Unsilencing Balochistan’, which was to feature activists from Balochistan, where the Pakistani army has been fighting a series of separatist insurgencies. The activists were expected to talk about enforced disappearances of Baloch activists by intelligence agencies. The day before the event, intelligence agents walked into LUMS and demanded that the administration scrap the panel. Despite widespread student protests, the administration complied with state orders. A few weeks later, in response to this state enforced censorship in LUMS, the same event was held in the community space of The Second Floor (T2F) in Karachi. That night, on her way home from the event, Sabeen Mahmud – the founder of T2F and a prominent social activist – was shot dead.³² In 2017, a similar incident took place whereby an event entitled ‘Ethnic Rights, New Social Movements, and the State of the Federation in Pakistan,’ which was supposed to be held at Habib University in Karachi, was

²⁷ “Pakistan 2018 International Religious Freedom Report”, *US Embassy of Pakistan*, 2018, <https://pk.usembassy.gov/wp-content/uploads/sites/76/PAKISTAN-2018-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf>

²⁸ “Teaching Intolerance in Pakistan: Religious Bias in Public School Textbooks”, *United States Commission on International Religious Freedom*, 2016, <https://www.uscirtf.gov/reports-briefs/special-reports/teaching-intolerance-in-pakistan-religious-bias-in-public-school>

²⁹ Rajani, S. & Malkani, Z. “The Militarised University and the Everywhere War”, *Karachi LaJamia*, 2017, <http://karachilajamia.com/files/The%20Militarized%20University.pdf>

³⁰ *ibid.*

³¹ *ibid.*

³² *ibid.*

cancelled an hour before the event was due to be held, after a visit from state functionaries.³³ Such cancellations have unfortunately become a normal occurrence in the 2010s.

27. Following this atmosphere of fear and surveillance, the Punjab Government issued a letter to all public and private universities that clearly delineated boundaries of discourse that the state deemed acceptable. It condemned all critical discussions as 'anti-Pakistan' and 'anti-cultural', and demanded that academic institutions comply with an inherent responsibility to encourage 'nationalism'. This shows how the university is a key site for the reinforcement of patriotic citizenship and nationalist discourse, thereby perpetuating silence around illegal military operations; and a site in which activists are monitored, contained, curtailed and, if need be, killed with impunity.³⁴

III. Suppression of Dissent

28. Intolerance shown by state and non-state actors to the on-campus activities and off-campus political expression of students and academics across Pakistan is at the heart of the problem. The 2007 lawyers' movement to restore the judiciary saw bursts of student activism throughout Pakistan and university students embraced progressive democratic politics to protest against the imposition of a state of emergency by then-President Pervez Musharraf in November 2007.³⁵ While the protests may have led to a gradual awakening of political consciousness among university students, the administrative and executive pushback against dissent on campuses has only grown since then. The Sabeen Mahmud murder and the circumstances that led up to it are emblematic of the limitations on academic freedom and dissent imposed by state and non-state actors and the consequences for confronting those restrictions.³⁶
29. Academics have been targeted for their dissenting views to mainstream politics and State narratives outside of the university environment. Lecturer and poet Salman Haider went missing along with a number of liberal activists in January 2017. During the period of their disappearance, the activists were maligned and accused of committing blasphemy for their alleged involvement with several controversial Facebook pages.³⁷ Haider was later returned after spending nearly 20 days in captivity³⁸ but eventually had to leave the country to go into exile. The action against the academic and the other activists was largely seen as a move to silence dissent in online spaces.
30. University faculty members have been targeted recently on and off campus for their political views and activism. Ammar Rashid, a social science researcher and political organiser, was arrested in Islamabad

³³ "Noam Chomsky Signs an Open Letter By Pakistani Academics On Increased Repression On University Campuses", *Naya Daur*, 17 April 2018, <https://medium.com/@nayadaurpk/noam-chomsky-signs-an-open-letter-by-pakistani-academics-on-increased-repression-on-university-5d894764c9e1>

³⁴ n (29).

³⁵ Bolognani, M. "Rang de Basanti in Pakistan? Elite Student Activism, the Emergence of a Virtual Globalized Public Sphere, and the 2007 Emergency". In: Bolognani M., Lyon S.M. (eds) *Pakistan and Its Diaspora*. Palgrave Macmillan, New York, 2011.

³⁶ Boone, J. "Sabeen Mahmud, Pakistani rights activist, shot dead." *The Guardian*, 25 April 2015,

<https://www.theguardian.com/world/2015/apr/25/sabeen-mehmud-pakistani-womens-rights-activist-shot-dead>

³⁷ Tanzeem, A. "Blasphemy Allegations Against Missing Pakistani Bloggers Backfire on Critic." *VOA*, 26 January 2018, <https://www.voanews.com/east-asia-pacific/blasphemy-allegations-against-missing-pakistani-bloggers-backfire-critic>

³⁸ "Missing Pakistani activist Salman Haider returns home." *BBC*, 28 January 2017, <https://www.bbc.com/news/world-asia-38782936>.

from a protest rally for demanding of an ethnic-rights leader and held in prison on charges for sedition for days before a high court quashed the police case against him and his fellow protesters.³⁹

31. University administrations have reacted strongly and unfairly against on-campus political discussions by terminating faculty members they considered politically outspoken or sympathetic towards student causes. An assistant professor was terminated from his job by Punjab University, the largest public-sector university in the province, in 2018 allegedly for supporting students to raise their grievances with the administration.⁴⁰ Similarly a political science lecturer was let go by the Government College University Lahore allegedly for his political views.⁴¹
32. Dissenting and unpopular opinions among students may not be tolerated by their peers as is demonstrated by the horrific murder of Mashal Khan in 2017. But dissent does not need to be political in nature for students to be on the receiving end of administrative backlash. Over 300 female students were expelled from a university hostel after a leaked video recording of several of the students getting reprimanded for demanding a relaxation in their hostel curfew went viral.⁴²

IV. Unrest on Campuses

33. Campuses in Pakistan were always political places and the idea of students organising and protesting for their demands and needs was not entirely alien. However ethnic tensions, an extension of the politics of the country, often play out on campuses as well, leading to unrest and violent clashes. While university administrations across the country have banned all political activity and association with political parties, this does not prevent certain groups or factions from having power or clashing for more power on university campuses.⁴³
34. Historically the IJT, commonly referred to as Jamiat, has featured prominently on the campus of most government university campuses and has been central to various university protests and clashes. The religious right-wing student group preaches and promotes a conservative worldview, and wields a lot of power, on university campuses. Over the years though, other student groups, often supported by different political parties or formed along ethnic lines, have risen on campuses challenging the Jamiat, which has led to violent clashes.
35. In Karachi, the Muttahida Qaumi Movement (MQM) has also had a lot of support among students in the past. Its political rivalries also played out on university campuses.⁴⁴ In 2008, there was a violent clash on the Karachi University campus between students belonging to Jamiat and those from the student

³⁹ "Pakistan court grants bail to activists, drops sedition charges." *Al Jazeera*, 3 February 2020, <https://www.aljazeera.com/news/2020/02/pakistan-court-grants-bail-activists-dismisses-charges-200203102604217.html>

⁴⁰ Warsi, A. "Fired for political views, Ammar Ali Jan to take PU to court", *Daily Times*, 14 April 2018, <https://dailytimes.com.pk/228047/fired-for-political-views-ammar-ali-jan-to-take-pu-to-court/>

⁴¹ "GCU sends teacher home for being political." *Dawn*, 14 March 2020, <https://www.dawn.com/news/1540700>.

⁴² Gabol, I. "Minhaj varsity expels 320 female students for protest against admin." *Dawn*, 28 May 2018, <https://www.dawn.com/news/1410464/minhaj-varsity-expels-320-female-students-for-protest-against-admin>

⁴³ Rashid, A. "If student unions are bad for education, why are our controlled campuses ranked among the worst in the world?" *Dawn*, 29 November 2019, <https://www.dawn.com/news/1519162>

⁴⁴ "Clashes at Karachi University, nothing but terrorism." *The Express Tribune*, 14 March 2012, <https://tribune.com.pk/story/349881/clashes-at-karachi-university-nothing-but-terrorism/>

organisation of the MQM.⁴⁵ Three students died during these clashes and the university was shut down for 3 months.

36. In December 2010, Karachi University became the scene of more violence, when a bomb blast killed four students. While no group claimed responsibility for the incident, the blast happened after increasing altercations between students and the administration over the course of the past two months. The wave of incidents started in November, when a group of students broke into a board meeting for the selection of a lecturer within the education department. The demand of the students was the appointment of a candidate they favoured.⁴⁶ The violence on campus has subsided in the past few years though, as the political situation of the city as a whole has become more stable with opposition parties splitting and losing previous strongholds.
37. In Lahore, Punjab University has also been host to multiple violent fights and clashes over the past decade. The clashes are often given an ethnic colour, where in more recent years the Pashtun Council or the Pashtun Education Development Movement (PEDM) and Jamiat have been involved.⁴⁷ There have also been clashes between the Baloch Students Organisation and Jamiat.⁴⁸
38. The clashes are ethnic in nature, but the issues are more complicated than ethnicity. The Jamiat is a right-wing religious organisation which holds a lot of power on campus. They impose these views on students, especially in the Punjab University. These include prohibiting male and female students from mingling with each other and prohibiting activities on campus that involve dancing or singing amongst other things.⁴⁹ Another reason for these clashes are the control that Jamiat members wield over hostels. There have also been reports of Jamiat members holding students hostage and torturing them within university hostels.⁵⁰
39. A clash between the two groups in February 2020 was reported to have taken place on the issue of a cultural festival that Pashtun students organised on campus.⁵¹ They performed a cultural dance at the event that irked the Jamiat. Eighteen people were injured in the clashes, which included 10 security guards. When violent incidents like this occur, both parties shift the blame for initiating the altercation on the other but do not deny participating.⁵²
40. There are multiple incidents of violence meted out by the Jamiat on campus, which hamper academic freedom. In 2017, the Punjab University Academic Staff Association demanded that the government

⁴⁵ "Three students killed in KU clashes." *Dawn*, 27 August 2008,

<https://www.dawn.com/news/938426/three-students-killed-in-ku-clashes>

⁴⁶ "Karachi University plagued by growing violence" *Dawn*, 28 December 2010,

<https://www.dawn.com/news/594425/karachi-university-plagued-by-growing-violence>

⁴⁷ "Clashes At PU: Why Do Disputes Have To Turn Violent?" *Academia*, 7 February 2018,

<https://academiamag.com/clashes-at-pu-why-do-disputes-have-to-turn-violent/>

⁴⁸ Shahzad, M. "Three students injured as rival groups clash at Punjab University." *The Express Tribune*, 25 September 2019, <https://tribune.com.pk/story/2064468/1-three-students-injured-rival-groups-clash-punjab-university/>

⁴⁹ "Segregation on campus." *Dawn*, 26 December 2017, <https://www.dawn.com/news/1378792>

⁵⁰ "PU students protest campus 'violence'" *SAMAA*, 11 February 2017,

<https://www.samaa.tv/news/2017/02/pu-students-protest-campus-violence/>

⁵¹ Sultan, F. "Troubles on campus: Punjab University is not new to clashes between rival student groups. Only this time, things are a tad too violent." *The News on Sunday*, 8 March 2020,

<https://www.thenews.com.pk/tns/detail/625269-troubles-on-campus>

⁵² "PU clash leaves 10 guards, 8 students injured" *Dawn*, 29 February 2020, <https://www.dawn.com/news/1537231>

declare Jamiat a terrorist organisation, after they attacked a Professor. The Association said that because of the presence of “IJT goons” on campus, progressive people do not come to speak at the University.⁵³

41. Universities in the federal capital have also experienced similar clashes.⁵⁴ In December 2019, the Islamic International University saw a clash between Jamiat and the Siraiki Students Council, for organising a book fair. One student died while 13 were injured during the clash.⁵⁵
42. The Quaid e Azam University (QAU), which is one of the largest institutions of higher education in the country, has also experienced violent clashes between student groups. The presence of Jamiat on the campus is not as prominent as other larger universities, especially those based within Punjab. In 2017, when outsiders belonging to Jamiat were blamed for beating up a student on campus, the organisation distanced itself from the incident, denying any responsibility.⁵⁶ However, there have been reported clashes between Punjabi and Pashtun students on the QAU campus. A clash in February 2018 between the groups left 16 students injured.⁵⁷
43. The incidents discussed above are not a comprehensive list of clashes on campuses but they show the impact that divisive identity politics at a national level has had on students and academics. Ideas about religion, nationalism and identity of one political party or ethnic group are pushed through student groups and organisations, which in turn exert control over academic institutions and the issues and ideas that can be discussed there. The problem largely exists in public universities, where despite the ban on student unions and political activities, groups like the Jamiat act with alarming levels of impunity.

V. Sexual Violence and Harassment on Campuses

44. Another factor that needs to be addressed is the negative experiences of womxn students and how unsafe they feel on campuses across Pakistan. There are myriad examples that have emerged in recent times. For instance, recently, women at LUMS were appalled to come across a Facebook private group of over 600 men in which violent misogynistic content was shared liberally; ‘Dankpana at LUMS’ was rife with offensive sexist memes targeting their female classmates.⁵⁸ Given that Pakistan has already been facing a crisis in girls’ education, such impediments within university spaces create additional problems for womxn who wish to pursue higher education.
45. Tolerance of sexism in university campuses across Pakistan makes womxn students feel unsafe and validates violence against them. However, instead of countering the sexism prevalent in these

⁵³ Qadir, I. “PU teachers demand government to declare IJT a terrorist outfit” *Pakistan Today*, 23 November 2017 <https://www.pakistantoday.com.pk/2017/11/23/pu-teachers-demand-government-to-declare-ijt-a-terrorist-outfit/>

⁵⁴ Haq, R. “Campus violence rising in country” *The Express Tribune*, 12 February 2017, <https://tribune.com.pk/story/1324239/student-clashes-campus-violence-rising-country/>

⁵⁵ Qureshi, Z. “Pakistan: One dead, 13 injured as students clash at Islamabad university” *Gulf News*, 13 December 2019, <https://gulfnews.com/world/asia/pakistan/pakistan-one-dead-13-injured-as-students-clash-at-islamabad-university-1.68466949>

⁵⁶ Basharat, R. “Students’ clash at QAU leaves a dozen injured” *The Nation*, 2 February 2018, <https://nation.com.pk/02-Feb-2018/students-clash-at-qau-leaves-a-dozen-injured>

⁵⁷ *ibid.*

⁵⁸ “Lums hopes for ‘culture of respect’ on campus as sexist Facebook group by students is exposed” *Dawn*, 9 April 2019, <https://www.dawn.com/news/1474960/lums-hopes-for-culture-of-respect-on-campus-as-sexist-facebook-group-by-students-is-exposed>

universities, many universities impose conservative dress codes on womxn students in the name of promoting culture and ethics, even suggesting that womxn can account for 5 percent of their attendance if they follow an Islamic dress code.⁵⁹ Instead of basing students' performance on academic merit, some university administrations judge womxn's performance based on their supposed modesty and overall reputation.⁶⁰

46. Surveillance is another issue: university administrations try to control their womxn students with the help of paternalistic policies; for instance, with unreasonable hostel curfews that womxn students have to tolerate. Moreover, recently, complaints have emerged about bullying, blackmail and harassment by faculty members and security in-charges working at the University of Balochistan, Quetta.⁶¹ Womxn students have been blackmailed with videos of them sitting with classmates or having a conversation with a boy, and been told that their videos would be sent to their parents. There have been cases where girls had claimed that teachers and members of the administration had asked for sexual favours or money in return for not sharing videos with their families. CCTV camera footage was being used by university staff to sexually harass and blackmail students, particularly womxn. This goes to show how the movement and bodies of womxn students are heavily policed under the protectionist guise of 'security', which invariably affects their student life.
47. Meanwhile, sexual harassment and violence is rampant at campuses across Pakistan.⁶² Recently, NUST denied claims of the rape of a student on its Islamabad campus. The survivor complained to the university administration but no action was taken.⁶³ Cases of harassment have also involved high profile university professors. For instance, Dr. Sahar Ansari was found guilty of harassing another professor at Karachi University.⁶⁴ Another high profile case emerged from LUMS in the early 2010s, indicating the problematic gender politics of Pakistani society that can be found in even supposedly elite and progressive institutions.⁶⁵

VI. Student Resistance

48. To legitimise acts of police brutality, student activism has been invariably cast as 'anti Pakistani' by the state. The Pakistani deep state views the university with suspicion, as a dangerous breeding ground for anti-national dissent, in need of strict control and surveillance in order to contain threats from 'enemy

⁵⁹ Gabol, I. "Minister proposes to make hijab mandatory in Punjab colleges" *Dawn*, 14 March 2017, <https://www.dawn.com/news/1320465>

⁶⁰ "Woman wins 17-year battle against Punjab University" *Dawn*, 28 March 2017, <https://www.dawn.com/news/1323378>

⁶¹ Shahid, S. "Balochistan University students speak out against surveillance" *Dawn*, 31 October 2019, <https://www.dawn.com/news/1513952>

⁶² Ali, Y. "Girl accuses ICU acting VC of sexual harassment" *The News*, 28 April 2020, <https://www.thenews.com.pk/print/650817-girl-accuses-icu-acting-vc-of-sexual-harassment>

⁶³ "Nust denies reports of alleged rape at Islamabad campus, calls accusations 'a complete hoax'" *Dawn*, 25 December 2019, <https://www.dawn.com/news/1524308>

⁶⁴ Yousafzai, A. "Dr Sahar Ansari found guilty of sexually harassing fellow KU professor" *The News*, 29 January 2018, <https://www.thenews.com.pk/print/274166-dr-sahar-ansari-found-guilty-of-sexually-harassing-fellow-ku-professor>

⁶⁵ Khan, S. "A high-profile sexual harassment case in Pakistan is exposing the hypocrisy of the educated elite." *Quartz India*, 7 November 2014, <https://qz.com/india/292866/a-high-profile-sexual-harassment-case-in-pakistan-is-exposing-the-hypocrisy-of-the-educated-elite/>

forces'. From the inception of Pakistan, universities have been tethered to the network of state apparatuses of discipline, surveillance, carcerality and violence.⁶⁶

49. With the onslaught of Pakistan's first military regime under Ayub Khan in 1958, leftist student groups were banned on campuses and democratic expression was criminalised. In 1959, when students planned to organise a peaceful protest against the visit of President Eisenhower, the military preemptively arrested student leaders of the left, who were incarcerated for over a year. In 1961, following a mass student demonstration, hundreds were arrested and some students were put under trial in military courts for the first time. These same military courts were re-established in Pakistan in 2015 and are increasingly used to convict and execute alleged anti-state elements including students.⁶⁷
50. In 1977, when General Zia-ul-Haq came to power, he had witnessed the 1968-9 student uprising that had overthrown Ayub. He realised that banning student organisations and incarceration were not enough to dilute the dangerous threat posed by students to his regime. He attempted to contain the influence of left-wing forces on campuses by patronising the opponent faction of Islamist student activists and providing them with firearms. The Zia regime facilitated the militarisation of student politics as a strategy to silence left-wing students. However, the arrival of weapons on campuses at Pakistani universities resulted in continued student warfare in the 1980s, which distracted students from earlier intellectual traditions of political critique and protest against the military-state and forced them to battle against each other.⁶⁸
51. Eventually, in 1984, Zia ul Haq's regime put a blanket ban on student unions and hence student politics in universities. This was briefly lifted by Benazir Bhutto's government in 1989 but was reinstated by the Supreme Court of Pakistan in 1993, due to incidents of violence. The Supreme Court judgment not only banned student unions but also included political activity on campus.⁶⁹
52. At this point, universities retained depoliticized, university sanctioned, student councils and had various societies for extra-curricular activities such as debates or drama. Over the years, students at various universities have made these societies a place for academic debate and conversations about university freedoms. At various national universities, which have quotas from students across the country, students have created councils or societies along ethnic lines such as the PEDM.
53. According to Muzammil Khan, an office holder of PEDM, the group is dedicated to the educational development of Pashtun students who hail from areas of the country which are economically backwards. In an interview, he said that students coming to a city like Lahore to study find it difficult to compete with students who have experienced better quality education in bigger cities. The organisation is meant to provide them with educational and emotional support.⁷⁰
54. Students across universities have also formed informal reading circles, where they invite more progressive or feminist voices from outside the campus, which allow them to interact with and learn from different points of views.⁷¹ This is particularly important given the termination of more

⁶⁶ n (29).

⁶⁷ *ibid.*

⁶⁸ *ibid.*

⁶⁹ Naqi, H. "Students unions, why?" *The News*, 15 December 2019, <https://www.thenews.com.pk/tns/detail/582912-student-unions-why>

⁷⁰ Muzzamil Khan, interview by Amel Ghani, Lahore, December 20, 2020.

⁷¹ Haider Kaleem, interview by Amel Ghani, Lahore, November 1, 2019.

progressive minded professors from universities, since these reading circles allow conversations on issues that would not be endorsed by the administration in formal classrooms.

55. Despite a ban on political activity and student unions, students across universities, whether in the private or public sector have continued to band together and demand their rights. This has often led to a violent reaction from University administrations. In 2008, when around 600 students of the Government College University were protesting their suspension from University for not attending classes, the administration filed terrorism charges against all of them. The students were later cleared of all charges by the Lahore High Court.⁷²
56. More recently, in February 2020, when students from Gomal University in Khyber Pakhtunkhwa were protesting a fee hike, the police beat them up and registered cases under various sections citing rioting and unlawful assembly amongst other charges from the Pakistan Penal Code. The University also registered two separate First Information Reports (FIRs) with the police asking them to take action against the students.⁷³
57. Students have taken up various issues through protests and organisation at university campuses, at times quite successfully. The issues have also been quite vast, ranging from the absence of clean drinking water⁷⁴, hostel facilities for female students⁷⁵ to fee hikes.⁷⁶ At LUMS, students also successfully organised with custodial staff to get them better contracts from the university administration.⁷⁷
58. It is this consistent organising across universities and the expansion of reading circles beyond the university premises that has allowed students from across the country, studying at different institutions to come together in the form of the Pakistan Students Collective (PSC).
59. They organised the Student Solidarity March, one of the largest gatherings of students marching for their rights, seen in recent years. The march is in its second year now. In 2019, the March took place across 50 cities and was conducted by a coalition of almost 22 student organisations from across the country.⁷⁸ Students from GCU participated in the March despite university administration closing hostel gates to prevent students from participating.⁷⁹

⁷² “GCU ordered to withdraw cases against students” *The News*, 6 November 2008, <https://www.thenews.com.pk/archive/print/143961-gcu-ordered-to-withdraw-cases-against-students>

⁷³ Sirajuddin. “Shameful act’: Lawmakers condemn police violence against Gomal University protesters”, *Dawn*, 19 February 2020, <https://www.dawn.com/news/1535442>

⁷⁴ “GCU Students Protest Against Hazardous Drinking Water.” *Academia*, 29 March 2019, <https://academiamag.com/gcu-students-protest-against-hazardous-drinking-water/>

⁷⁵ Haq, R. “Shifted to private hostel: Students protest PIDE move, fee hike.” *The Express Tribune*, 15 December 2015, <https://tribune.com.pk/story/1010099/shifted-to-private-hostel-students-protest-pide-move-fee-hike/>

⁷⁶ Haq, R. “Campus unrest students call off strike after VC promises to address grievances” *The Express Tribune*, 24 December 2014, <https://tribune.com.pk/story/1015372/campus-unrest-students-call-off-strike-after-vc-promises-to-address-grievances/>

⁷⁷ “LUMS students stand in solidarity with janitorial staff”, *SAMAA*, 22 April 2019,

<https://www.samaa.tv/news/2019/04/lums-students-stand-in-solidarity-with-janitorial-staff/>

⁷⁸ “Student Solidarity March held countrywide to demand restoration of unions, better education facilities” *Dawn*, 29 November 2020, <https://www.dawn.com/news/1519531>

⁷⁹ “GCU Students Defy Admin’s Curbs to Join Student Solidarity March” *Naya Daur*, 29 November 2020, <https://nayadaur.tv/2019/11/gcu-students-defy-admins-curbs-to-join-students-solidarity-march>

60. One of the primary demands of the Student Solidarity March is the reinstatement of student unions, which received a positive response from various political parties, while the Sindh government said it would table a bill to end the ban on student unions.⁸⁰ The demands also include reversal of fee hikes, immediate action on harassment issues, and an end to the unlawful detention of university students and unnecessary interference of security forces on university campuses.⁸¹ They are representative of the various political and social issues that students across the country have to deal with in academic settings.

VII. Physical Attacks and Murders

61. Despite multiple attempts by the state and university administrators to control the conversation on campuses, there has always been dissent and student activism on campuses that differ from views propagated by mainstream politics. These views also play out violently on university campuses. As already illustrated above, protests for simple demands or cultural events turn violent, as universities become a microcosm of the country's larger political realities.
62. This is evident in the murder of Mashal Khan and the trial and conviction of Junaid Hafeez, as discussed in previous sections.
63. University professors from the Shi'a Islamic sect were murdered in a string of target killings in Pakistan between 2013 and 2015. While these murders might not be connected with the academic pursuits of the professors, it nevertheless was a chilling reminder of the way non-state actors - in this particular instance, fingers were pointed at sectarian militant outfits - could deter an entire group of people from joining, or continuing to stay in, the academia on the basis of their identity.
64. Most prominent among these killings was the murder of Shakeel Auj, a dean at the Karachi University in 2014. The perpetrators later admitted to police that they had found one of his lectures blasphemous and so had responded by shooting him.⁸² In 2015, just a few months after the murder of Auj, another professor at Karachi University was also shot dead. The police denied the sectarian motive for the murder but were not able to catch the culprits.⁸³ Prior to these incidents, a Shi'a professor was shot dead in Gujrat in 2013.⁸⁴
65. In 2019, a student stabbed a 59-year-old English lecturer at his college in Bahawalpur because the student perceived the teacher to have insulted Islam.⁸⁵
66. The 2019 murder of a professor in Balochistan allegedly due to police brutality during a protest sit-in raises questions about the heavy price academics have to pay in Pakistan for their on- or off-campus

⁸⁰ "Students Solidarity March Yielding Results" *Naya Daur*, 4 December 2019, <https://nayadaur.tv/2019/12/students-solidarity-march-yielding-results/>

⁸¹ Naqvi, F. "Why the Student Solidarity March is being organised across the country." *Dawn*, 21 November 2019, <https://www.dawn.com/news/1518044>

⁸² Ali, I. "KU Dean Shakeel Auj Shot Dead," *Dawn*, 19 September 2014, <https://www.dawn.com/news/1132830/ku-dean-shakeel-auj-shot-dead>

⁸³ Azmat, Z. "Two years on, slain KU teacher Dr Waheed's family still waiting for justice" *The News*, 30 April 2017, <https://www.thenews.com.pk/print/201540-Two-years-on-slain-KU-teacher-Dr-Waheeds-family-still-waiting-for-justice>

⁸⁴ "Shi'ite professor, driver shot dead in Pakistan violence", *Reuters*, 19 November 2013, <https://www.reuters.com/article/us-pakistan-shia/shiite-professor-driver-shot-dead-in-pakistan-violence-idUSBRE9AI0G020131119>

⁸⁵ Farmer, B. "A Professor's Killing Sends a Chill Through a Campus in Pakistan", *The New York Times*, 17 September 2019, <https://www.nytimes.com/2019/09/17/world/asia/pakistan-professor-killing.html>

political activities and political ideology.⁸⁶ These kinds of violent threats pose a serious setback to academic freedoms on campus, since those responsible for perpetuating the violence do not face any consequences. It ultimately leads to self-censorship.

F. Conclusion

67. The ongoing trends of censorship, surveillance, self-disciplining, anti-intellectualism, lack of critical or original thinking, and depoliticization of young students, as well as their radicalization, have left a lasting impact on academic freedoms in Pakistan. Hence, it is important for the government of Pakistan to show a stronger commitment towards the encouragement of free thinking in higher education spaces, by promoting institutional autonomy and academic freedoms. Fostering an environment where critical thinking is encouraged, and freedom of expression and association are fully realized, is key for any university space and its members to thrive. Moreover, discussions on religious plurality should be actively encouraged in university spaces across Pakistan. Perhaps these goals can be fully realized with the enactment of legislation that prohibits attacks against progressive scholars and students within university campuses, particularly in regards to the false blasphemy charges that are leveled against students and professors alike. With that, we hope that the Special Rapporteurs on the Right to Freedom of Opinion and Expression and the Right to Education are able to delve further into the threats that are experienced in spaces of higher education within Pakistan.

⁸⁶ “Arman Loni’s Death”, *Dawn*, 6 February 2019, <https://www.dawn.com/news/1462147>