

DISCUSSION PAPER

August 2008

Proposed
Revival of Students Unions in Pakistan

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PILDAT is an independent, non-partisan and not-for-profit indigenous research and training institution with the mission to strengthen democracy and democratic institutions in Pakistan.

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Foreword

This Discussion Paper has been prepared to promote a frank, informed and productive discourse on the question of an orderly revival of Students' Unions in Pakistan after a ban of almost 24 years. We hope that this paper will be helpful in provoking useful discussion on some of the questions that need to be answered before a plan for the revival is agreed. We also hope that this document will serve as a primary tool of initiating the discourse at the Consultative Sessions planned by PILDAT on the subject in various cities.

This discussion paper should be regarded as a dynamic document which will continuously undergo updating based on the feedback received or to be received from various individuals and organisations. PILDAT requests all recipients of this paper to forward us their comments to further improve and update the contents.

We wish to gratefully acknowledge the support provided by Friedrich Ebert Stiftung (FES), Islamabad Office in preparing this paper, for holding the proposed Consultative Sessions and for subsequently drawing-up the recommendations for the orderly revival of Students Unions in Pakistan. We also wish to acknowledge the contribution of Ms. Mariam Chauhan, Mississauga, Ontario, Canada and Ms. Mehvish Muneera Ismail, Lahore who provided information about Students' Unions in Canada and the laws under which the ban on Students' Unions was lifted in Pakistan.

August 8, 2008
Islamabad, Pakistan

List of Acronyms

AIU	Association of Indian Universities
APMSO	All Pakistan Mohajir Students Organisation
BSO	Baloch Students' Organisation
CPI-M	Communist Party of India
DSF	Democratic Students' Federation
IJT	Islami Jamiat Talaba
JI	Jamat-e-Islami
MLA	Martial Law Administrator
MLO	Martial Law Order
MNA	Member of National Assembly
MQM	Muttehidda Quami Movement
MRD	Movement for the Restoration of Democracy
MSF	Muslim Students' Federation
NIEPA	National Institute of Educational Planning and Administration
NSF	National Students' Federation
NUS	National Union of Students
PkSF	Pakhtun Students' Federation
PML	Pakistan Muslim League
PML-N	Muslim League - Nawaz
PML-Q	Pakistan Muslim League - Quaid e Azam
PNA	Pakistan National Alliance
PPP	Pakistan Peoples Party
PSF	Peoples Students' Federation
UGC	University Grants' Commission
UNO	United Nations Organisation
UP	Uttar Pardesh
VC	Vice Chancellor

Introduction

Prime Minister Syed Yousaf Raza Gilani announced the restoration of Students' Unions while spelling out his government's agenda after receiving a unanimous vote of confidence from the National Assembly on March 29, 2008.

The ban on students' unions was originally imposed through Martial Law Orders issued in 1984 during the rule of the then Chief Martial Law Administrator cum President General Zia-ul-Haq. Growing cases of violence in the campuses and the concern shown by the society were cited as reasons for the ban. However, it is also believed that the decision was based on reports that anti-government student alliances had gained considerable influence and strength and these could pose a threat to General Zia-ul-Haq's government. The Government, it appears, feared a students' movement, the sort that helped topple President Ayub Khan's government in 1969 and decided to forestall such a possibility by banning students' unions and other organisations of students. The ban was put to effect by issuing Martial Law Orders (MLOs) by Martial Law Administrators (MLAs) of various zones which roughly corresponded to the provinces. Martial Law Order No. 1371 was issued on February 9, 1984 by Martial Law Administrator Zone A (Punjab) to ban Students' Unions. Similarly Martial Law Order No. 227 was issued on February 11, 1984 by Martial Law Administrator Zone C (Sindh) to ban Students' Unions and Federations.

While many segments of the society, including the students' organisations, demanded that the ban be lifted as it would have long-term detrimental effects, some felt that the ban has helped in restoring peace in the campuses. There had been efforts to lift the ban by some political governments following the lifting of Martial Law, but effectively the students' unions remained banned all these years. The issue being addressed in this Discussion Paper is not of whether the ban should be lifted as the ban has already been lifted – at least in principal through the Prime Minister's announcement. This Discussion Paper seeks to set a context for an informed discussion on several questions that relate to the anticipated formal revival of the students' unions. This is an important issue and has many stakeholders: the students; parents; teachers; administrators of educational institutions; policy makers and implementers in the provincial and federal governments; parliamentarians responsible for policy review and oversight and students' organisations. This Discussion Paper seeks to involve all stakeholders in discourse leading to orderly restoration of the students' unions in Pakistan.

An Overview of Students' Organisations and Unions in Pakistan

Students' organisations and students' unions have existed on college and university campuses since the independence of Pakistan in 1947. Muslim Students' Federation (MSF) existed even before the creation of Pakistan and played an active role in the Pakistan Movement in close association with Pakistan Muslim League. Democratic Students' Federation (DSF) and Islamic Jamiat-e-Talaba (IJT) were formed soon after the creation of Pakistan. The IJT was established on December 23, 1947 at Lahore. Head of Jamaat-e-Islami, Maulana Abul aala Maudoodi addressed its founding meeting. The DSF was founded in Gordon College Rawalpindi in 1948 and was later extended to Karachi in 1950. Initially students' problems were its main focus but it was generally perceived as an organisation of progressive / leftist students. The DSF later merged itself into a broader platform called All Pakistan Students Organisation (APSO). The Girls Students Congress also appeared on the horizon of Karachi around the same time.

Interestingly, most of the students' organisations had and still have close links with one political party or the other that is closest to their 'ideology.' For example, the MSF is still associated with Pakistan Muslim League (PML) and has almost as many factions as the PML itself. The IJT is associated with Jamaat-e-Islami (JI). The Peoples Students Federation (PSF) is traditionally aligned to the Pakistan Peoples Party (PPP). The National Students Federation (NSF) was generally regarded as an organisation of the left; the Anjuman Talaba-e-Islam (ATI) was affiliated with the Jamiat Ulama-e-Pakistan; the Imamia Students Organization (ISO) is an organisation of the Shiite students. There are a number of ethnic students organisations mainly active where these ethnic groups are either concentrated or where ethnic rivalry is relatively more pronounced such as in Karachi. The Pakhtun Students' Federation (PkSF), the Baloch Students' Organisation (BSO), the Punjabi Students' Federation, the Jiye Sindh Students Federation and the All Pakistan Mohajir Students Organisations (APMSO) are some examples of such organisations.

Students' organisations have traditionally participated in the students' union elections with a lot of enthusiasm. Some of the candidates for the offices of the students' unions, though, have been independent with no association with a students' organisation.

Until the ban, students' unions were, in general, formally

recognised bodies by the administration of the educational institutions. In most cases, fees at the educational institutions included explicit or implied Students Union Fund which was provided to the elected office-bearers of the students' unions and the unions spent this fund under a set of rules. Usually a Staff Advisor or a Director Students' Affairs or both were appointed by the college/university administration to work closely with students' unions and act as the students' unions' primary contacts with the administration. In most colleges/universities, the administration provided office space, furniture and facilities to students' unions to carry out their functions. In almost all cases, a constitution and by-laws governed the functioning of the students' unions. Each college and university had its own students' union constitution, by-laws and rules but many aspects of these documents were common among most of the institutions.

Students' unions and students organisations played a very active role in various national political movements whether related to students or not. The students' movement against the draconian West Pakistan University Ordinance of 1962 forced an otherwise very strong and authoritarian government of Field Marshall Ayub Khan, President of Pakistan at the centre and of Malik Amir Muhammad Khan, Governor of West Pakistan (today's Pakistan) to revise the ordinance. Students played a significant role in the political movement against the Tashkent Declaration signed by President Ayub Khan with India in 1966 which gradually built up to a strong national campaign to ouster President Ayub Khan in 1969. Another strong students' movement, mostly by the rightist students' organisations that dominated the students' unions at that time, was against the recognition of Bangladesh by Mr. Zulfikar Ali Bhutto's government in 1972. The political movement of Pakistan National Alliance (PNA) for the ouster of Mr. Zulfikar Ali Bhutto's government in 1977 also involved a large body of students. Probably, Mr. Bhutto's era saw the greatest activism of students in national affairs. He was idealised by a large number of young people especially students, at least during the days of his struggle against Ayub Khan and during the early days of his government. He made students' unions a part of the university governance structure. For example, presidents of the university students' union were made a member of the university syndicate – the highest decision-making body of a university, the university senate, academic council and disciplinary committee through a new university legislation. He invited the elected office bearers of students' unions from all over Pakistan for consultation before he travelled to India as the President of Pakistan to negotiate over the Prisoners of War and related

subjects after the defeat of the country in 1971 war. This political activism continued for quite sometime even after the Martial Law was imposed by General Zia ul Haq in 1977 until it started threatening the Zia regime.

Political Parties took considerable interest in students' politics especially the elections. In many cases this interest became active involvement leading to partisan polarisation and even violence in the campuses. A major part of students' union activities consisted of activities such as Debates, Declamation Contests, Poetry Sessions, Music Concerts, etc. and these promoted competitive spirit among students to excel in various fields other than studies. Elections provided an excellent opportunity to learn how a democratic process worked. It promoted democratic culture including tolerance to opposing views, accepting verdict of the majority, working with others including the opponents. It also helped students acquire organisational skills, inter-personal abilities and enhance communication skills.

Unfortunately, as the importance and influence of students' unions increased over the years, political parties' interference increased and became more direct in many cases. Elections, especially in large universities, became more expensive and money started flowing from sources outside the campuses in a bid to influence the elections. The initial trend of academically bright students leading the students' union elections was replaced by the domination of students unions by the favourites of one or the other political party. Ruling political parties also started playing a greater role and even tried to influence university administrations to take sides in students' politics in some cases. In some isolated cases, student leaders used strong arm tactics against not only rival students but also against teachers and university administration. In some isolated cases student leaders also developed commercial interests and received gratifications from contractors or suppliers of goods and services to university in return for allowing them to work smoothly or using their influence on behalf of the contractors with the university administration. As the society became more politically polarised, so did the campuses. In response to the unjust interference of some of the past ruling parties to patronise their favourite individuals or organisations among students and facilitate their success in election, other students and organisations started resisting such trends which soon started transforming into armed clashes within the campuses leading to the suspension, delay and disruption of academic sessions. Although these sad developments can not be generalised, nor were these unique to Pakistan, a

feeling started growing among a section of teachers, parents, students and administrators that the students politics is adversely affecting the primary function of the educational institutions – imparting education. Instead of making serious efforts to reform the system, the government of the day in 1984 opted for an easy but short-sighted solution by banning the students' unions – a proverbial throwing of the baby out with the bath-water.

These students' unions have played a mentionable role in student mobilisation, involvement in national level movements and voiced their opinions on international issues as well. They have demonstrated their concern for matters which may not necessarily have been in line with the stance taken by the establishment. Hence, organised student bodies have been able to create an identity and importance of their own. Students' unions have been able to rally for better facilities, improvement in academics and the like. They have also been able to mobilise the student body to show their support for or opposition to certain policies or steps of the government of the day.

The colleges and universities had served as a nursery for nurturing political thought – not necessarily in line with that of the establishment. It served as a platform to allow the entry of leaders from middle and lower classes on the same footing with those from well-endowed families with political backgrounds. Many such students' leaders went on to become recognised political leaders. Mr. Javed Hashmi, President of Punjab University Students' Union in 1972 became a Member of the National Assembly (MNA), a Federal Minister and acting President of the Pakistan Muslim League–Nawaz; Mr. Liaqat Baloch, another person of modest family background and President of Punjab University Students' Union during 1975 went on to be elected as MNA and a Vice President of the Jamaat-e-Islami; Mr. Jahangir Badar, President of the Hailey College of Commerce, Lahore, during 1971 was later elected as MNA and a Senator, became a Federal Minister and is the Secretary General of the largest political party of Pakistan –the PPP; Mr. Ahsan Iqbal who served as Federal Minister and Deputy Chairman Planning Commission after his election to the National Assembly in 1997 and 2008 was President of the Engineering University Students' Union, Lahore in 1981; Mr. Ghulam Abbas, another student leader of the Punjab University in early 1980s is currently the Secretary General of the Punjab PPP; Mr. Altaf Hussain, the Quaid (Leader) of the MQM founded the APMSO and started his leadership career from students' politics in Karachi University during early 1980s; most of the Baloch leadership in Balochistan including Dr. Abdul Hayee Baloch,

President of the National Party was very active in the BSO during their students life in Karachi and elsewhere. These are just a few examples but the fact is that the students' unions and their activities including elections served as a great democratic experience for students and prepared them for leadership role in real life.

A Chronology of Ban on Students' Unions

- **January 31, 1984:** Ban was imposed on students' organisations in Islamabad
- **February 8, 1984:** Ban was imposed on students' unions in Punjab (Zone A) through MLO No. 1371
- **February 9, 1984:** MLOs were promulgated to ban student activities in different zones
- **February 11, 1984:** MLO No. 227 was enforced in Sindh (Zone C) to ban students' unions and Federations. Students' union activities in Zone B encompassing the NWFP and FATA, were banned through MLO No. 362 and 363
- **March 1984:** Federal Government unveiled a plan to introduce students' councils and societies in educational institutions under which direct elections were not favoured and Vice Chancellors/Principals were proposed heads of these councils. Students generally either rejected or remained indifferent to this plan.
- **1985:** Permission for revival of students' unions was granted in Sindh. Most Karachi colleges managed to hold elections but students' union elections were not held in Karachi University
- **1987:** Students' union elections were held in a few colleges in Sindh. Both the APMSO and PSF fared well in Karachi. The pro-Zia Pakistan Muslim League (PML) revived the MSF
- **December 02, 1988:** Ms. Benazir Bhutto, who became the Prime Minister, lifted the ban on student unions in her opening address to the Parliament
- **1989:** The ban on students' unions was lifted by repealing the MLOs through the passage of acts in each zone. The ban in Zone A (Punjab) was lifted on January 22, 1989 through ordinance II of 1989 repealing MLO 1371. An act was passed in the Punjab Assembly on March 6, 1989 to the same effect. The Sindh Assembly passed an act repealing MLO 227 on May 4, 1989. 1989 was the year when officially-recognised students' union elections took place across universities and colleges in Pakistan
- **1990:** No students' union elections were held in Karachi or the rest of Sindh in 1990 due to ethnic clashes and especially the clashes between the PSF and the APMSO
- **1991:** Postponement of elections in Sindh and Karachi due to a volatile situation
- **1992:** The violence in universities and colleges in Lahore and central Punjab led to the postponement of students' union elections by the government. Due to the escalating violence between the MSF and the IJT, students' union elections were held only in a handful of colleges. Army operation in Sindh led to no students' union polls in 1992
- **July 1, 1992:** The Supreme Court of Pakistan passed an interim order in which it approved that 'at the time of admission to an educational institution, the student and his parents / guardian shall give an undertaking that the student shall not "indulge in politics"; failing which, he shall not be allowed admission. And if, after the admission, he violates such undertaking i.e. "indulges in politics", he shall be expelled from the institution without any further notice.'
- **March 10, 1993:** A bench of the Supreme Court of Pakistan headed by Mr. Justice Muhammad Afzal Zullah, the Chief Justice and comprising Mr. Justice Muhammad Afzal Lone and Mr. Justice Wali Muhammad Khan allowed the restoration of legitimate students' groups/unions activity. The Court passed an order in the case 'M. Ismail Qureshi & others vs M. Owais Qasim, Secretary General Islami Jamiat-e-Talaba Pakistan and 3 others 1993 SCMR 1781' which confirmed, elaborated and clarified its interim order of July 1, 1992. According to this order, the court also held that the 'finding with regard to "indulgence in politics" given by the Head of Institution under his seal and signature shall be final and shall not be questioned except only before the Supreme Court'. The other key points of the order were as follows:
 - Classical Union activities, exclusively relatable to the educational needs, directly relatable to the campus, could be permissible (Italics and emphasis added by the authors). This does not mean directing the formal formation of the classical 'Union'. Instead it should be also left to each institution; which keeping in view its own

circumstances should devise and name it, as also its purposes, procedure, practices, ideas, aims, standards, moral and otherwise, for formation of students' groups under appropriate umbrella.

- The students' groups thus formed 'may not necessarily be treated and named as Union. Such groups would keep a low key activity, of course, under the guidance and umbrella of the institution concerned which if do not have already raised a department of students' affairs, should immediately create such department.'
- The senior teachers and guides should be associated directly with the students' activity particularly those who are experts in exercising parental jurisdiction with more compassion than authority.'
- We, therefore, while restoring legitimate students' groups / unions activity, prohibit the association of the group and union members with organizational set-up of the educational institution in any form whatsoever.' (Context: Office bearers of Students' Unions were made ex-officio members of the University statutory bodies such as Senate, Syndicate and some other bodies during 1972-77 period of Prime Minister Zulfikar Ali Bhutto. The Court had barred such memberships under this part of the order)
- It is not the students' organisation which is primarily responsible for the observance of the ideological basis of Pakistan in the educational institutions; rather the institution and its functionaries are not only responsible primarily but always responsible in this behalf.' (Context: Islami Jamiat-e-Talaba in its submission to the Supreme Court in this case had claimed that 'it was necessary even in the educational institutions to develop such organisations of students which should keep the students community on the ideological lines ordained for and chosen by the people of Pakistan.' The order is responding to this claim.)
- No one student or group can be given an unbridled right to control and coerce another student or group.
- In this connection it needs to be mentioned that an example was cited from Great Britain where in some educational institutions there are students' organisations which work under the name and wings of political parties. We are afraid, it is not possible in the present conditions of Pakistan to follow that example.
- We have taken the decision to keep the doors of wisdom and experience open and to further keep up the possibility of, as already indicated, bringing under review these orders in individual cases which will be coming to the Supreme Court against the decisions of the institutions.'
- A direction was given by the Supreme Court that 'arrangements shall be made as soon as possible and not later than a month to take steps for developing, restoring or re-organizing a healthy students discussion and other activity in any form suitable to the individual institutions which might be called by any description. If any difficulty arises in the implementation of this direction, matter shall be placed before the Advocate General concerned who will place it before the Supreme Court as soon as possible for further orders.'
- **1995:** In student union elections in Lahore and Central Punjab in 1995, candidates backed by the IJT regained the ground the organisation had supposedly lost between 1989 and 1992
- **March 29, 2008:** Prime Minister Syed Yousuf Raza Gilani announced the restoration of the students' unions on the floor of the National Assembly after receiving a vote of confidence

Current Status of Students Unions

Currently, most universities and colleges have the students' societies in departments which cater to extra-curricular activities like debates and drama. The traditional elected Student Unions exist in only a handful of universities and some girls' colleges.

Most universities take an undertaking from the students to not get involved in political activities and students' unions at the time of admissions. Some private university students have also reported that the students as well as their parents are made to sign an affidavit. Apparently, this legally binds the students and their parents to not take part in students' unions and clearly warns of serious consequences such as rustication from the institution resulting from such activities.

Recent Students' Unions Reforms in India: the Lyngdoh Committee

There is no uniform system of election to students' unions in the universities and colleges throughout India. Owing to unpleasant incidences during the election process, Uttar Pradesh (UP), the largest state in India, had banned the students' unions and their elections in 1967, 1972 and 2001. The ban was lifted in 2003 by the new administration and again enforced in 2005 for a few months. Upon the direction of the Supreme Court of India, the Ministry of Human Resource Development constituted a committee of experts on December 12, 2005 to frame guidelines on students' union Elections in Colleges/Universities. The committee was headed by Mr. J. M. Lyngdoh, a former Chief Election Commissioner and comprised six members including a Professor, a head of an independent research organisation, the Director of the National Institute of Educational Planning and Administration (NIEPA), a retired Auditor General with the Secretary General of the Association of Indian Universities (AIU) as the Convener of the Committee. The Committee presented its detailed report spread over 83 A-4 size pages on May 23, 2006. The Report was later endorsed by the Supreme Court of India for implementation by the Colleges and Universities of India.

The recommendations of the committee were to establish and maintain an academic environment: stress was to be laid on indiscipline and divisions on the basis of political beliefs and other avoidable considerations. The committee

was mandated to examine the 'criminalisation' in student elections; financial transparency and limits of expenditure in the conduct of such elections; eligibility criteria for candidates seeking to contest such elections; and the institution of a forum to address grievances and disputes arising out of students' elections. The focus had to be on the need to keep out elements that disrupt the academic atmosphere in educational institutes. Setting up of the committee was widely publicised and suggestions were invited.

The committee collected responses from universities, students, faculty members, members of the student organisations through a questionnaire and a structured schedule. The questionnaire / structured schedule sought information on the issues mentioned earlier. The responses and suggestions were considered. The committee sought to balance academics with the interests of student democracy and political education. It debated whether or not to have elections. Ultimately, the committee prescribed the models of election and norms for regulating the conduct. Directions were then given to the Additional Solicitor General of India to communicate the committee's decision to all educational institutes.

Some of the key recommendations of the Committee are reproduced below:

- a. All universities across India were to conduct elections for the appointment of students to student representative bodies – structured either on the parliamentary (indirect) or presidential (direct) elections' system.
- b. Regions or universities vulnerable to adverse problems as a result of elections could adopt a system of nominations. However, the nomination system was only to be resorted to as the 'interim measure'.
- c. All institutions were to conduct a review of the student representation mechanism to ascertain the success of the reforms.
- d. The union/representative body would only comprise regular students on the rolls of the institution.
- e. Disassociation of student elections and student representation from political parties was stressed.
- f. People not enrolled in the college/university were not to be allowed to take part in

¹ The students can be rusticated for non-compliance

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- activities on campus during elections.
- g. The entire process from nominations to the declaration of result and including the campaigning period were not to exceed 10 days.
- h. The elections were to be held on a yearly basis, within 6-8 weeks of the commencement of the academic session.
- i. Age limits for candidates were set: between 17 and 22 for undergraduate students; less than 25 for postgraduate students and less than 28 for research students.
- j. The candidate could have no academic arrears in the years of contesting and the minimum attendance was prescribed at 75%.
- k. The candidate should not have a previous criminal record.
- l. The candidate had to be a regular full-time student of the college / university and enrolled in a full-time course; duration being not less than a year.
- m. The maximum permitted election expenditure per candidate was Rs. 5,000.
- n. Each candidate had to submit complete and audited accounts, within two weeks of the declaration of the result.
- o. Candidates were barred from utilising funds from any other source other than voluntary student body contributions.
- p. Cast or racial differences were not allowed to be provoked; any criticisms were to be strictly made on public activities of the candidate; and places of worship, within or without the campus were not to be used for election propaganda.
- q. No candidate was permitted to make use of any form of printed material. All promotional material was to be hand-made.
- r. Processions or public meetings outside the university/college campus were not permitted.
- s. The use of loudspeakers, vehicles and animals for the purpose of canvassing was prohibited.
- t. No one excepting the voters was allowed to enter the polling booths.
- u. All candidates were jointly responsible for ensuring the cleaning up of the polling area during and after the election.
- v. It was suggested that certain provisions of the Penal Code (Offences relating to election), may also be made applicable to student elections.
- w. A cell was to be formed to address election-related grievances, including, but not limited to, breaches of the code of conduct of elections and complaints relating to election-related expenditure.
- x. The institutions were urged to organise leadership-training programmes to groom and instil student leadership qualities. The committee stressed upon student representation being essential to the overall development of students.
- y. The committee stressed upon setting up of a regulatory statute.
- z. Police Personnel were to provide security to the academic community. Thereby the area person-in-charge would ensure that no untoward incident takes place.

The reforms were hailed by the Communist Party of India (CPI-M)² as 'a well-built weapon to the progressive student movement fighting to ensure democratic rights of the student community' while some have protested the decision. Students in Lucknow University demonstrated against the implementation. Unable to control the 'lawlessness', the Vice-Chancellor had to close the university.

Since the implementation of the Recommendations, the state of Uttar Pradesh once again banned³ student union activities in September 2007. They cited a law and order problem, innumerable miseries for common people and a deteriorating atmosphere on college campuses. However, the same minister⁴ lifted the ban on March 5, 2008.

² CPI-Marxist was formed in 1964. (http://www.cpim.org/pd/2006/1203/12032006_ragesh.htm)

³ The UP govt. had on previous instances imposed a ban as well. They were in 1967, 1972 and 2001

⁴ Uttar Pradesh Chief Minister Mayawati

Students' Unions in Canada

Student unions in Canadian universities and colleges are a part of the school life. They offer a collective voice to ensure that student concerns are dealt with; allow for activism and a broadening of skills brought on by vast opportunities and freedom; and a chance at participating in a government, preparing future generations for the political world and all its implications.

The key features of the system of Students' Unions in Canada are as follows:

- a. There are numerous students' unions for full-time, part-time, and graduate students
- b. In universities with multiple campuses, each campus has its own union
- c. Students are required to pay a fee, which can vary, to help fund the union and its activities
- d. Each students' union governs under its' own set of rules and parameters, including the limitations of candidates and the requirements for candidacy
- e. Elected representatives are employed and work full-time for the union for a full school year; during which they are taking time off from school
- f. The ability to ban students' union election is held by the universities themselves and not the government and no such ban has ever been experienced
- g. Protests have a history of being peaceful and are generally fighting for tuition costs and student rights. They consist of picket signs, petitions and such; violence is rare. Student unions do not have a history of instigating or participating in major riots or violent protests; university students in general have. Sir George Williams Affair of 1969 at the Concordia University in Québec is acknowledged as the largest student riot on a university campus, when fire was set to a computer lab and many students were injured. On September 9, 2002, there was a clash between pro-Israeli and pro-Palestinian demonstrators as well as police at the Concordia. Property was extensively damaged and students were beaten with batons and pepper sprayed. It resulted in a moratorium on all Mideast-related events for several weeks. The majority of the Concordia Student Union was involved in the riot and an executive member was even arrested.
- h. Some students' unions have been known to support certain political candidates that offer the university or universities in general, tuition cuts and financial aid; unions are more focused on tending to the needs of the students rather than expressing their political views.

Questions & Issues Relating to the Revival of Students' Unions in Pakistan

While discussing the orderly revival of students' unions, several questions come to mind which need to be answered after due deliberation and consultation with the stakeholders. Some of the questions are listed below though the list is not exhaustive and several more questions can be added to the list.

1. **Campus Violence:** How to ensure that revival of students' union does not lead to violence at campuses and resulting disruption / delay in academic years?
2. **Political Parties' Interference in Campuses:** How to ensure that political parties do not exercise influence in the affairs of the students' unions especially the elections?
3. **Influence of Money:** How to ensure that money does not play a decisive role in students' union elections?
4. **Criminalisation of Students' Politics:** How to ensure that the students' politics is not criminalised?
5. **Accountability of Students' Unions Officials:** How to ensure that candidates and elected officials are accountable to their electors and other appropriate bodies?
6. **Influence of Ruling Political Parties on Students' Politics:** How to ensure that the ruling political parties do not attempt to influence the administrations of educational institutions to grant extra favours to their favourite individuals and organisations and victimise the ones they do not favour?
7. **Qualifications for Candidates:** Should there be a set of qualifications for running for an office of the students' union such as age, academic performance, attendance, etc? If so what should be the exact qualification?
8. **Candidates of Students' Organisations:** Should the students' organisations be allowed to field candidates and contest elections?
9. **Registration of Students' Organisation:** If so, should there be a system of registration of such organisations and to make sure that there are regular elections in such organisations and that the accounts are properly kept, audited and publicised? What kind of institutional arrangement will need to be made if there should be a system of registration?
10. **Code of Conduct:** Should there be a code of conduct for students' unions? Who should frame and update this? How will this code be enforced and who will administer penalties?
11. **Provincial and National Coordination:** Should each institution manage its own students' union with the help of a broad set of guidelines or should there be a national and provincial legislation to regulate the activity?
12. **Direct or Indirect Elections:** Should large multi-discipline universities and colleges hold indirect election for the university students' union in order to make the electorate manageable and to restrict the financial resources needed for election campaign?
13. **Law for Political Parties:** Should political parties also be bound by a law or code not to interfere in Educational institutions students' unions?
14. **Political Activities in Campuses:** How far political activities may be considered healthy and thus allowed in a campus?
15. **Representation of Students' Unions on University Governance Structure:** Should students' union officials have representation in University statutory bodies such as Senate, Syndicate, Disciplinary Committee, etc?
16. **Voter Education for National Election:** Should voter education and political education be also brought under the scope of the students' unions activities?
17. **Time off from Studies for Union Office Holders:** Should office bearers of students' unions be required to take partial time off from their studies?
18. **Membership of Students' Unions:** Should membership of students' union be mandatory with a membership fee?
19. **Students' Unions in Private Educational Institutions:** Should private educational institutions be required to allow students' unions?
20. **Facilities for Students' Unions:** What facilities such as Office Space, Furniture, Equipment, Vehicles and staff should an institution provide to students' unions?
21. **Sectarian and Ethnic Trends in Students' Politics:** How to discourage sectarian, ethnic and parochial trends in students' politics?
22. **Gender-based Quota for Students' Unions:** Should there be gender-based quota in co-educational institutes?

The Way Forward

It is proposed that an informed and structured discourse be promoted among the stakeholders on the question of orderly revival of students' unions. All stakeholders be encouraged to participate in the discourse and the government should also openly share its ideas and concerns. Media should be encouraged to ensure a wider outreach of such consultations. An effort should be made to learn from the examples of other countries. India has gone through and may still be going through almost similar experiences relating to students' unions and their negative fallout. The safeguards and guidelines adopted by the Indian Government and the Supreme Court may serve as a good starting point while preparing a blue print for the orderly revival of students' unions in Pakistan.

PILDAT plans to hold a series of consultative sessions with a range of stakeholders in various cities of the country. This discussion paper is proposed to serve as a tool to encourage discussion. PILDAT plans to prepare a set of recommendations for the legislatures and the governments at the centre and the provinces in the light of the consultations.

APPENDIX A

Excerpt from the Report of the Study Group on Students' Problems in the Universities of Pakistan set up by the University Grants Commission, Islamabad. September 1975

Excerpt from the Report of the Study Group on Students' Problems in the Universities of Pakistan set up by the University Grants Commission, Islamabad, September 1975

Presented below is the excerpt relating to students' union taken from the Report of the Study Group on Students' Problems in the Universities of Pakistan set up by the University Grants Commission. The report was submitted on September 15, 1975. The terms of reference of the Study Group were as follows:

- (i) To take stock of the existing facilities for a sound and satisfactory programme of the studies and to suggest remedial measures for that purpose;
- (ii) to examine the existing recreational and welfare facilities of student and to determine their adequacy or otherwise and suggest ways and means for providing additional necessary facilities;
- (iii) to find causes of student indiscipline and to suggest measures for solution thereof; and
- (iv) to examine any other matter affecting student life.

The Study Group consisted of the following:

- | | | |
|-----|--|----------|
| (1) | Professor Shaikh Imtiaz Ali
Vice-Chancellor University of the Punjab, Punjab | Chairman |
| (2) | Dr. Iftikharuddin Arain
Professor of Chemistry, University of Sind, Jamshoro | Member |
| (3) | Dr. Nisar Ahmad
Professor of Chemistry, University of Engg. & Technology, Lahore | Member |
| (4) | Mr. Anwar Khetran
Registrar, University of Baluchistan, Quetta | Member |
| (5) | Mr. Hidayatullah
Assistant Provost, University of Peshawar, Peshawar | Member |
| (6) | Ms. Anita Ghulam Ali
S.M. College, Karachi | Member |

This excerpt is being included in the Discussion Paper to highlight the thinking of the University teachers and administrators about the students' unions which were probably in their most active phase at that time. PILDAT has no opinion on the conclusions presented in the Report.

“Students' Unions”⁵

75. The raison de etre of the Students Union is to promote intellectual, recreational and athletic activities in the University. But the Students' Unions in this country have an unfortunate history. During the British days, the politicians used them for anti-Government agitations. The Students' Union of the University of the Punjab, the oldest University in Pakistan, was repeatedly dissolved after violence erupted on the University campus. During the last ten or fifteen years, Government has set up Student-Teacher Centers substantial grants. The whole idea has been to organize Students' Unions on healthy lines and to channelise the activities of the students into constructive channels. These hopes have not materialized. Gradually, Students' Unions have developed into 'trade unions' and they have adopted the main plank of hostility and confrontation with authorities.

⁵ Students Unions, Report of Study Group on Students Problems in the Universities of Pakistan, University Grants Commission, Islamabad, September 1975, printed by Syed Izharul Hassan Rizvi, pg.43-51.

76. Students' Unions have, as a result partly of the backing of political parties and partly as a result of the Government decision to experiment with student participation in University government, become extremely powerful bodies. Their representation on the Syndicate and Senate has not changed their attitude of forcing confrontation with authorities on slight pretext and of the use of force in pressing their demands. The expectation that by their participation in the decision-making bodies, the students would become a part of the University administration and thereby more responsible, has not materialized. Rather their representation on these bodies has given them sources of information and power which are used for making new demands and obstructing the functioning of other bodies of the University.

77. Under the new University Acts, Students' Unions are statutory bodies, with a right to have their representatives on the Syndicate and Senate of the Universities. By and large, controlled by political parties, they have a tendency to assume, on the basis of their strength, power over matters which do not fall within their sphere of activity. Ever looking for an opportunity to have a confrontation with authorities, they are very quick to exploit the weaknesses of the administration.

78. The existence of the student power is an undeniable fact. Over the years students have been getting more and more involved in politics at the cost of their academic pursuits. Students' Unions today are in many cases more powerful than University administration.

79. Students contesting elections are usually good debaters; individually some of them have doubtlessly great potential merit. Collectively, however, they act on party lines without much regard for the interests of the University. Those who are elected and those who are not constitute rival groups in confrontation with each other. It is very sad that they should rarely agree on any joint programme conducive to the advancement of academic standards. Most of the Union Leaders rarely attend classes and their rooms are public places where boys gather from morning till evening. They are invariably short of lectures, yet by sheer dint of pressure they manage to be sent up for examinations. Rules of discipline and conduct meant for students are not applicable to them. They violate the rules and get away with it, with the result that disciplinary rules are no longer effective in the Universities. They always come asking for application of rules relating to discipline against their opponents but never to their own party-men with the result that the University administration cannot punish anyone for misconduct. Besides, in the statutes the President of Students' Union is a member of Discipline Committee and power given to such a body can hardly be applied justly or fairly when the Union is invariably involved either for or against the offending students.

Students with Money

80. Another important factor contributing to indiscipline, particularly of the political activists, is the amount of money available with the students. Who gives them the money? What is the source of the money? We do not know. But this much is clear that the money does not come from the parents or other legitimate sources. Whether it comes from political parties within the country or from foreign agencies we have bothered to probe into but its existence is very much in evidence. The amount of money spent on the Union Elections is in no case less than the amount spent on election for a seat in the Legislature. Cars, Jeeps, Motorcycles, megaphones, loudspeakers are at the disposal of the candidates and the amount spent on pamphlets, posters and entertainments, etc., is staggering. During this period not to speak of pistols which have become very common even rifles and sten-guns are easily available to the students. It surprises no one when students suddenly start owning scooters or motor cycles and getting mod clothes and latest dresses. The amount of money spent by boys in the university cafeteria is astounding. With lots of money in his pocket and with a scooter under him the boy rides high intoxicated with power of money he is eager to flout authority and to trample under his foot all rules of conduct and behavior of the University.

81. A small number of students join the Universities mainly as a pass time. Though the number of those play boys is small, yet, in view of their object in joining the University, their contribution to indiscipline disproportionately large. The fee for University Education being as low as Rs 12 pm and the admission so easy, these young Don Juans join Universities to enjoy life. To be a student these days is to be a privileged person. It gets one a lot of facilities including cheap residence, subsidized transport, travel at cheaper rates etc. Beyond formally joining the Universities once, such persons seldom attend their classes or pay their dues for the rest of the year, but claim all the privilege of a student, including their free movement on the campuses. A small number of girls also come to Universities not for any serious purpose beyond either looking for a husband or whiling away their time pending their marriage. Such boys and girls spend the greater part of their time in cafeterias and the outside the classes

and seldom grace the lecture rooms with their presence. In the absence of any proctorial system on the campuses and with teachers and chairman having neither the ability nor the inclination to enforce the rules of attendance and discipline, such boys and girls set a very bad example which is extremely contagious.

Leisure and Idleness

82. The courses of studies in most of the subjects, particularly in social sciences are far from exacting. Students have plenty of time on their hands and with nothing serious to do, they are constantly looking for unhealthy activities to reduce their boredom. Unlike Social Sciences the syllabi and curricula in Natural Sciences is more exacting. It is for this reason that relatively few of the disruptionists come from the Science Departments.

Influence of Political Parties

83. Over the years the interest of political parties and their influence over student activities have increased tremendously. Politicians induced their agents in Universities to organize groups and to pressurize the authorities on various issues. These groups (including the Students' Unions) go far beyond the normal sphere of their activities and through politics try to bring everything under their control. Functions which normally do not fall within the purview of the students' activities, such as the naming of a new road (which belongs to the corporation), naming new hostels, laying down admission policies are being taken over by students by sheer dint of force. Politicians who are associated with the governing bodies of the universities have their own private informers and cells among students and employees. Students who have the backing of influential persons, who are pro government or anti-government, misbehave with the authorities as well as their fellow students. They frequently indulge in indiscipline which brings them into clash with authorities as well as opposing groups of students. This leads to a political polarization and to fight by armed bands of students with the strong backing, in money and material, from their political "gurus". The Universities have thus become battle grounds of partisan politics, in which University Administrators have become virtually helpless spectators, incapable of either controlling the fighter or of taking action against them. Elections of the students' unions in Universities today present the appearance of war operation on a small scale.

Cult of Violence

84. In recent years the students have taken to "gheraow" and adopted the cult of violence for ensuring the acceptance of their demands. They always come to see the Deans/Vice Chancellors with their demands in large groups shouting and brawling. As many persons as can be packed in a room enter the office, while the rest remain outside chanting intimidating slogans. They use the most violent language to threaten and intimidate the educational administrators because they know that violence pays, even the threat of violence pays. Since Universities are not equipped to face this type of situations, most of the administrators either crumble or make grudging compromises but more frequently pass on the buck to others by recommending the case strongly for acceptance to higher authorities. This attitude of administrator is whetting the appetite of the boys and the use of "gheraow" is becoming more and more frequent. At the moment the only way to check this is to call the police. But that is unfortunately, counter-productive. The moment the police is called the students confuse the issue and hide their own misconduct by calling the authorities "fascists" and the university 'a police state'. It generally, gets them sympathy of the general public who, unaware of the issue involved and ignorant of the tactics and modus operandi of the students, think that the police should not be used in places like Universities unless, lethal weapons like firearms are actually used, or somebody gets killed.

85. When students fight or misbehave barring exceptional cases, evidence is not forthcoming to enable the authorities to take action against the wrongdoers. Among others, this is one of the principal reasons why, in spite of repeated cases of hooliganism and indiscipline, no one has been expelled from the Universities during the last four years. Independent witnesses, both among teachers and students, refuse to give evidence for fear of being roughed up. In some of the Universities so great is the lawlessness, so overwhelming the fear of bad boys, and so demoralized are students and teachers that nobody would like even to show his presence on the scene of occurrence for the fear that he might be called upon to give evidence as a witness against the delinquents. Even when cited as the witnesses most of them openly tell lies and refuse to identify the culprits. It was reported to us that in one of the general Universities, students who refused to come out to participate in demonstrations organized by a group of political activists that was beaten up so badly that some of them had to leave the university hostels for the fear of their

lives. Students and teachers refuse to give evidence because they feel insecure and unprotected. The authorities feel helpless in protecting them and assuring them of security because nobody is willing to give evidence to enable the authorities to take action. It is unfortunately, a vicious circle.

86. We have no objection to students having an interest in politics. Indeed, as intelligent members of society, they should be well-informed. However, we do not agree with the view that they should actively, participate in the politics of the country. Politics is a mature game and should be left to adults after they had entered life. Universities are essentially places which prepare the students for the future responsibilities as doctors, lawyers, engineers, teachers, administrators, etc. Whatever the form of the government and whichever party comes into power these products of the universities would be needed to run the country. To drag them into active politics at the cost of their studies is not in the interest of the students themselves or the larger interest of the country.”

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