



Pakistan

In Pakistan, Scholars at Risk (SAR) reported state security forces' use of violent force against and arrests of students participating in protest activities, and efforts to shut down university events, while the country's blasphemy law continues to threaten academic freedom.

Pakistan is bound by national and international legal instruments that provide protections for academic freedom and higher education generally. Pakistan is a party to the International Covenant on Civil and Political Rights (ICCPR), which provides for the right to freedom of opinion and expression (Article 19), and the International Covenant on Economic, Social, and Cultural Rights (ICESCR), which provides for the right to education (Article 13) and calls on state parties to “respect the freedom indispensable for scientific research and creative activity” (Article 15(3)). Full exercise of academic freedom depends also on respect for institutional autonomy, defined as “that degree of self-governance necessary for effective decision making by institutions of higher education regarding their academic work, standards, management and related activities consistent with systems of public accountability, especially in respect of funding provided by the state, and respect for academic freedom and human rights.”¹ While Pakistan's constitution does not provide any explicit protection for academic freedom, it provides that the state shall “make technical and professional education generally available and higher education equally accessible to all on the basis of merit” (Article 37(c)).

² Pakistan's constitution provides protections for

freedoms of expression (Article 19), assembly (Article 16), and association (Article 17), albeit with vague and concerning caveats.*

During this reporting period, SAR documented police and security guards using violent force and arresting students, faculty, and staff during on- and off-campus protests. Students protested in response to decisions by higher education officials to hold in-person exams amidst the COVID-19 pandemic, but also policies relating to foreign degree recognition, tuition fees, and higher education spending.

Outside the **Pakistan Medical Commission (PMC)**, on January 6, 2021, police used batons and water cannons against medical school students and recent graduates protesting the PMC's decision to refuse to recognize medical school diplomas issued by 21 universities in Kyrgyzstan and Uzbekistan.³ Protesters rallied outside the PMC building in Islamabad, but then moved on to a major highway, bringing traffic to a halt. When some of the protesters allegedly threw stones at police who arrived on the scene to order their dispersal, police charged with batons and fired water cannons. An unspecified number of protesters, including a leader of the Foreign Medical Graduates group, were arrested and released later that day.

In Lahore, police beat and arrested students from the **University of Management and Technology** during a demonstration protesting the education minister's announcement that all university exams would be held on campus.⁴ Classes were held virtually prior to the announcement. When the Progressive Students' Collective (PSC), a left-wing student group, protested the announcement just outside UMT, police intervened and beat student protesters with batons, leaving several hospitalized, including PSC's president, Zubair Siddiqui. He was also arrested for his

* According to Article 19 of Pakistan's Constitution, “Every citizen shall have the right to freedom of speech and expression, and there shall be freedom of the press, *subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, commission of or incitement to an offence*” (emphasis added). Article 17 provides that, “Every citizen shall have the right to form associations or unions, *subject to any reasonable restrictions imposed by law in the interest of sovereignty or integrity of Pakistan, public order or morality*” (emphasis added). See Constitution of Pakistan (2015), available at https://www.constituteproject.org/constitution/Pakistan_2015.pdf.

participation in the protest.

The next day, at the **University of Central Punjab**, also in Lahore, security guards clashed violently with students protesting the in-person examination announcement.⁵ Hundreds of students staged a sit-in outside the university gates, which security guards kept closed, and asked to meet with the university administration regarding the examinations. Tensions grew when a subset of protesters kicked and threw stones at the gate. At one point, the gates opened and security guards charged with batons and beat students back, while some students reportedly threw stones in return. At least 36 students were detained by the police at the protest site; more students were arrested in the subsequent days.

At the **University of Peshawar (UoP)**, on June 1, police fired tear gas and used batons against faculty and staff during a demonstration at the University of Peshawar (UoP).⁶ Faculty and staff from multiple universities held a protest at UoP to demand the establishment of provincial higher education commissions, the reversal of a reduction in salaries for employees, an increased budget for higher education, and the removal of hikes in student fees. Police reportedly beat the protesters with batons and fired tear gas into the crowd, injuring several. Police also detained eight protesters for allegedly blocking the road.

On July 1, outside the **Higher Education Commission**, police used force against and briefly detained students from several universities protesting in-person exams and demanding the resignation of Pakistan's education minister.⁷ Hundreds of students had gathered for the protest, which blocked traffic on a main road. Police reportedly baton-charged students in an effort to remove them from the street. A dozen students were detained and later released.

And at the **Islamia College Peshawar**, on July 7 2021, police fired tear gas and used batons against students protesting an increase in student fees and demanding the replacement of the registrar and treasurer.⁸ Students marched through a main road in Peshawar, blocking traffic. Police reportedly fired tear gas and hit students with batons in an apparent attempt to disperse them. At least 12 students were reportedly injured.

University administrators and students took action in two instances to shut down events, apparently based on their substantive focus.

On March 20, 2021, the **Lahore University of Management Sciences (LUMS)** cancelled a five-day online conference commemorating the 50th anniversary of the Bangladesh War of Liberation, which led to the secession of East Pakistan to form Bangladesh and left millions dead, injured, and displaced.⁹ News of the conference, titled, "War, Violence, and Memory: Commemorating 50 Years of the 1971 War," and cosponsored by the School of Humanities and Social Sciences at LUMS and the National Institute of Pakistan Studies at **Quaid-i-Azam University**, reportedly generated considerable criticism over social media. LUMS did not publicly announce the cancellation, but, according to student journalists at LUMS, the dean's office emailed members of the campus community, stating that the event was cancelled due to "unavoidable circumstances."¹⁰

At **Punjab University**, on August 26, alleged members of the **Islami Jamiat-e-Talaba (IJT)**, one of the largest student organizations in Pakistan and the student wing of the Islamist political party **Jamaat-e-Islami**, attacked members of a **Progressive Students Collective (PSC)** hosting a "study circle" on the Taliban's rise in Afghanistan.¹¹ A PSC official told one news outlet, *VoicePK*, that IJT members started threatening his group shortly after the study circle was announced. The alleged IJT members reportedly attempted to stop the study circle, engaging in a verbal altercation with PSC members, and then began beating them with rods and sticks. PSC members allege that campus security guards failed to stop the IJT members from attacking them. At least two PSC members were injured. An IJT spokesperson at Punjab University denied allegations that his group was involved in the attack.

A law criminalizing blasphemy continues to pose a severe threat to scholars and students, among other members of Pakistan's civil society, and their ability to carry out academic work. Section 295-C of the Penal Code carries the death sentence or life imprisonment for anyone who "by words, either spoken or written, or by visible representation or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Muhammad (peace be upon him)."¹² Section 295-C's vague language and absence of an intent element has frequently raised concerns over its potential to punish and deter a wide range of expression.* In April 2017, a mob brutally murdered **Mashal Khan**, a journalism student at **Abdul Wali Khan University**, based on accusations that he published blasphemous content on a Facebook page.¹³ A police investigation has found that the rumors of

* For further discussion of blasphemy and academic freedom in Pakistan, see SAR's submission to the Third Cycle of the Universal Periodic Review of Pakistan (2017), at <https://www.scholarsatrisk.org/resources/pakistan-upr-submission-third-cycle/>.

blasphemy were spread to incite violence against him in apparent retaliation for issues he had raised at the university. **Junaid Hafeez**, a graduate student and adjunct lecturer at Bahauddin Zakariya University, remains in prison after being convicted and sentenced to death for blasphemy in December 2019. Authorities arrested Hafeez in 2013 after a student, who was allegedly affiliated with the IJT, circulated a leaflet accusing Hafeez of making blasphemous statements on Facebook.¹⁴ The leaflets prompted students to gather on campus and demand Hafeez's execution. In 2014, gunmen shot and killed Hafeez's lawyer, Rashid Rehman, for agreeing to represent him.¹⁵

Attacks on student expression and academic events, arrests of student protesters, and the blasphemy law raise grave concerns over the state of academic freedom in Pakistan. Violence, coercion, and statutes criminalizing nonviolent expressive activity impede the pursuit of truth and the development and exchange of new ideas. Members of Pakistan's higher education community must have academic freedom, institutional autonomy, and a commitment by state and university officials to uphold the same, in order to carry out their work and provide society the benefits of quality higher education and scholarly exchange.

SAR calls on state authorities in Pakistan to commit to protecting and promoting academic freedom and institutional autonomy, and to refrain from the use of force, arrests, imprisonment, and the death sentence in connection with students' and scholars' nonviolent exercise of the rights to freedom of expression and freedom of assembly. SAR further calls on state authorities to revise Section 295-C of the Penal Code to include an intent requirement, and specific and focused evidentiary and due-process requirements for all blasphemy prosecutions. SAR calls on higher education authorities likewise to protect academic freedom, including by ensuring that faculty and students can inquire and discuss issues of the day without interference. International governments and higher education stakeholders are called on to urge Pakistani counterparts to take the above actions.

ENDNOTES

1. See UNESCO, "Recommendation concerning the Status of Higher-Education Teaching Personnel," November 11, 1997, para. 17, http://portal.unesco.org/en/ev.php-URL_ID=13144&URL_DO=DO_TOPIC&URL_SECTION=201.html.
2. Constitution of Pakistan (2015), available at https://www.constituteproject.org/constitution/Pakistan_2015.pdf.
3. SAR Academic Freedom Monitoring Project (AFMP), January 6, 2021, <https://www.scholarsatrisk.org/report/2021-01-06-unknown/>.
4. SAR AFMP, January 25, 2021, <https://www.scholarsatrisk.org/report/2021-01-25-university-of-management-and-technology/>.
5. SAR AFMP, January 26, 2021, <https://www.scholarsatrisk.org/report/2020-01-26-university-of-central-punjab/>.
6. SAR AFMP, June 1, 2021, <https://www.scholarsatrisk.org/report/2021-06-01-university-of-peshawar/>.
7. SAR AFMP, July 1, 2021, <https://www.scholarsatrisk.org/report/2021-07-01-various/>.
8. SAR AFMP, July 7, 2021, <https://www.scholarsatrisk.org/report/2021-07-07-islamia-college-peshawar/>.
9. SAR AFMP, March 20, 2021, <https://www.scholarsatrisk.org/report/2021-03-20-lahore-university-of-management-sciences/>.
10. Zoha Fareed Chishti, Aiza Nadeem, and Zainaab Basil, "(No) Memory of War and Violence: Conference Series on 1971 War Cancelled," *The LUMS Post*, September 13, 2021, <https://dailystudent.lums.edu.pk/index.php/2021/09/13/no-memory-of-war-and-violence-conference-series-on-1971-war-cancelled/>.
11. SAR AFMP, August 26, 2021, <https://www.scholarsatrisk.org/report/2021-08-26-punjab-university/>.
12. See "Section 295-C. Use of derogatory remarks, etc., in respect of the Holy Prophet," in the Pakistan Penal Code (1860), available at <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/64050/88951/F1412088581/PAK64050%202017.pdf>.
13. SAR AFMP, April 13, 2017, <https://www.scholarsatrisk.org/report/2017-04-13-abdul-wali-khan-university/>.
14. SAR AFMP, April 17, 2014, <https://www.scholarsatrisk.org/report/2014-04-17-bahauddin-zakariya-university-multan-pakistan/>.
15. SAR AFMP, May 7, 2021, <https://www.scholarsatrisk.org/report/2014-05-07-bahauddin-zakariya-university-multan-pakistan/>.