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Seminar On Higher Education*
held by the Pakistan National Forum

Points raised by Masood Hasan

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1. Citing his own example with reference to declining academic standards, that having obtained a BSc Honours School (HS) in Chemistry from Punjab University in 1945. Case Western Reserve University in USA gave him exemptions in the Masters Course in Inorganic and Organic Chemistry in Sept 1947 as the standard of the MSc H S at Lahore was better than that of Case Western's MS classes! This could not happen today. It is clear that academic standards have fallen sharply, for which there are a variety of reasons.
2. That lately the evil of plagiarism at the highest academic levels has been highlighted in the national press. PU appears to be one of the main culprits. It appears incongruous that even though several teachers were found guilty of plagiarism that they were let off very lightly. Government College University had, on the other hand, acted with dispatch and for plagiarism inflicted the proper punishment, which HEC endorsed.

If we always insist on the legal interpretations of rules as to how to run day today administration, standards will always be adversely affected. If there are 11 variables there are about 3.7 million ways of combining them. It follows no man-defined complete compendium of rules can ever be produced. There is need to involve the concept of equity and morality which Islam recognizes. Unfortunately in Pakistan our Anglo-Saxon heritage is not at all helpful in this respect. However, it is of interest to note that it was in about the year 1200 England performed their version of ijthihad and separated equity from their common law courts ie the interest of the public was superior to that of common man made law. To this day the Chancery Division (the old Lord Chancellor's court) of the British courts deals independently with equity. The other two divisions are the Queen's Bench (common law) and the Admiralty etc Division. British judicial activism, as a result, has been moderated over the past 800 years.

We need to revisit Article # 216 of our interim constitution of 1972 and set up Administrative Courts whose jurisdiction is totally independent of the judicial. This is as in France and several other countries. Napoleon had absorbed Islamic ideas during his forced sojourn in Egypt per kind favour of Lord Nelson/Aboukir Bay. The judiciary, legislature and executive are kept cleanly apart. In Pakistan

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the executive is happy that there can be judicial review of their decisions because it lets them off the hook. It places the judiciary in an anomalous position to pronounce judgments on matters that should not have gone to them in the first instance. More than one chief justice has commented, as such in the past. Resultantly such judicial activism leads to the judiciary treading on the executives toes with serious consequences leading up, in my opinion to the current Chief Justice's imbroglio who had looked into some 6000 cases odd when the Supreme Court passed orders, not always to the liking of the executive. No legal due process was involved. Unless this administrative rigmarole is understood it will continue to be impossible to hold anyone accountable for their acts omission/ commission.

3. In the course of the days proceedings several points, mostly common knowledge, were brought up including:
 - a) There is a teaching overload.
 - b) Agreed targets are not met.
 - c) Non-utilization of funds.
 - d) Delays in the authorization of purchases.
 - e) Shift teaching creates problem.
 - f) Methodology of approving Ph D theses work start is unsatisfactory.
 - g) Lack of continuity in implementing any education policy.
 - h) Discrimination between local / foreign PhDs.
 - i) HEC financed professors from abroad and pays of local shows tremendous disparity.
 - j) While funds are plentiful disbursement problems are considerable.
 - k) Policy decisions are handed down without involving the concerned stakeholders.
 - l) Lack of implementation of environmental and other laws concerning edibles.
 - m) Seniority system in Health Deptt eliminated in the Punjab.
 - n) PPS Commission has not recruited doctors for 13 years, whilst contract appointments are being made. The hard core is disappearing.
 - o) Lack of academic freedom.
 - p) Plagiarism at the highest academic levels is being tolerated by some universities.
 - q) Culture of education is different from that of military/law & order, commercial/industrial etc. hence competent educationists should head universities.
 - r) The existing system does not work.
 - s) Bridges between academic and industry are almost non-existent and need to be developed.
 - t) Individuals heading educational establishments must be familiar and conversant with academic culture and all that goes with it.

4. All the above deal almost entirely with **non-academic** matters. Differences in views on executive matters are always best settled within the executive, as in all military establishments the world over, in private and public limited companies and MNCs. Leaning on the judiciary means the executive is really not independent, which it should be. Its independence will automatically make the judiciary independent, and this is no paradox given local conditions.
5. There is a need to distinguish between the methodology of science and that of technology. Scientists work within four walls and the results of their research can radically upset the academic status quo, as has happened in physics in the past century and a half, at least twice. Whereas the technologist deals on the one hand with the ideal laws and on the other with the wants of people and must above all make a profit to survive. The physical efficiency of all processes is always less than 100% whereas the balance sheet must indicate surpluses for technology to develop and grow. As a result technology (barring the transistor) of necessity grows incrementally all the time, so as to ensure the financial apple cart is not upset. Whereas the scientist is not bothered, in fact he can and does profit from his original creative research. The scientist's approach would bankrupt the technologist without a shadow of doubt.

Another factor that helps to cloud the situation is that scientists have the time to talk about technology but the technologists are busy all the time trying to solve their day to day problems to survive. Their problems are not necessarily of their making eg changes in customs duty, restriction on movement of products or the effects of a poor law and order situation. All these can and do effect the financial stability of organizations utilizing technology. Not to mention the innumerable begging bowls arising out of bureaucratic interventions. Such happenings are not conducive bridge-building with industry which call for investment both monetary and of human resources, predicated on stable environmental conditions.

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6. An example of bridge-building not so much between Research & Development. But between Development and Acquisition was given, that in the defence sector 3,982 parts of the now obsolete T-59 tank had been homologized ie satisfactorily developed and manufactured in the private sector very successfully, following a methodology in which military discipline was made deliberately subservient to commercial discipline (an unbeatable combination). When added to some 4,000 parts made in the Chinese aided complex in Taxila about 8,000 of the 10,000 parts were successfully manufactured in the country ie 80% by number, not value. If military discipline had been on top of commercial discipline the effort would without doubt have failed. Apart from the simple Millat tractor this achievement has not been matched in the private sector. Please remember this achievement is over twenty years old.

7. In order to get a better comprehension of the results of ignoring merit and the time factor (characteristic of feudalism) we are facing a “paradoxical” situation in that.

- a) The macro economy, our strategies, our plans and wholesaling are all showing strong pluses, but it is clear that
- b) Our micro-economy, tactics, implementation and retailing are very unsatisfactory ie do not deliver.

The main factor that causes the discontinuities between the top and the bottom is “layered, entrenched corruption” which encourages feudal thinking/action ie non-recognition of merit and with no cognizance of time. It doesn’t matter if the interpretation of the implementation of the law/rules/by-laws on review in a judicial court – to ensure “accountability” – takes months or years. Finally if someone is found guilty and is punished the system is not affected, it continues merrily along without correction. A judicial court is impotent in this respect, to show how system improvement can ever be its involved concern. This event oriented intervention (by the judicial process) in a process oriented activity (in organizations/departments) makes for a few ripples. The tsunami of change, which is what is required, is missing. We continue to perform the same activities – which led to the failure – very very efficiently.

Conclusion:

Finally, what is required to be done is not to attack symptoms of which they are plenty, but is to make a complete break with the methodology of the past 60 years and to find a new approach. It was not with good reason that Einstein said “without changing our patterns of thought we will not be able to solve the problems we created with current pattern of thought”. A qualitatively different approach is called for Strangely enough this approach is fully in consonance with Islamic principles and is almost, but not quite, the same amongst the Anglo-Saxons after their ijthihad. We need to revisit Article 216 of the 1972 Interim Constitution and implement the same. This will by pass the existing system, which will provide relief of the overworked courts and to the citizens who cannot obtain “justice”. Of course, opposition will come from the lawyers because litigation will be drastically reduced as well as the corrupt bureaucrat who prospers through the due process of our judicial courts. The politicians will also find it more difficult to interfere in administrative work-flow.

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How it may be asked will this effect the improvement in higher education? As pointed out earlier, most of criticisms made of the existing ills were almost entirely non-academic in nature. Being able to hold individuals accountable, particularly for their sins of omission is the qualitative change that will come about, such sins are generally worse than those of commission. There are several considerations which would require a detailed explanation to justify this approach which was used by the writer when he was

Sole Arbitrator of all defence procurement contracts. And this approach worked excellently well. The need therefore, is to take this up in our National Assembly and incorporate Article # 216 of the 1972 Interim Constitution as a part of our Constitution. If this is not done, then it is very clear to the writer that little or no improvement can be made. As if our last 60 years does not prove this! The assumption that good micro governance will trickle down from good macro governance is a chimera when there is so much layered corruption in our academic body politic. The usual approach has been to attack the symptoms which conforms very much to what Patronius Arbiter had to say in about 210 B.C. "we train hard – but it seemed every time we were beginning to form into teams, we would be reorganized. I was to learn what a wonderful method it can be for creating an illusion of progress, while producing confusion, inefficiency and demoralization".

History tells us we have not, as yet, thrown up the leadership to effect the qualitative change abovementioned, failing which we are condemned to repeat the past. Because of a rapidly growing population, the size of our difficulties will increase and ultimately condition total failure under its weight of intractableness.

/Seminar