

## **Restructuring Compulsory Education in Pakistan in the Post-eighteenth Constitutional Amendment Era: Insights from the Region and Developed Nations**

**Intzar Hussain Butt**

*University of Education, Lahore*

**Tahir Mehmood Butt**

*Government College for Boys, Gujranwala*

**Raza Ullah**

*University of the Punjab, Lahore*

### **Abstract**

Free and compulsory education has become a constitutional right of all the Pakistanis since the eighteenth amendment has come into effect. Compulsory and free education requires the laws to implement the education offerings in the compulsory age group. This study draws on a desk review of the compulsory education offerings in five countries: India, USA, UK, Singapore and Finland. The study is aimed at getting insights into how compulsory education is being organized in the region and globally, and forwards some recommendations regarding how it may be organized by various provinces of Pakistan.

**Key words:** Compulsory education, free education, streaming, public-private partnership

### **Introduction**

In recent years, Pakistan has made advances in the direction of transferring the items in the 'concurrent list' from the federal level to the provinces. The Eighteenth Amendment 2010 in the constitution of Pakistan has empowered the provinces to take over responsibilities that traditionally were managed by the federal government and provinces jointly. Under this constitutional amendment education is now a provincial subject. The provinces are now assumed to be free to organize education according to their local needs, environments and cultures. Free and compulsory basic education has been declared as a constitutional right for the Pakistanis. The newly included article 25A in the Constitution of Islamic Republic of Pakistan states that

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The state shall provide free and compulsory education to all children of the age of five to sixteen years in such manner as may be determined by law.  
(p. 15)

In Pakistan, the age of starting formal schooling has remained 6 years for a long time. The article 25A, therefore, may require the provinces to organize free and compulsory education from pre-school to grade 10. This covers the primary (Prep – 5), middle (6 – 8) and high (9 – 10) school classes under the three-tier education system of Pakistan. This would have serious implications for students, parents, policy makers, education managers, curriculum developers, boards of education, teacher educators, and teachers. In order to realize the dream of free and compulsory education, each province will have to make generous financial allocations and demonstrate consistent commitment.

Private schools have been wide spread in all the provinces of Pakistan. It would be interesting to see how private schools would be governed by the legislation to be made regarding free and compulsory education. There are two aspects that need to be kept in view while framing the free and compulsory education Act. First, Private schools charge tuition fee. Whereas, education for compulsory age group should be free of tuition fee. Second, presently the private schools have varied curriculum offerings. They may be required by law to follow the same core curriculum that is offered in the public schools.

## Methods

This study draws on a desk review of the compulsory education offerings in five countries. This paper is aimed at getting insight into how compulsory education is being organized in the region and globally, and forwards some recommendations regarding organization of free and compulsory education by the various provinces of Pakistan. This paper is organized into three sections: insights from the region, insights from the developed countries and recommendations in the light of the practices in the region and beyond. Particularly, the organization of compulsory education in India, UK, USA, Finland and Singapore, will be taken into account. Indian subcontinent (present day India, Bangladesh and Pakistan) has remained under the British imperialism for more than a century. The formal schooling and higher education was developed by the British in the Indian subcontinent. It would be interesting to see how India, after inheriting the education system from the British Empire 1947, is presently organizing free and compulsory education. Pakistan also inherited its education system from the British Empire in 1947. A study of the practices regarding free and compulsory education in UK may inform the steps to be taken by the provinces in Pakistan. A deeper look into the free and compulsory education offerings in the USA is required because most of the reforms in the education sector in Pakistan, after 9/11, have been funded by the USA and may be under the influence of donor country. The organization of free

and compulsory education in Finland and Singapore has been included in this article because both the countries have been listed in the top ranks in the international assessments. It is expected that a comparison of the free and compulsory education offering in the above mentioned countries will help framing recommendations for the provinces of Pakistan as far as organization of free and compulsory education in Pakistan is concerned.

## **Insights from the Region**

### **India**

India is a neighboring country to Pakistan. Both the countries share many traditions in education as they inherited their education system, in 1947, from the British Empire in the Indian subcontinent. It would be interesting to see how the free and compulsory education has been organized in India.

India provided a constitutional guarantee, in 2002 vide Article 21-A of the Indian Constitution, for free and compulsory education to children in the age group of six to fourteen years. The Right of Children to Free and Compulsory Education Act (RCFCEA), 2009 details out how the compulsory education shall be organized in India. The RCFCEA (2009, p. 4) makes it an obligation of the relevant government to “ensure availability of a neighborhood school” where students shall be provided free elementary education: class 1 through 8. If the parents admit their children in a school, other than the schools recognized by the government for the free and compulsory education, then any expenditure incurred cannot be demanded from the government. This provision of the Act opens the doors for private sector to operate schools for the children in the age of free and compulsory education. It is however responsibility of the relevant government to “ensure and monitor admission and attendance and completion of elementary education by every child” (RCFCEA, 2009, p. 4). The Act also makes the parents responsible to admit their children in a neighborhood elementary school. The entire compulsory education age group population studies a core group of subjects. The elementary schools are comprised of two stages: class I – V and class VI-VIII. Students in the compulsory education group study 4 languages: Hindi from class I to V, Sanskrit from class VI-VII, and Urdu and English languages from class I to VIII. Mathematics is taught from class I to VIII, environment from III-V, science and social science from class VI-VII. RCFCEA (2009) further details out that no child can be expelled from or held back in any class and is required to pass any board exam till the completion of elementary education.

## **Insights from the Developed Countries**

### **The United Kingdom**

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The UK is comprised of four regions: England, Wales, Scotland and Ireland. In the UK, the compulsory education ranges from age 5 to 16 years: 11 years of schooling. All the schools – maintained or state school – teach national curriculum to the entire population in this age bracket. The education system is divided into three stages. Stage 1 is comprised of years 1 and 2 stage 2 is comprised of years 2 to 6, stage 3 is comprised of years 7 to 9, and stage 4 comprised of years 10 and 11. Students are assessed by the teachers at year 2 and 9 as a part of the national curriculum. There are ongoing teacher assessments during years 7 and 8. There are national tests, in the subjects of mathematics, science and English, at the end of year 6. At the end of the year 10, some of the students take GCSEs, whereas, at the end of the year 11 most of the students take GCSEs or other national qualifications.

Schools in the UK can be categorized broadly into two categories: public and non-maintained main stream schools. Majority of the students, 94% of all students in compulsory age group, attend a public school (Barnes, 2011). Parents are provided an opportunity to choose a right school for their children and they reserve the legal right to appeal in case of a refusal. The eligible students are also provided meal by the Local Authorities (Barnes, 2011).

## The United States

A review of the documents shows that the starting age for the compulsory education is 6 years for a little less than half of the states, whereas the compulsory education ends at the age of 16 years for more than half of the states. It is also explored that Massachusetts was the first state that enacted compulsory education in 1852. Alaska, however, was the last state that enacted the compulsory education in 1929.

Historically, in USA, the states are independent in deciding what and how to teach without any direct intervention from the federal government. In 1979-80, the Department of Education became the major federal agency “responsible for administering grant funds, contracting with state departments of education, school districts, colleges and universities; engaging in educational innovation, research, and development; providing leadership, consultative, and clearinghouse services to education” (GIZ, 2011, p. 75).

The publication of the report ‘A Nation at Risk’ introduced a new term ‘*standards*’ in the field of education. In order to have a competitive edge over other nations in the international comparisons on achievement in various subjects, the ‘*national standards*’ were developed in the USA. The states were expected to align their curriculum with the national standards. The federal grants are tied with the establishment of standards by each state and performance of students from grade 3 to 8 on annual tests after the No Child Left behind act 2001. In short, in USA, each state organizes education independently. They decide what and how to teach and evaluate without any interference from the federal government. The

federal government however, ties up the federal grants with “individual states’ reform and accountability plans, and to enhance the idea of a federal-state relationship” (GIZ, 2011, p. 76).

According to Council for American Private Schools (2012), in 2009-20, there were 33,366 – 25% of all US schools – private schools that were catering the needs of 5,488,000 students which make up 10% of all US students in PK – 12. The private schools charge a tuition fee that varies from one school to the other. The average fee for all private PK-12 schools was \$ 10,045 per annum. There is, however, no tuition fee in the public schools.

## Singapore

The compulsory education was enacted in Singapore in 2000 and was implemented in 2003. The compulsory education age starts from 6 years and goes up to the age of 15 years. All the children in this age group are required to attend a 6-year course of study. The compulsory education in Singapore is aimed at to provide the children a “common core knowledge ... and a common educational experience which will help to build national identity and cohesion”(Compulsory Education, 2012). The Compulsory Education Act 2000 made it a criminal offense for those parents who do not enroll their primary school age children and do not ensure regular attendance. However, children with special needs were exempted under the provisions of the Act. Under this Act, a person convicted for the offence may be fined up to SGD 5,000 or can be sentenced to an imprisonment up to 12 months or both. During the six years of compulsory education there are no school fees, however, each student has to pay up to SGD 10 as a miscellaneous fee (Compulsory Education, 2012). There is a national *Primary School Leaving Examination* at the completion of the six years compulsory primary education. The students are eligible for a 50% concession in fare when they travel through a bus (Fares and transfer information).

The private primary schools are also present in the education system of Singapore. Starting from the year 2012, such schools receive SGD 51 per month as school and miscellaneous fees from the Singapore permanent residents (Government of Singapore, 2006). The Ministry of Education and the private schools review the school and miscellaneous fees from time to time.

All the schools that are organizing compulsory primary education offer a centrally designed curriculum (Primary Education Review and Implementation, 2009). In Singapore, “the primary school curriculum focuses on three main aspects of education – subject disciplines, character development and knowledge skills” (Singapore Ministry of Education, 2011, p. 3). According to Singapore Ministry of Education (2011) English and mother tongue languages, social studies, arts, music, mathematics and science as “standard subjects” (p. 3) are taught to all the students during the first four years of the compulsory education. However, the students can study the English, mother tongue, mathematics and science subjects at higher level

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– foundation subjects – according to their ability in the 5<sup>th</sup> and 6<sup>th</sup> years of the compulsory education. At the completion of the compulsory education – primary 1 to primary 6 – all the students sit for *Primary School Leaving Examination* in which they are tested in the English, mother tongue, mathematics and science either in standard or foundation subjects.

## **Finland**

A review of the Education, Audiovisual & Culture Executive Agency (2009/2010) reveals that the compulsory education in Finland was started in 1921 and the pupils were required to complete the folk school that spanned over six years or equivalent syllabus. The reformed compulsory education in 1970 expanded the period of the general basic education over nine years that would be completed in comprehensive schools. The mission of the basic education in Finland is to offer individuals the chance to acquire a general education and complete their educational obligation; and ... to furnish society with a tool for developing educational capital and enhancing equality and a sense of community. (Finish National Board of Education, 2012, p. 12)

The Finish schools offer a variety of core subjects during the period of compulsory education that includes mother tongue language, second language, foreign language, mathematics, environmental and natural studies, biology, geography, physics, chemistry, health education, religion, ethics, history, social studies, music, visual arts, home economics, and crafts (Finish National Board of Education, 2004). Besides these core courses, the students are also offered some optional subjects. The core subjects including mother tongue and literature, the first and second national languages, mathematics, physics, chemistry, biology, geography, health education, religion or ethics, history, social studies, music, visual arts, crafts, physical education, and home economics are assessed through written work at the final stage of the basic education. The optional subjects are, however, assessed verbally.

The private education providers in Finland are governed by the same legislation as for public schools and they follow same national curricula. Further, “the tuition must be free of charge and the provision of education cannot produce profit” (Education, Audiovisual & Culture Executive Agency, 2009/2010, p. 64). The schools that offer instruction in a foreign language can, however, collect tuition fees. A very small number of the students, only 0.7%, in basic education attend private schools.

## **Discussion**

A review of the organization of compulsory education in India, UK, Finland and Singapore has revealed that these nations have been offering a “national

curriculum” in an effort to ensure that all the students in the compulsory age group are studying a minimum depth and breadth of curriculum. In all the countries reviewed above, only a small number of pupils in the compulsory age group attend a private school. All the countries, through legislation, have framed laws in order to regulate compulsory education. India, the neighboring country, has been successfully offering free and compulsory education to its nationals through public schools or the schools identified by the state for the purpose.

No tuition fee is charged from the pupils during the period of compulsory education. In some of the countries the eligible pupils are also provided free meal. Each country has a set of subjects/skills that are included in the respective national curriculum. Organization of compulsory education in India, USA, UK, Finland and Singapore is detailed in table 1:

**Table 1: Organization of compulsory education in India, USA, UK, Finland and Singapore**

Country	Compulsory education age	Years of schooling
India	6 to 14 years	8
USA	5 to 16 years*	11
UK	5 to 16 years	11
Finland	7 to 16	9
Singapore	6 to 15**	6

\* Vary by state

\*\* Students are required to complete 6-year course of study

The need for compulsory education in order to educate masses was recognized by the planners of education right after the foundation of Pakistan in 1947. The First Education Conference (1947) proposed compulsory education up to class 5. The subsequent education policies also highlighted the need for compulsory education. The article 37(b) of the Constitution of Pakistan 1973 included the provision of free and compulsory secondary education as a principal of policy. In 2010, the constitution of Pakistan declared “free and compulsory education to all children of the age of five to sixteen years” (The Constitution of the Islamic Republic of Pakistan, p. 16) a fundamental right.

Despite the fact that education of masses has been given prominence in the educational policies and above all in the Constitution, the public sector education could not win the trust of the parents as a first choice for educating their children. This situation has resulted in the mushroom growth of private schools. Presently, in Pakistan, 43% of the children in compulsory age group are enrolled in private schools (Academy of Educational Planning and Management, 2009) as compared to 0.1 % in Finland and 6% in the UK. The number of private school catering the needs to compulsory education age group stands at 56,070 (Academy of Educational Planning and Management, 2009). The traditions regarding obeying the rule of law have been very weak in Pakistan. In the presence of such practices it would be a hard job for the governments to ensure 100% participation in compulsory education. Culturally, many parents, especially in the remote parts of the country, have not been providing equal opportunity to boys and girls and it is girls who remain at disadvantage. The provincial governments will have to make generous allocation for opening schools in neighborhoods so that home-school

distance does not become an excuse for sending children to school, particularly the girls.

## **Recommendations**

1. By making education a constitutional right, the government of Pakistan has intended to provide a minimum depth and breadth of curriculum to all of its nationals of age five to sixteen. Simultaneously, provision of education has become a provincial authorities' obligation. This means that each province is free to plan, and implement a curriculum of its own choice. In the absence of a mechanism which ensures that all the provinces are offering same depth and breadth of curriculum, the dream of enhancing equality and developing a sense of community will remain a mere slogan. There is a dire need of a "national core curriculum" in order to develop a sense of oneness and avoid any disparities that may arise due to multiple curriculum offerings by the provinces. A review of the basic education in India, UK, Finland and Singapore also support the notion of "national curriculum".
2. When a state decides to make education a constitutional right for a certain age group, it indicates that the state deem it necessary that the entire citizens should be equipped with a minimum level of knowledge and skills so that each citizen can contribute to the national development. This also envisages that each citizen requires a minimum level of knowledge and skills in order to function in the society and reap the benefits of economic and social development.

Currently, in Pakistan, after eight years of schooling, the students are divided into science, arts or technical/computer education streams. This practice may have to be abandoned in order to provide equal curriculum offerings to the students as their basic right. The study of mathematics and science subjects at secondary level has implications for subsequent career choices. The workforce with better mathematics skills is expected to earn higher wages. It is therefore important to provide equal opportunities in terms of access, length and breadth of curriculum and expectations from the entire population in the compulsory education age group. For this purpose there could be an 'agency' – at federal level or interprovincial – that could prepare a list of subjects to be offered during the compulsory education period. The agency can also identify the subjects that should be offered to all the pupils. A list of subjects that can be offered as electives may also be prepared. The 'agency' should be asked to prepare standards for learning and assessment in various subjects and each province can prepare a curriculum to best match the given standards.

3. In Pakistan, teaching has remained a profession of least choice due to multiple reasons. There is hardly any professional association of teachers at any level. For example in USA and other countries there are associations and councils that govern different school subjects. For example, in USA, National Council



of Teachers of Mathematics has developed standards for assessment of school mathematics, for teaching mathematics, and curriculum and evaluation standards for school mathematics. The standards developed by professional associations and councils facilitate the states to design their curriculum aligned with the professional standards. Once the standards are available, it becomes easy for the states to establish high expectations from all the students. The absence of any such associations and councils in Pakistan creates a challenge of development of curriculum by the provinces independently but still focusing on common standards. This situation also raises the need of an 'agency' that could ensure that the students in the compulsory age group are getting opportunities to attend same basic curriculum so that their interprovincial mobility for higher education or employment does not become problematic.

4. The laws governing free and compulsory education needs to be enacted without any delays. India took seven years in enacting the laws after the compulsory education became states constitutional obligation. The provinces of Pakistan may not have same liberty because the people are aware of the returns of educating youth and they are already pressing the government to frame the laws. However, while framing laws, the governments should make decisions thoughtfully as that will have both financial and legal implications. A review of the education systems in India, UK, US, Finland and Singapore suggests the following while framing laws to govern free and compulsory education
  - a. Though the compulsory education age spans over 11 years, the governments have yet to decide upon the number of obligatory years of schooling. For example, in Singapore, the compulsory education age spans over 10 years but pupils are required to complete 6 years of schooling by the time they reach the age of sixteen years. The provinces may consider something similar to the practice in Singapore and decide upon the schooling years keeping in view available financial, infrastructural and human resources.
  - b. It is for sure, keeping in view the financial crunch and budget allocation for education, that the provincial governments will not be able to establish a large number of new schools in order to address the issue of making schools available within reach. Provincial governments may have to identify schools operated by non-government sector, in the neighborhoods. Such schools shall offer free education to their immediate community and shall be supported by the local governments. Such examples may be looked at from other countries, especially India. The examples of state funded non-government schools are already present in Pakistan. The Punjab Education Foundation is supporting 1.2 million students from more than 2400 partner schools. At present, the Foundation is extending its support to only those who are considered disadvantaged. The Foundation or another institution like this will be required to identify

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- quality schools as “recognized schools” for the provision of free education.
- c. As the provisions of education are free during the compulsory education age group, the governments shall ensure that no new schools shall be allowed to function which provide education for profit. The schools already functioning for profit shall be gradually converted into state-funded schools.
  - d. As education is a basic right, no child shall be denied admission for any reason whatsoever. Any physical punishment or mental harassment to the children shall be dealt with severe punishment by the court of law. In order to maintain the schools as per the expectations of the immediate school community there shall be a school management committee for each public school or school aided by the state. Each Committee shall comprise of parents of the students, teachers and local government officials.
  - e. The students shall not be expected to appear in any board exam till be completion of compulsory education. However, they shall be continuously assessed in order to make up their deficiencies.
  - f. In order to provide quality education there shall be a well-designed pre-service teacher training program. There shall also be some lifelong learning requirements for the teachers for progression in the profession. In Pakistan, teachers have been deployed to various non-teaching duties such as national census, elections, etc. The teachers shall be made free of any non-teaching duties so that the students do not suffer due to teacher absentees.

## Conclusion

Pakistan has joined the group of nations that require their citizens to participate in the compulsory education. Other nations spent considerable amount of time in framing the rules that govern compulsory education. Pakistanis, through mass media, has been demanding enacting the compulsory education without any delays. The budget allocations for education in Pakistan have remained insubstantial since its inception. This new obligation of the provinces requires that generous allocation be made for compulsory education with sustained commitment. The governments will have to establish new schools either by developing new buildings or by aiding privately managed schools. In both cases, it will be a huge investment especially in the case of the Province of Punjab that comprises of more than half of the total population of Pakistan. In Pakistan there are thousands of schools that are functioning without basic facilities such as classrooms, boundary walls, drinking water, electricity, toilets etc.

It is important that the provincial governments enact the laws needed to govern compulsory education without any delays. The laws should be framed keeping in view the national needs and resources.

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## Biographical Note

**Dr. Intzar Hussain Butt** is Assistant Professor, Division of Education, University of Education Lahore-Pakistan

**Tahir Mehmood Butt** is Lecturer, Government College for Boys, Gujranwala-Pakistan

**Dr. Raza Ullah** is working as Assistant professor, Institute of Social & Cultural Studies, University of the Punjab, Lahore-Pakistan

