

The Legal Backlog

There is at present a backlog of 30,000 undisposed law suits lying with the High Court Division of our Supreme Court. And as many as 25,000 of them involve writ petitions which normally should not brook a day's delay or their justification will be lost. One shudders at the thought of writs being reduced to meaningless unfeeling rituals. Long and repeated spells of martial law suspending fundamental rights and making writs inadmissible has already done immeasurable harm to the cause of establishing the rule of law. Over the years people have experienced a bleak unsurmountable wall whenever needing to seek justice at the doors of law courts. Faith in the legal machinery flagged and flagged and masses of people were driven to take recourse to their own devices of setting things right. The High Court backlog can only add capriciously to this suicidal process.

The underlying problem seems to be unbelievably simple. We have too few judges manning the benches. The number is incredible — 20. Across the border, according to a report published in this journal on Sunday, they have 45 High Court Judges for West Bengal which has a population far less than ours. It hardly calls for ingenuity to appreciate the need for increasing our number of High Court Judges to at least that level — and do it in a matter of days.

However that would hardly help to clear up the backlog. For that some special way out will have to be devised. The proposals for that should come from the judiciary itself. Much will depend on the success of these devices. For the problem down below the level of High Court can only be described in astronomical terms. Cases accumulated without let-up for years and passed into forbidding figures with little prospect of ever being caught up with. Things are in comparison, in more manageable dimensions at the High Court level and a successful beginning made there can lay the ground for grappling the behemoth of the lower stratum.

How things could come to such a pass in this overly delicate sector of our national life? It must be said without equivocation that the executive has for the two decades of independence built up a supremacy over state power and has never given quarters to either the legislature or the judiciary to provide the necessary checks to its omnipotence — and yield the end-result of a balance of shared powers. The executive was too much too jealous of its powers and never came to terms with any idea of ever being challenged.

All that is already a thing of the past — thanks to the December 6 victory of the mass upsurge. The business of dealing justice is back to national pre-eminence. Let it not ever be eclipsed with the coming of regular governments: Acting President Justice Shahabuddin Ahmed has to his credit the record of daring an autocratic all-guns-and-corruption regime and throwing out an amendment to the constitution and suggesting that all doctored from the fourth to the ninth done to the constitution were bad in law. Can we not expect his personal attention in the matter of clearing the angean stable now literally sullocking the law courts — high and low — into little better than ornaments having little effectiveness in bringing back our people's faith in the courts and in the laws?

The present government suffers from manifold limitations — as gifts from its special genesis. In spite of that it has striven well and succeeded remarkably in its persistence on the point of law, legal process, justice and evenhandedness. We hope it will cap that all with an effective beginning made in the matter of clearing the backlog at the courts. It has less than a month's time to do that. It must hurry.

Embroidered 'Dream'

The story of any elderly woman going from door to door, making quilts and earning her livelihood is both inspiring and eye-opening. The story, published yesterday in the regular column 'Dhaka Day by Day', is inspiring because of her spirit of independence and self respect. She refuses to beg and to be dependent on anybody. In her younger days when she suddenly found herself to be a widow with four children to raise, she fell back on this home-taught skill and discovered it to be her passport to salvation and dignity. Now that her children are grown up, she continues to practice her skill of sewing quilt and be her independent self. The message here is abundantly clear. We must organise skills training programmes in all branches of our traditional crafts to generate self employment in a massive scale. This is the eye-opening part of her story. There must literally be hundreds of thousands of women like Akhbarer Ma (the woman in one story) who could be assisted in developing their rudimentary skills learnt at an young age at home, and made into adept practitioners of their skills, generating self employment throughout the country.

Skills training in quilt production should also provide us with an opportunity to develop a cottage industry which has a long tradition in our rural life and something which is authentic to our culture. Quilt of Bangladesh became a part of literary legend with the publication of poet Jasimuddin's 'Nokshi Katha Math'. The same book gave our quilt international fame when it was translated into English (Field of the Embroidered Quilt). Following our liberation, quilt production received some boost and they started to appear in fashionable boutiques and began to adorn the offices and homes of the rich and the powerful.

With the modernisation of the designs and colour, our quilts, as decorative item, is receiving more and more attention in the international market. We believe that international demand for our 'Nokshi Katha' can be pushed further up through streamlining of its production and supply and through some creative marketing abroad. The boutiques with experience in international marketing could be brought together in this efforts. With some critical assistance from the concerned official bodies, may be the work of people like Akhbarer Ma and thousands like her could find their way into international markets, and for them, a much better deal in life

THE energy system in a country may be considered as a part of multiplicity of sub-systems e.g. the eco-system, the social system, the economic system and the technological system. They are mutually interacting and this energy policy and planning for a country have to be formulated with great care so that energy development projects do not become obstacles to the overall development. The energy options of a country depends on the existing scenario, the socio-economic objectives and future potential.

Apart from being one of the poorest countries in the world, Bangladesh has the added disadvantage of a high density of population which is still growing at an alarming rate. The population has to be fed, clothed, housed and cared for medically. All these need production and production needs energy. Usually there is a linear relationship between the per capita income and per capita consumption of energy. While the straight line curve between energy and income tapers off at the upper end, it falls sharply at the lower end. There is, therefore, a great need to increase the energy base faster than the projected economic growth until the country reaches the threshold of development (beginning of the straight line part of the energy-income curve). This is not an easy task for Bangladesh due to lack of capital and lower technological infrastructure. With limited resources, plan should be made for such economical development which needs less capital, less energy and if possible, employ more manpower.

Another important point may be kept in mind. The projection of demand for commercial energy in a country is usually made by extrapolation. For Bangladesh, this can be illusory, as the present energy demand does not reflect the needs of common, especially the poorer, people. Assuming that the entire population is the target for development, the energy growth plan should aim to provide energy both for rural and urban areas in such a way that there is a balanced development in the country. This can be achieved with the help of a suitable combination of macro and micro-system planning for industrial and rural areas respectively.

Energy sources may be clas-

Scarcity of Energy Hampers Development in Bangladesh

by Dr Anwar Hossain

Special to the Star

The disruption of oil supply by the Gulf War has forced many nations to start thinking of alternative sources of energy. This means that a country like Bangladesh must study its options within the framework of long-range planning. Here, in a two-part series, an internationally-known scientist of Bangladesh reviews the scene, identifies the problems and provides his answers.

sified into two broad categories—commercial and non-commercial—depending upon their potential for organised marketing and distribution. In fact, the proportion of commercial to total energy consumption is regarded as an index of overall development of any country. In developed countries, almost the entire energy requirement is met by commercial sources, while in developing countries, predominant portion of energy consumption is contributed by non-commercial sources like agricultural residues, plant biomass and animal waste.

In 1986, per capita commercial energy consumption of Bangladesh was one-thirtieth of world average and only one-tenth of Asian average. The proportion of present non-commercial energy consumption is between 65 and 70 per cent (a range is given due to variant data from different sources). It is expected that the share of non-commercial sources of energy in developing countries will gradually decrease to a level of 10-20 per cent in the next 25-30 years (recommendation at the World Energy Conference, New Delhi, 1985). In Bangladesh, the ratio of commercial to non-commercial energy consumption remained almost constant in the last twenty years. It would, therefore, be a good achievement for Bangladesh if the ratio could be improved to 50:50 proportion by the end of the century, which would mean 50 per cent increase in commercial energy consumption and 20 per cent increase in the non-commercial sector.

In Bangladesh, non-commercial energy sources are cow-dung, jute-stick, rice-straw and rice-husk, bagasse,

fire-wood, twigs, leaves and others (10 per cent). Apart from the fact that marketing and distribution of non-commercial fuel sources are limited to areas near the source, their calorific value is low (7-15KJ/T). The energy flux is also low. Thus the energy cannot be produced in bulk and unsuitable for large-scale industrial production. Collection of such fuel sources are inconvenient and technologies for their energy conversion are not efficient. The only advantage is that they are renewable and spread over the countryside where bulk of the population live. But scope for their increase in supply is limited. In the plant bio-mass area, the increased use of trees and their parts could lead to deforestation with serious environmental consequences. As for other agricultural residues, the efficiency of their conversion to energy should be improved and some of them may be used for industrial input including power alcohol. The major animal waste used in Bangladesh is cow-dung, which has some prospects of better utilization in bio-gas plants which could produce energy in the form of heat and perhaps some light while the residue could be utilized as nitrogen-containing fertilizer.

It is, therefore, seen that even to reach the proposed addition of 20 per cent non-commercial energy sources in the next ten years, a giant effort would be required to increase its collection, improve efficiency and maintain ecological balance too.

It is in the fast development of commercial energy that the energy deficiency of the country can be met. The advantage of commercial energy is that it

can be transported and marketed in an organised way far from the source. There could be a mix of fuel in the overall energy system and centralised conversion and distribution (e.g. electric grid) is possible. However, a large and expensive infrastructure is required and if fuel has to be imported, country has to depend on supply and price of an unpredictable international market. Commercial energy can be divided into two parts—renewable (e.g. hydro-electricity) and non-renewable (fossil fuel). Nuclear source of energy occupies an intermediate position because the original fuel used could lead to creation of new fuel in specially designed reactors (called breeder reactors) and potential sources for nuclear fusion energy is practically inexhaustible.

If we compare the share of these sources in the total energy consumption, it appears that there is a trend for reduced use of coal in developed countries and increased use of natural gas for developing countries, use of oil remaining almost constant for all countries. As for nuclear power, it contributes about 18 per cent of electricity for developed countries and is negligible for developing ones (except Korea and Taiwan). Decreased use of coal in developed countries is an indication of their consciousness on environmental impact on energy use. The share of electricity in overall energy consumption has risen both for developed and developing countries.

Sources for commercial energy uses in Bangladesh is limited to natural gas with a little production of hydro-electricity from Kaptai. A large amount of

fuel (mostly oil) has, therefore to be imported. In 1990, the imported fuel is estimated at 2.82 MTOE, while 4.28 MTOE of energy was supplied from indigenous sources. Even if the production of natural gas is doubled (as estimated) and there is some limited production on coal, peat, LPG and condensate towards the end of the century, with the projected energy growth of 5-7 per cent fuel import has to be trebled.

Bangladesh is primarily dependent on natural gas as its commercial energy source and should, therefore, be extremely careful in its extraction and use. The total reserve is estimated to be 13 TCF (while the world reserve is about 3900 TCF) with proven deposit much lower. Although more gas and some oil are expected to be discovered in future, the present reserve should be considered for planning purposes. Further discovery could prolong the life-time of reserves.

At present the natural gas, which is extremely pure in methane content, is used primarily for power production (45 per cent) and fertiliser production (40 per cent), while the remaining gas is used for industries, commercial and domestic purposes. Pricing policy is also such that production of electricity and fertilizer is subsidised. The latter cannot be justified if the fertilizer so produced is for export purposes, because this would mean that we are subsidising fertilizer importers in the developed countries. From the point of view of energy conversion efficiency, use of gas for power production is the most inefficient. In developed countries, gas is hardly used for power production and

is primarily used for commercial and domestic purposes. Its conversion efficiency is maximum in such uses. Similarly, gas could be used, with much greater efficiency, in industries as input for heat and process steam. Gas should also be utilised for the complete range of petrochemicals. If it has to be used for power production because of compulsion, then its efficiency should be increased by using it in a combined power cycle system.

Research and development work should also be intensified for the use of natural gas in making CNG (Compressed Natural Gas) and LPG (Liquid Petroleum Gas) for transportation purposes and household use and increased production and use of gas condensate as petrol and diesel. Recent discovery of high quality gas and gas condensate south of Haripur could lead to an ultimate production of 3-500 barrels of condensate per day.

In addition to increased exploration for gas (and oil), an integrated gas transmission and distribution network should be built, extending pipelines to the western sector of Bangladesh when the Jamuna Bridge is constructed.

A new area for use of natural gas is the manufacture of fuel cell. Such cells can convert the chemical energy directly into electricity and would not only increase the efficiency but, being pollution free, permit the siting of electricity generating plants in densely populated areas. It can be built in modular fashion. Researches in this direction could bring about a breakthrough in the use of natural gas for power.

It is, therefore, recommended that the extraction, transmission and use of natural gas should be regularly reviewed for its optimum use both from technological and economic point of view.

As for oil, about 1.5 million tons of crude oil has recently been discovered in Haripur. It is expected that more will soon be found in near-by areas and in the continental shelf region of the Bay of Bengal.

A former Chairman of the Bangladesh Atomic Energy Commission, the writer has been working as a consultant to UNDP and other UN agencies on remote sensing and atomic energy.

(The second article of the two-part series will appear tomorrow.)

PRIME Minister Bob Hawke may have escaped the fate of Margaret Thatcher in recent month, but the Labor Party government that has ruled Australia under his leadership for eight years now confronts a more uncertain future than even the British Conservative Party.

At the end of 1990 the long-mooted confrontation between Hawke and his deputy and Treasurer, Paul Keating, finally came to a head amid speculation that the Australian political landscape was not big enough for both of them.

In April modern folk-hero Hawke had won his fourth straight federal election — an unprecedented achievement in a country where before 1983 voters in national elections had regarded Labor with disdain for decades.

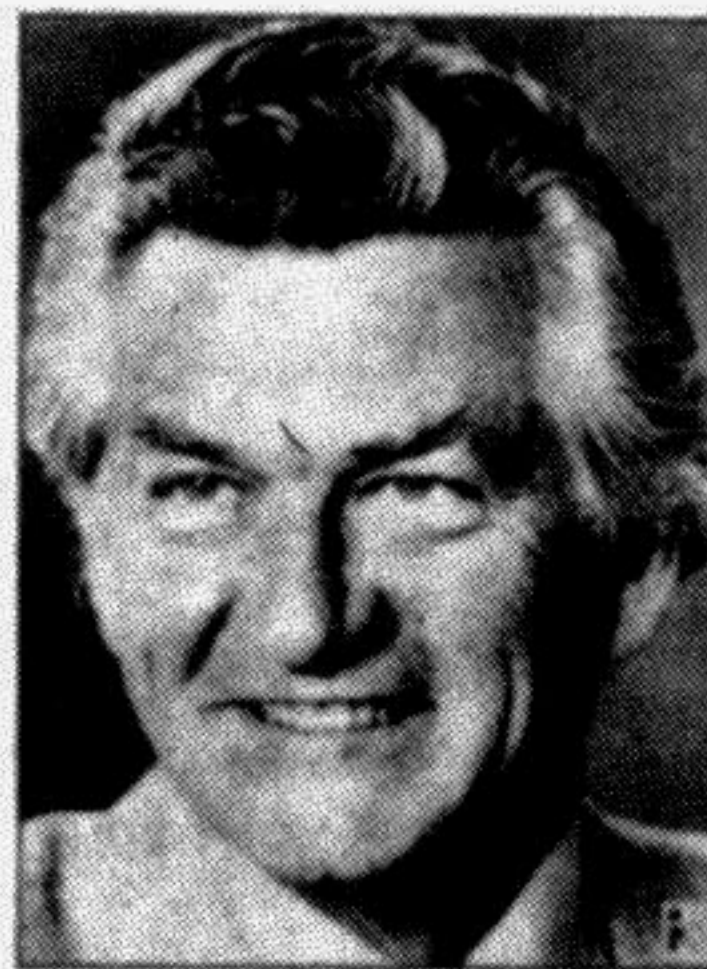
Along the way Hawke transformed his party into a pragmatic, flexible, tough outfit. Keating was a key part of his success. As his Treasurer from day one he was architect of the economically rational policy prescriptions which dumped so much of the left wing policies that had long shackled the party.

Among other things, Keating floated the exchange rate, deregulated the economy, savagely cut spending, privatised some government agencies, restrained wages through a government accord with the unions and battled to restructure industry and trade unions so the country could try to become more internationally competitive.

Keating and Hawke got away with policies that infuriated the political left by arguing that unless the profit share was in place for investment, there would be no jobs for Labor's traditional working class base.

Will Hawke Go the Same Way as Thatcher?

David O'Reilly writes from Canberra



BOB HAWKE Dressed down Keating

As Keating worked in cabinet to devise and implement his policies, Hawke concentrated on his strength — playing to the gallery. The "Great Communicator's" idiosyncratic media style has always won the genuine affection of millions of Australians.

For seven-and-a-half years the combination of the two sharp and polished political performers dominated Australian national life. The hard-nosed, unapologetic, determined Treasurer's powers of persuasion complemented splendidly his leader's more homely, soothing ordinariness.

By the end of 1990 the partnership was under real stress. In fact, subterranean

Some people see Australian Treasurer Paul Keating as the most talented politician since World War Two. For more than seven years he has been crucial to the success of the Labor government led by Bob Hawke and he had been expecting to take over. Now the two men are at loggerheads and the Labor Party is 17 per cent down in the opinion polls.

tensions began when the Treasurer came to feel Hawke had reneged on a deal that would have guaranteed Keating the Prime Ministership if Hawke retired following the 1987 federal election.

Hawke not only stayed on to fight the 1990 poll. He announced late last year that he would be staying on as leader for the full term after the next election, due in 1993 — in other words he would stay in the job for another five years. By then Hawke will have been prime minister for 14 years — time in which the man some say is the most talented Australian politician since the war, has been forced to cool his heels in the wings.

Hawke, it is suggested, decided to stay on because he had become more settled in his private life and was simply enjoying the job. Keating, he had come to the view, needed more time to "mature".

Tensions fomented for months. Keating supporters suggested that a leadership contest was near and argued that Keating had what Hawke

lacked: a determination to get out front and lead. Keating's controversial, arrogant public profile would need maybe two years to turn him into an attractive as well as strong leader.

Some important Labor figures felt it would be impossible to dislodge Keating. In December Keating was asked to address the parliamentary gallery journalists in parliament. Historically this address is "off the record", but Keating's astounding remarks soon made the papers.

He claimed Australia had never had a leader in its history. He disparaged Hawke's hero, the wartime Labor leader John Curtin, and admonished politicians who spent their time trying to win popularity touring shopping centres with TV cameras in tow. Without naming Hawke, it was seen as a scintillating attack on him.

Hawke called Keating in, dressed him down, extracted

an apology and gave him a history lesson about Curtin. For now, Keating was ruled off the pages on the leadership.

Economic developments in the previous six months had so weakened Keating's standing he fell victim to the Hawke broadside. Blindingly self-confident, his rhetoric always pitched the stakes so high, he was always going to stumble.

Figures showed that, despite repeated assurances that a government-induced investment boom would help trade the country away from its dangerous current account deficit and spiralling debt, Australian manufacturing was going backwards. The country had suddenly dropped into a savage downturn.

Over the years Hawke and Keating had been able to fight off those in the Labor Party who talked of betrayal of the party's left heritage by arguing that 1.6 million new jobs had been created. Now it was being forecast that unemployment would soon reach 10 per cent this year.

As Keating's dream of supplanting Hawke fades, it falls to Hawke, at 63, to talk his way through another election campaign. He will have to peg back the extraordinary lead the opposition Liberal/National Party coalition now enjoys under its new leader, Dr John Hewson. In the opinion polls Hewson has a 17 per cent lead.

If in a terminal condition.

And despite all Keating's failings, Labor MPs may decide that he deserves some time, however brief, in the top job. Such is Hawke's ego some people think he would only ever want to go out a winner and may finally decide to jump

— GEMINI NEWS

WHAT OTHERS SAY

For Art's Sake Theatre sharpens the mind and imparts civilised values. These also happen to be two functions of education. Should it follow, then, that children ought to experience professional drama at close quarters as a regular part of their schooling?

Like the decline in school sports, there is more a vague passing of the buck. The Department of Education feels that the Arts Council should pay for theatre enterprises, even those, such as the young people's theatres attached to regional repertory companies, run for educational purposes. The Arts Council has many hungry mouths to feed, and most of these can raise the decibels far higher than an educational theatre company. Some chargecapped local authorities which have supported educational drama now consider it an obvious target for the chop. So do regional repertory theatres struggling to keep open their main houses. The 1988 Education Reform Act has also made it more difficult for state schools to charge parents for theatre visits organised in school hours.

The smell of greasepaint still works magic on cynical teenagers: contempt, boredom or bafflement can be turned into remarkable enthusiasm. In this respect, film or video productions can never match the physical impact of live theatre.

Educational theatre thus pays a sound dividend, not least in building a theatre audience of tomorrow. The government argues that its list of priorities is long enough and that parents must be the ones voluntarily to take children to the theatre. But how stands that argument alongside the draconian powers being taken to insist on the involuntary learning of mathematics or science — or for that matter English, of which drama is an integral part? From Marlowe to Miller, the canon of drama is a locked treasure-chest, waiting for each new generation. Parents have their part to play in gauding the schools to find the key. But the key is held by educators and their political masters, or at least is lost somewhere between them. The arts ministry should never have been removed from the aegis of the education department, yielding this typical instance of irresponsibility.

—The Times (London).

To the Editor...

SAARC

Sir, Your editorial of January 21, "A job for SAARC" details the areas where the forum of SAARC could be more meaningful. When the South Asian Association for Regional Cooperation was first formed it was assumed by the commonman, perhaps erroneously, that sooner or later this organisation would be expanded to become a regional economic association. Such hopes, if there ever were any, have fast disappeared.

That this association would never be more than an arena for grand rhetoric was apparent when bi-lat-

eral issues were carefully excluded from the agenda. The one promising aspect arising out of the annual summit meet is under the guise of this summit regional leaders can meet informally to discuss matters of mutual interest without anything they say being binding on either side thereby giving them greater flexibility. Apart from that, little has been gained to date by this annual extravaganza conducted by the poorest region in the world. Probably the only thing of worth so far has been their focus on the plight of the girl child but even here it is doubtful if anything permanent has

come out of it. Certainly, unless SAARC can transform itself into a more meaningful organisation, it will be destined to become very little more than a gigantic cultural exchange whose one purpose will be to put on cultural performances.

Sylvia Mortozza.

Double shifts in school

Sir, Recently the government has given an announcement in the newspapers that ten government schools in Dhaka will have two shifts and so accommodate more students. This is good news

because this will mean that no new construction will be needed so there will be no new costs. Moreover, more students will get education and more teachers will be employed. Employing new teacher will cost the government money but it can be covered from the fees of the increased number of students!

So sometimes it does

not cost much to improve one's condition but it may only need a little imagination and innovation to do so. Why can't this double shift be introduced in all the government schools of the country and also semi-government ones? I think it would be a good idea.

Rashid Rahman Mymensingh.

Letters for publication in these columns should be addressed to the Editor and legibly written or typed with double space. For reasons of space, short letters are preferred, and all are subject to editing and cuts. Pseudonyms are accepted. However, all communications must bear the writer's real name, signature and address.