

# In Control under Pressure

**R**EGARDED by many as one who has restored respectability to the high office of the Chief Election Commissioner, Mohammad Abu Hena has reasons to be upset about recent developments.

His eight years at the political desk of the home ministry under "different political governments" brought him close to politicians and political parties. Many of today's top politicians knew him personally and were aware of, which is believed to be one of the reasons why there was consensus among all political parties when his name was proposed as CEC.

Recently, Hena talked at length on issues ranging from opposition allegations against him of bias and partiality to widespread speculations over his resignation. Excerpts:

**The Daily Star (DS): What do you think prompted the opposition to demand your resignation, given the fact that the Prime Minister and a senior minister (Agriculture Minister Matia Chowdhury) have claimed that your name as CEC was proposed by BNP?**

**Mohammad Abu Hena (MAH):** I believe, the answer is best known to them. The demand came up recently following the Pabna-2 by-election held on December 10, 1998. The allegations of wilful manipulations, inaction or partisanship are all vague and general in nature. They are not supported by any hard evidence whatsoever. The results of the elections also speak for themselves. All our efforts ever since we assumed office have been geared to only one single purpose, that is, to arrange free, fair and peaceful elections, to the best of our ability and as far as practicable, within the limitations of existing laws and overall political and election culture. Frankly, this has been a big challenge to us, whenever we have gone in for an election. In the process we have, of course, learnt a lot and tried to make improvements in the electoral process. We have sought to bring about some qualitative changes in the election management to facilitate the holding of elections in a free and fair manner.

**DS: What kind of qualitative changes have you tried to make?**

**MAH:** In a country where the march of democracy has not been smooth, democratic norms and practices are yet to take firm roots, holding a free and fair election is a daunting task. We have, first, tried to identify the reasons which may affect the fairness or credibility of an election & reasons such as pre-poll irregularities, violence, terrorist activities, vote-buying, selection of unsuitable polling centres, appointment of inexperienced, untrained or partisan polling personnel, partisan administration, inadequate security of polling centres, lack of transparency in the electoral process particularly during counting, consolidation and announcement of results etc. I just cited some; they are not exhaustive. We have attempted to address all these issues and have sought to take corrective measures as far as possible through formulation of a code of conduct, its enforcement without discrimination, guidelines for selection of polling centres and polling personnel, training and motivation of different categories of election officials including election and polling agents of candidates, taking action against recalcitrant election officials, encouragement of journalists, domestic and international observers etc. There is room for many more improvements and reforms in the system. The two formidable problems & muscle-power and money power continue to threaten the process. There is a lot to be done in these areas.

**DS: Is there any substance in the opposition claim that you are serving the purpose of the ruling Awami League? How far is it true that you once wanted to run for MP on an Awami League ticket?**

**MAH:** There is absolutely no substance in such an allegation. The Election Commission is a fully independent constitutional body. It is subject only to the Constitution and any other law. We are fully conscious of the sacred oath we have taken and, guided by the dictates of our conscience and our best judgement, we have been discharging our constitutional obligations within the ambit of election laws and rules. I think, one thing should be fully clear & as per Article 118 of the Constitution, the Chief Election Commissioner is not eligible for appointment in the service of the Republic. For what earthly reasons should he then favour a particular political party? His tenure of office is also fixed for five years by the Constitution.

There is again not even an iota of truth in the rumour that I once wanted to run for MP on the AL ticket. In the same vein I would also like to dispel this canard that I wanted to run for MP on the BNP ticket. The fact of the matter is that I have never regarded politics as my cup of tea. I have always wanted to remain outside the rough and tumble of politics and to remain an anonymous, humble civil servant.

**DS: Opposition parties say it is unbelievable that 60 per cent of voters turned up at polling centres during the February 23-25 municipal elections when**

## The Chief Election Commissioner, Mohammad Abu Hena, talks to Toufique Imrose Khalidi.



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there was so much tension and fears of violence because of hartal at that time?

**MAH:** In that case, you have to disbelieve newspapers and observers in the first place. Leading national dailies including your own esteemed newspaper have published reports about spontaneous enthusiasm of voters in most of the districts and photographs of long queues of both male and female voters. People have also watched the TV. You may like to undertake surveys, visit various areas and ascertain the factual position by talking to the voters and the local people. I have seen reports of analysts which appeared in some leading independent newspapers, citing reasons for a fairly high turnout of voters in spite of hartal. These analytical reports speak for themselves.

**DS: We know that you have been to at least one municipal constituency during the vote. How would you describe your first-hand impression?**

**MAH:** Yes. I did visit Daudkandi on the 25th February to observe the elections along with two micro-bus loads of senior reporters of most of the dailies including yours. One can have a look at their reports published on the following day. Personally, I saw long queues of voters, particularly female voters, defying heat and sun even at noon at Hasanpur Government Primary School.

**DS: Coming to Pabna Election, which triggered the current round of opposition agitation, the EC claims are disputed by a FEMA (Fair Election Monitoring Election) report. FEMA says there is prima facie case for possible intervention and possible manipulation by interested parties. According to the agency, "the official record of over 75 per cent voter turnout during the election seems to be considerably higher than what FEMA and other general observers thought could be the case". How do you respond to that?**

**MAH:** There have been many reports about Pabna by-election soon after the election & both media and observer reports. Most of the reports were in general agreement that, despite some irregularities, here and there, the mandate of the voters came through and the election was, by and large, free, fair and peaceful. FEMA in its interim report had stated that the turnout of voters was "medium to heavy". In the face of this statement, it is surprising that the question is now being raised about the size of voter participation. Voter turnout is one of the most important items for any election. One may recall reports of most of the general elections, voter turnout in Pabna-2 was about 84 per cent. I would like to refrain from commenting in detail on other items in a report which came out nearly 21 months after the event.

**DS: How do you rate yourself as the Chief Election Commis-**

**sioner? Comparing yourself with your predecessors, what are your strengths and weaknesses?**

**MAH:** It is up to the people to judge me. I am a small, humble man. My father who was a schoolteacher taught me certain values during my boyhood. These values have governed my life so long and will continue to do so until my final day.

Throughout my life I have tried to do my job as best as I could. I have high regards for my esteemed predecessors. I believe in self-introspection and prefer to do my own soul-searching. If you ask me about my strengths, some of them may be my commitment to work and principles, diligence, determination to meet challenges & to strive, to seek to find and not to yield. I am fully aware of my many shortcomings. I am dejected if things which do not move at the expected pace. I feel bad if I hurt the feelings of others. I keep many things to myself and sometimes suffer inwardly. I don't normally give vent to my emotions. I don't retort even if someone denigrates me. I don't like self-important, arrogant and self-opinionated people.

**DS: What is the fate of the ID Card project?**

**MAH:** The ID Card project is off the ground now. Due to some inevitable teething problems and also due to the project having been not operational for more than two years, the progress has been slow for some time because of Ramadan and the Pourashava celebrations. The project authorities and the Election Commission Secretariat have been asked to be up and doing. We hope the multi-purpose use of the ID Card (which now encompasses 14 items) will generate enthusiasm among the voters to get the cards. I must say, if the experience of other countries which have attempted introduction of ID Cards, is any guide, the task is not an easy one. Concerted efforts of all concerned including voters and political parties can only make the project a success.

**DS: BNP and other parties have threatened to try you in future. They are holding you responsible for the murders and violence that have followed your refusal to resign as demanded by the opposition. How do you feel about it?**

**MAH:** Such a threat is most unfortunate and defies all canons of logic. It was time and again explained why and under what circumstances the Election Commission was going ahead with the Pourashava elections. Why couldn't someone, if aggrieved, seek the shelter of the court under whose orders we were holding the elections? Why holding out a threat instead of moving in a legal and rational manner? Who should take the responsibility for the murders and disruption of public peace? Some of these murders have been committed in the most cruel and gruesome manner. They compel me to recall Steinbeck's poignant words: "There is crime here which goes beyond denunciation. There is sorrow here which weeping cannot symbolise. There is failure here which topples all our success." Those who have abetted and committed these atrocious crimes must be brought to book.

**DS: You are under strict public scrutiny at the moment. How do you feel being in the national limelight?**

**MAH:** As I said earlier, I have always wanted to remain an anonymous person and have tried wilfully to be away from the limelight. I have to blame my destiny which has brought

me here. Being in the limelight has cost me a lot. It has severely restricted my movements and denied me one of my greatest pleasures, that is, visiting my usual haunts & the bookstores of the city.

**DS: At a recent seminar, BNP leader Nazmul Huda said the fact that a major political party has lost confidence in CEC is a good enough reason for him to quit. What do you have to say to that?**

**MAH:** This argument is apparently appealing. To my mind, it would have carried force, had the CEC's office been elective. Loss of confidence may perhaps validly apply to an elective office. As you know, the Election Commission is a quasi-judicial body. The framers of the Constitution, presume, foresaw the danger in making this office elective. By making it elective, the possibility of the independence and neutrality of the Election Commission being compromised can't be ruled out. Secondly, if you use the argument of loss of confidence and, therefore, the CEC has to resign, this may then equally apply to other constitutional positions like, say, judges. Will this be desirable? If the sword of Damocles hangs over your head all the time, can you act independently and fearlessly? Thirdly, if the loss of confidence of any major party is linked with the resignation of the CEC, the party in power will be at a greater advantage to press for such resignation if it doesn't like the actions of the Election Commission. Fourthly, there is the moral question. If you demand the resignation of someone, specially if it involves the Chairman of a vital constitutional body, the person concerned and the people at large have certainly the right to know the reasons & not just some general statements and claims, but hard facts and evidence. Unfortunately no such evidence has been adduced so far. Resignation under duress for unsubstantiated charges will certainly set a bad precedent and you cannot prevent future opposition parties from resorting to the same strategy. Is this going to help strengthen the Election Commission and democracy?

**DS: Do you have any plans to enter politics in future?**

**MAH:** I do not have any plan to enter politics. I never had any in the past also. It is my own personal belief that a person who has held office as the Chief Election Commissioner should not, as a matter of principle, join politics.

**DS: It is rumoured that you are intending to resign. How far is this true?**

**MAH:** Once again I would like to reiterate what I have said in the past that I do not have any intention to resign under duress. Along with my two colleagues Mr. Abidur Rahman and Mr. Mustaq Ahmed Choudhury we were appointed in April 1996 during the tenure of the Non-party Care-taker Government headed by Justice Habbibur Rahman.

I am holding a constitutional office. As you know, the CEC cannot be removed except through a specific constitutional process. Vague charges without any concrete facts are being leveled against me and my colleagues in the Election Commission. Throughout our tenure we have sincerely tried to uphold the dignity of our office. Despite many constraints, we have tried to hold all the elections during this time freely and fairly. We are absolutely clear to our conscience and as long as we are here, we will act in the same spirit.

**DS: Thank you for your time.**

## The Week in Review

### Donors Dissatisfied

Donor countries and agencies expressed grave concern on March 9 over increasing political confrontation and polarisation that is jeopardising prospects for the country's economic growth and development. A statement of Bangladesh's Development Partners delivered to president, prime minister and leader of the Opposition called for resolving political differences peacefully in forums like the parliament and "not through hartals and violent confrontations."

### Ferry Ghats Grounded

Congestion at Aricha and Kazirhat ferry ghats severely disrupted traffic movement on March 9 and 10. The congestion was created following an indefinite strike a week ago in protest of alleged illegal toll-collection on the Tangail-Jamuna Bridge route. As a result, vehicles headed for northern districts used the Aricha-Kazirhat route.

### Train Robbery

At least thirty people were injured on March 10 when a gang of dacoits, equipped with lethal weapons, swooped on the passengers of Chittagong bound Subarna Express train at Maastannagar under Mirersharai thana. The dacoits who were travelling in the guise of passengers boarded the train from Kamalapur Railway station in Dhaka. They attacked passengers of five compartments, snatching away ornaments, looting goods and assaulting female passengers. They then cut off gas connection to stop the train and got off at Maastannagar. Police arrested six people in this connection.

### Tofail Firm on KAFCO

Industries Minister Tofail Ahmed while addressing a meeting on March 7 said that the government was willing to take over the debt-ridden and cash-strapped Karnaphuli Fertilizer Company (Kafco) if necessary, but will not capitulate to undue threats from leaders and foreign shareholders. He added that foreign shareholders were free to buy the government shares to be in full control.

### Tower Tumbles

Narayanganj and adjacent areas plunged into darkness on March 8 when a tower of 132KV power transmission collapsed at Panchabati. The reason for the collapse has been ascribed to digging of land around the tower for brickfield.

### Violent Port

The first-week of March saw an increase of incidents of violence and crime including murder in Chittagong. Business circles and industrialists met the Chittagong metropolitan police to voice their concern and demand effective steps for an end to attacks on business houses.

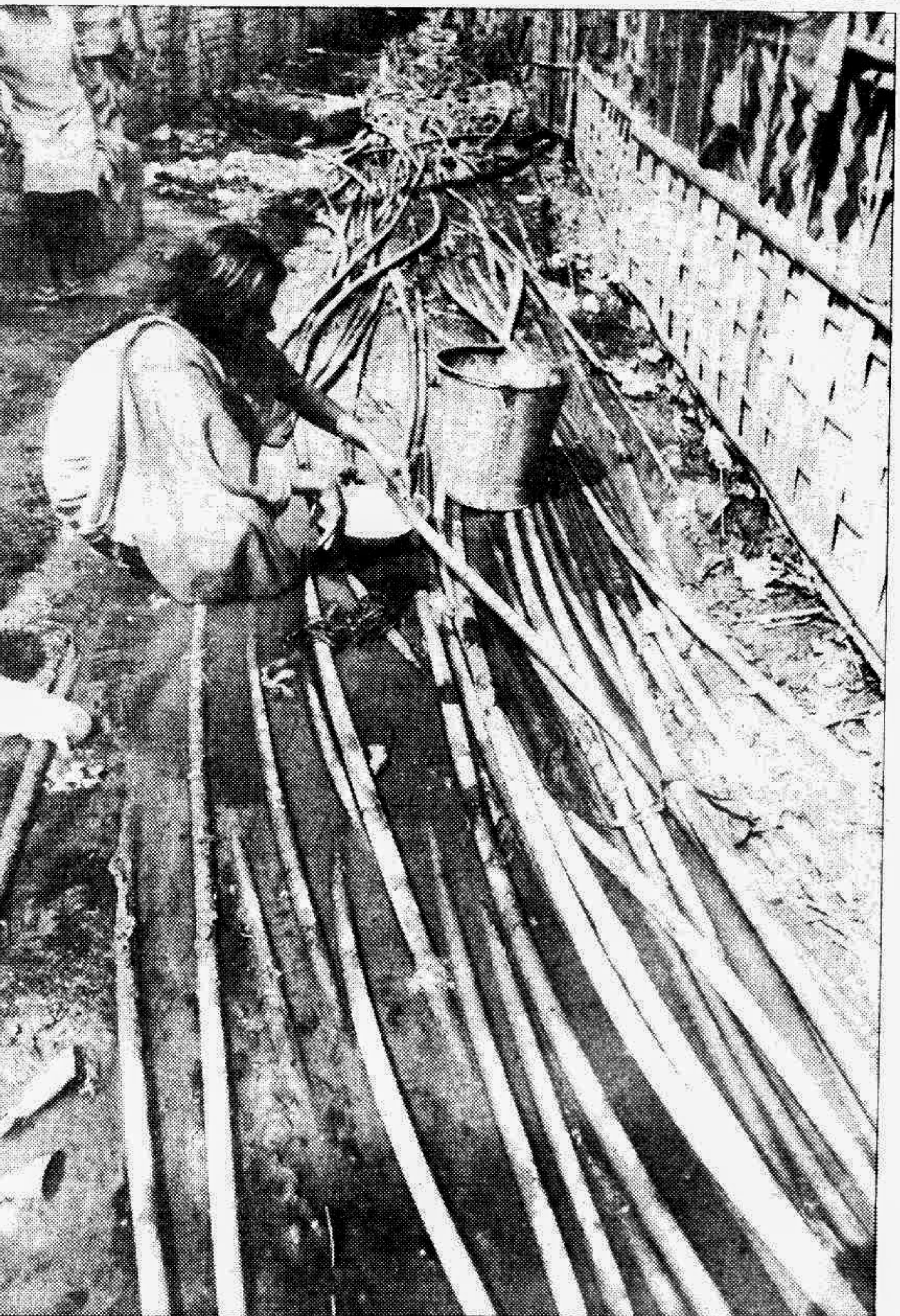
### Sinha Roms Home

A joint panel led by Anisur Rahman Sinha raced to a landslide, bagging all 27 seats at stake in the BGMEA elections held on March 4 in Dhaka and Chittagong. The Sinha-led panel bagged 1167 votes, 303 more than Sammitia Parishad, led by Quddus, the incumbent.

### Hegde in Wonderland

Indian commerce minister Ramakrishna Hegde said on March 9 that SAARC one day may have a common currency like the EU. He was addressing the inaugural function of the Second Indian Trade Exhibition at Osmani Memorial Hall. About 120 Indian companies took part in the exhibition.

## Pic of the Week



### Water flows free and easy

A young woman draws water from a maze of pipes illegally connected to a WASA mainline at Doaripara, Pallabi, Mirpur.

—Star photo by Anisur Rahman



A colourful rally was brought out in the capital on March 5 to mark the International Women's Day.

### Terror Against Culture

Two powerful explosions at a cultural function of Uddichi Shilpi Goshthi in the early hours of March 7 killed at least eight people and wounded more than 100 others. 29 of them critically, at an open air stage at Jessor Town Hall Maidan. Two people were killed on the spot while six others succumbed to their injuries on the way to the hospital.

Police arrested 46 people, said to be supporter of Jamaat-e-Islami and its student front, in a pre-dawn swoop on March 9 in connection with the bomb explosions.

### Infant Raped

A three-year girl was raped on March 4 by unidentified miscreants while she was sleeping with her grandmother at her house.

At about 7 pm, the grandmother woke up and found the girl in a pool of blood. She was immediately rushed to the DMCH in a critical condition.

### Emir Expires

The Emir of Bahrain Sheikh Isa, a key Western ally who struggled to subdue unrest from the Persian Gulf island's Shiite Muslim majority, died on March 6 after a heart attack. Sheikh Isa's son, Sheikh Hamad bin Isa Al Khalifa has assumed the throne.