

# The Daily Star

FOUNDER EDITOR  
LATE S. M. ALI

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## Braving a possible second wave

*Are we taking the precautionary measures seriously?*

It is a matter of grave concern that the numbers of new Covid-19 cases in the country are refusing to show any signs of significant decline. In fact, we have been warned by our Prime Minister of the possibility of a second wave, which is likely to worsen as winter approaches. The manner in which we are going about our daily lives amidst the ongoing pandemic would seem as if we are out of the woods, which we are not. According to a recent report published in this daily, the government is aiming to implement and monitor a “no mask, no service” policy. It has asked public and private organisations not to provide services to people without a face covering—made mandatory in all institutions, markets, schools, and social and religious gatherings. As the number of infected people nears 400,000, the reluctance to wearing a face mask remains worryingly common.

Experts around the world have predicted that winter will exacerbate the spread of Covid-19, and there are widespread fears that the second wave will be even worse than the first. Countries across Europe are seeing a resurgence in cases after successfully slowing outbreaks earlier this year. While the “no mask, no service” policy is surely an optimistic and prudent approach, why the government did not ensure the strict implementation of such directives earlier on remains a question. Moreover, should we have to face a second wave, it will be wiser if we also put social distancing into practice—especially in packed mass transport and places of gathering. Hygiene practices too, seem to have become a thing of the past. The cautionary instincts which were once so apparent amongst the public seem to have lost its zeal.

In dealing with the pandemic, we must learn from our past mistakes and lack of control. We fear whether the new directives can be properly enforced as the government previously failed to implement them, including when people were warned that they would have to face legal action if they do not wear masks, maintain social distancing and follow health guidelines while outdoors. We need to revise our deficiencies in the healthcare system and prepare it for a second outbreak. At the same time, the government must explore all possibilities for procuring Covid-19 vaccines as lagging behind in the global race for it is not an option, even more so with the possibility of a new outbreak. The first time, we failed to make the most out of early warnings; we simply cannot afford to do the same again.

## Durga Puja signifies our syncretic culture

*We must hold on to the values of inclusivity and religious harmony*

THIS year's Durga Puja, which ended yesterday with the Dashami, has been a more muted celebration than usual, as have been all other religious festivals this year due to the challenges posed by the Covid-19 pandemic. While there was not the usual festive atmosphere we see during this most significant festival of the Hindu community, the puja was enthusiastically observed in the temples and the significance of the occasion remains the same.

Bangladesh is a Muslim majority country but it is also a nation that is founded on the values of religious harmony and a syncretic culture. The Durga Puja is also an event that brings together members of other faiths and reflects Bengali culture, which celebrates diversity. For Bangladeshis today, faced with the most formidable challenge of trying to fight and survive a pandemic, it is time to reinforce the values of promoting an inclusive society that embraces people of all faiths and communities. As is often the case, the issues faced by minority communities are not always given enough importance, leading to insecurity and disenchantment. The sporadic incidences of vandalism in temples and destruction of deities, the attempts to grab lands of minority groups and communal sentiments expressed by some quarters—these are challenges to our basic values as a nation. They must not be overlooked or understated by the government, or by society at large, but be addressed with sincerity and compassion.

The last day of Durga Puja signifies victory of good over evil, a universal sentiment that is crucial to human existence. At this time of crisis, we must reinforce our inclusivity, and embrace and promote religious and ethnic harmony, which are essential elements in making us stronger, more resilient and united as a country. We extend our best wishes to members of the Hindu community on this auspicious occasion. We hope that through such festivals, our faith in one another is reinforced, and that we are more empathetic to each other, regardless of what creed we belong to.

## LETTERS TO THE EDITOR

letters@thedailystar.net

### Whatever happened to safety measures?

Given the way people are roaming around these days, it is as if everyone is suddenly immune to the coronavirus and all the warnings seem to be falling on deaf ears. On one hand, we are complaining that the authorities are not taking enough measures to curb the crisis, and on the other, we are not abiding by the rules. When I left my house recently, I was shocked to see several groups of people without any safety precautions. There was even a group of teenagers sharing a smoke! I hope we take safety more seriously, especially as winter is approaching and the chances of the infection spreading is higher than ever.

Persia Nargis, *Khulna*

# A looming tragedy in the University of Dhaka's centennial celebration

THE GRUDGING URBANIST



ADNAN ZILLUR MORSHED

Is this the right way to celebrate the centennial of the University of Dhaka in 2021? Like many of my colleagues in Bangladesh and around the world, I was horrified to learn that the university administration has made plans to demolish a 20th century architectural icon inside the university campus to expand and upgrade its insufficient facilities. Yes, change is inevitable. And so is growth. But how does a society treat its cultural heritage as it grows? This is a perennially contested question that warrants thoughtful judgement in a specific time and place. However, it is truism that a conscientious society treats its cultural patrimony with utmost care.

The iconic Teacher-Student Centre, popularly known as TSC, the universally admired centre of the country's student politics and cultural life, may soon face the wrecking ball. This will be an irredeemable national tragedy.

Let us consider the history of this beloved building complex. The Greek architect, planner and theoretician Constantinos Apostolos Doxiadis (1913-1975) designed TSC during the early 1960s. This was a turbulent time, marked by conflicting currents of political tension and architectural optimism in what was then East Pakistan. On the one hand, the two wings of postcolonial Pakistan were at loggerheads because of the political domination of East Pakistan by the military junta based in West Pakistan. On the other hand, many architectural opportunities arose in East Pakistan between 1958 and 1968, the so-called Decade of Development that benefitted from the United States' technical assistance to Pakistan.

The United States allied with Pakistan as part of its Cold-War-era foreign policy to create a geostrategic buffer against the socialist milieu of the Soviet Union-India axis in South Asia. Under the purview of a technical assistance programme, the United States Agency for International Development and the Ford Foundation provided support for building educational and civic institutions in East Pakistan. Since there was a dearth of experienced architects in East Pakistan, the government sought the services of American and European architects for a host of buildings that were constructed during the 1960s. Doxiadis was among them.

He designed multiple institutional complexes, sponsored by the Ford Foundation. Among them were the Bangladesh Academy for Rural Development in Comilla; College of Home Economics in Dhaka, and the Institute of Education and Research, University of Dhaka. However, it was the TSC that arguably captured the imagination of the people and, given its central location, became an emblem of Dhaka's architectural modernity. Located at the historic heart of the University of Dhaka, TSC exemplifies

a modernist architectural sensitivity toward spatial needs for tropical climatic conditions. It blends local parameters of space-making—particularly the indoor-outdoor continuum and generation of space around courtyards—with the International-Style's visual expression of building forms.

To gain a deeper understanding of the TSC, it helps to explore the architect's personal development, as well as his design strategy prior to this project. Doxiadis was born in 1913 in Bulgaria to Greek parents. Early on in his childhood, he was influenced by his father, who was the Greek Minister of Refugees, Social Welfare, and Public Health. Such exposure allowed him to contemplate the issues of refugee housing and how residential settlements could address global problems. In 1935, Doxiadis graduated from the Athens Technical University as an Architect-Engineer, and a year later, he earned his doctoral degree at the Charlottenburg University, in Berlin. Subsequently, he served as Chief

and universal values of harmonious living. Lest we forget, Doxiadis' prolific years of the 1960s coincided with the publication of a number of seminal books and articles that, in their disparate ways, criticised the ideological bases of modern industrial societies. Among the works he had studied were Rabindranath Tagore's *Towards Universal Man* (1961), Rachel Carson's *Silent Spring* (1962), Ian McHarg's *Man and His Environment* (1963), and Edward T Hall's *The Hidden Dimensions of Man* (1966).

It is evident that Doxiadis tried out his theories of ekistics at the TSC, among other projects in Bangladesh. Construction of the TSC complex began in March 1962, after the University of Dhaka authorities gave their approval of Doxiadis Associates' final design. The 3.7 acre site is located at the intersection of Bakshi Bazar Road and Mymensingh Road, with the Suhrawardy Uddyan (park) on the east. Access to the site is from the north, where three streets meet to form a major urban node and

is a trendsetting building as the structure employs a double roof to minimise heat gain, by allowing the cool breeze to pass through the two layers of the roof. Providing a protective canopy for the building shell, the upper roof has a wing-like formation, with rainwater drainage in between. The facade of the building is a Mondrian-esque composition of vertical columns and horizontal lintels.

The auditorium, also rectangular in plan, is 170 feet by 85 feet and is covered by a reinforced concrete parabolic vault, a pioneering construction technique in the country. The auditorium has a level floor, with removable seating, and a spacious stage with dressing rooms. The airy cafeteria features a high ceiling and overlooks the sprawling courtyard to the north. It consists of two segments placed on either side of a linear green mall. The west wing of the cafeteria contains a large game room, plus dressing rooms, showers, and toilets that serve the swimming pool. The east wing houses the main eating area and a kitchen, with the customary auxiliary spaces. The hypostyle hall of the cafeteria has a reinforced concrete frame and provides a continuous band of clerestory around its perimeter. The guest house, east of the cafeteria, comprises six rooms, each with an attached bathroom and balcony.

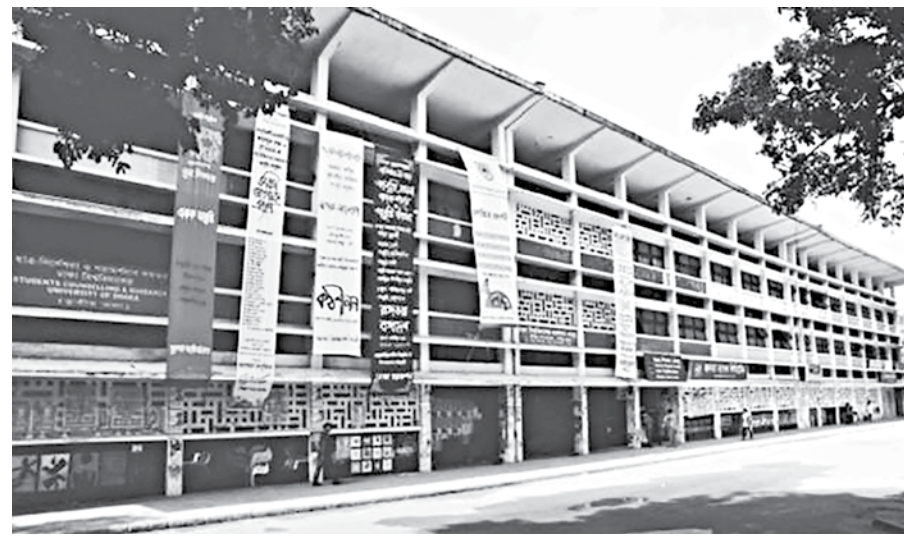
Covered walkways, supported on steel columns, weave together the major buildings and green spaces. Functioning more like a continuous loop of linear pavilions, rather than corridors, the walkways are the social spine of the entire complex. The Teacher-Student Centre is one of the first buildings in Bangladesh to employ a pavilion theme in non-residential architecture. Extensive use of brick *jalis* (lattice-work) in the buildings ensures visual privacy while providing natural ventilation. Considered a sensible response to the needs of a tropical climate, Doxiadis assembled the buildings and courtyards in a lush tapestry of organic fluidity and spatial interconnectivity. The whole complex feels like an organic miniature city.

Over the years, TSC has become part of a national narrative. Many of the pivotal student movements took shape around this historic urban node. Furthermore, the centre is also celebrated as a verdant and breezy urban space, a rare liberating experience in this overcrowded city.

Plato once said: “Any city however small, is in fact divided into two, one the city of the poor, the other of the rich. These are at war with one another.” Dhaka's war is between mindless growth and mindful growth. Which side will the University of Dhaka take?

Dhaka will be a lesser city without the TSC. Cultural heritage is essential for a city to tell its stories. Without stories, a city can only reproduce the banality of its growth for growth's sake. The University of Dhaka should focus on reversing the decline of its academic standards instead of engaging in a self-defeating agenda of mindless expansion.

Adnan Z Morshed is an architect, architectural historian, professor, and columnist. He serves as Executive Director of the Centre for Inclusive Architecture and Urbanism at BRAC University. Email: morshed@cua.edu



The iconic Teacher-Student Centre at the University of Dhaka.

STAR FILE PHOTO

Town Planning Officer for Greater Athens and, during World War II, as Head of the Department of Regional and Town Planning at the Ministry of Public Works. After the war, he became the Director-General of the Ministry of Housing and Reconstruction. In 1951, he founded Doxiadis Associates, a private consulting firm of engineers, architects, and planners. Rapid growth as an international practice led to offices on five continents and projects in 40 countries.

Doxiadis created the Athens Center of Ekistics in 1963, although he had introduced the concept of “ekistics” back in the 1930s. As he later explained in his book *Ekistics: An Introduction to the Science of Human Settlements* (1968), the term represented an objective, comprehensive, and integrative approach to all principles and theories of human settlements. Criticising the top-down planning model of the first half of the 20th century, Doxiadis employed the notion of ekistics to promote a multidisciplinary, inclusive, and bottom-up approach to architecture and city planning. He hoped that such a method would create a synergy among the organic context of the locale, data-driven theorisation of planning,

the geographic centre of the sprawling campus of the University of Dhaka. It is a historic gathering place for students and the public during such national celebrations as Victory Day, Independence Day, Language Movement Day and Pohela Baishakh (the first day of the Bengali year). The horizontal building block to the north acts as a transition from the urban hustle and bustle to the verdant interior of the complex.

Doxiadis conceived TSC as an architectural ensemble, comprising six elements: The Student Union Building, which accommodates the student union headquarters, offices for students and teachers, conference rooms, a library, lounges, bookshops, and a general store; the auditorium, which serves as a multipurpose hall and features a seating capacity of 800; the cafeteria; the guest house; the swimming pool; and the water tower (unbuilt).

The buildings are aligned with the east-west axis, to take advantage of the prevailing breeze from the south or north. The three-story Student Union Building is rectangular in plan, 158 feet by 37 feet, and composed of a reinforced concrete frame and non-loadbearing brick walls. It

# Mandating DNA evidence in all violence against women cases

*Will it help or hurt the victim?*



TASLIMA YASMIN

NO doubt that in rape cases, DNA evidence can strengthen investigations and prosecutions. DNA tests are often considered as conclusive evidence in rape cases where a suspected accused

needs to be identified, or where the accused person's involvement in the crime needs to be determined. As such, in investigations of rape cases where the DNA of the victim or the accused is available, the investigating police officers commonly collect and send the samples to the DNA laboratory. With the enactment of the Deoxyribonucleic Acid (DNA) Act 2014, legal provisions for collection, preservation, destruction of sample, liability for misuse of information, etc had been outlined. Under the DNA Act, the DNA report is also made admissible as evidence in the court proceedings. However, despite the already existing procedures for DNA test, the much-debated amendment to the Women and Children Repression Prevention Act 2000 (WCRPA) had added a further provision (section 32A) requiring DNA testing in all offences under the WCRPA.

Section 32A requires that in case of all offences committed under the WCRPA, DNA examinations have to be done for both victims and the accused persons irrespective of their consent to such examinations. However, DNA evidence cannot come to the assistance of the court or investigation authority

in all cases of rape. For instance, one of the most disputed issues in a rape case is whether sexual intercourse between the victim and the defendant was consensual. While DNA evidence can help conclusively to decide whether the accused person was involved in the act in question, it cannot prove consent of the victim when both parties admit that the sexual intercourse did take place.

The new section, in fact, makes the requirement of DNA examination applicable not only in rape cases, but in all other offences committed under the various provisions of the WCRPA. Needless to say, DNA tests may not be necessary in all offences filed under the WCRPA, and would perhaps vary on a case-by-case basis. Such a mandatory provision requiring DNA test in all cases may delay the investigation process even further and create superfluous pressure on the resources of the DNA laboratories.

Importantly, in the majority of the rape cases filed under the WCRPA, the victim has no DNA samples to provide, either because of the delay in filing the case or because she herself may have destroyed all relevant samples by bathing, urinating, washing the clothes etc. There are also cases where no DNA samples could be found from the vaginal swab of the victim as the offender might have used a condom or might not have discharged any DNA. In all such cases, the investigating officers would commonly rely on other relevant evidence. However, after the addition of this new section in the WCRPA with clear emphasis on collecting DNA evidence in all cases, the trend of dependence on DNA test reports for conviction may be more rigorously practiced. This would mean that in cases where DNA

test reports cannot be produced or the reports do not find accused's DNA, there is a potential danger that the accused may be exonerated from the charge altogether; or during trial, the prosecution case could be weakened substantially despite other evidence supporting conviction. The similar tendency of over-reliance on medical evidence is already present in existing rape cases, which commonly undermines the evidentiary value of the victim's testimony.

There is also the risk of mishandling of the test reports by the investigating authorities, as collection and preservation of DNA samples are extremely crucial for keeping the evidence free of contamination. A contaminated DNA report undoubtedly has dire consequences as it can either exonerate a guilty person of the charge or can implicate an innocent person. If DNA tests are to be done in such huge numbers irrespective of whether or not a particular case requires them, the chances of mishandling of the samples and reports will naturally be higher. The ultimate consequence would again be a further burden of corroboration imposed upon the victim of rape.

Section 32A of the WCRPA also does away with the requirement of obtaining consent of both the victim and the accused before taking their samples for DNA profiling. However, the DNA Act required obtaining of such consent, as it is a standard rule that an individual's DNA sample cannot be used without his/her authorisation. Under international human rights law norms, no one can be subjected to medical and scientific experimentation without their free consent. In case any person is not

willing to give consent, the DNA Act provided that the authority can then seek permission from the court. However, under the new amendment, doing away with the requirement of obtaining consent, especially of the victim, is rather problematic. There may be sensitive information that the victim may not prefer to share with the police knowing that this information may be used against her or become part of the public record and may be subjected to scrutiny by the defence side in open court (for instance, it may disclose information about a consensual sexual partner of the victim). Allowing the investigating officers to compel the parties to give DNA samples without any court intervention is a dangerous proposition that needs to be reconsidered.

Besides, before adding such a mandatory provision in the WCRPA, extensive training of police to properly collect, preserve and transport the DNA samples to the laboratories had to be ensured, as well as ensuring training of lawyers and judges regarding the standard of admissibility of the DNA evidence in rape cases. At the same time, the DNA laboratories needed to be equipped with modern technologies and resources—their capacities to preserve and examine such a massive number of potential DNA samples needed to be thoroughly assessed. Inclusion of this provision in the WCRPA thus needs to be carefully reconsidered, keeping in mind that the reforms in the rape laws are meant to benefit the victim, not to increase her ordeals.

Taslima Yasmin is a legal researcher and teaches in the Department of Law, University of Dhaka. Email: taslima47@yahoo.com.