

Columbia University
Graduate School of Arts & Sciences
Human Rights Studies Master of Arts Program

Concerning the persistent problem of sexual violence

in the New York City subway system:

Has the MTA shown discrimination against the female ridership?

Nicola Briggs

Thesis advisor: J. Paul Martin

Submitted in partial fulfillment of the
requirements for the degree of
Master of Arts

May 2016

Abstract

The crime of sexual violence in the New York City subway has proven difficult to combat, and is even on the rise, despite attempts to raise awareness of this issue by the Metropolitan Transportation Authority (MTA), the New York City Police Department (NYPD), and various activist organizations. Women and girls, who represent 60% of the ridership, have been subjected to offenses that range in severity from indecent exposure, inappropriate filming and photography, to forcible touch and rape, while traveling throughout the system. Thus far, the MTA has not recognized the vulnerability of female travelers in this environment, and instead has chosen to abdicate all responsibility for protecting the ridership to the NYPD. The focus of this paper will be to address elements that have a direct affect upon female passengers' personal security, which include: the existence of a sexually hostile environment, ineffectual anti-sexual harassment campaigns, certain misconceptions about reducing sexual violence in the transport setting, and the importance of gender representation in transit planning. The primary intention of this research project is to raise renewed awareness of this issue in a way that exposes its discriminatory quality. By using a human rights framework to examine the integral part that environmental factors play in tolerating this illegal conduct, the MTA may begin to acknowledge how the agency violates the rights of the female ridership.

List of Abbreviations

APA	American Psychological Association
CEDAW	The Convention on the Elimination of all Forms of Discrimination Against Women
EEOC	Equal Employment Opportunity Commission
GBV	Gender-based Violence
LCSW	Licensed Clinical Social Worker
MTA	Metropolitan Transportation Authority
NGO	Non-governmental Organization
NYPD	New York City Police Department
TWU	Transport Workers Union of America
UDHR	Universal Declaration of Human Rights
UNIFEM	United Nations Development Fund for Women
VAWA	Violence Against Women Act
WOC	Women of Color

Contents

Part I: Sexual Violence in the New York City Subway

Introduction	6
Methodology	8
Current Literature	10
i. Introduction	10
ii. Importance of the Gender Audit	11
iii. Women’s Fear of Victimization in the Transit Environment	13
iv. Designing out Crime	15
v. Gender Segregated Transport	16
Definition of Public Sexual Harassment	16
Scope of the Problem	19

Part II: Applying a Human Rights Framework to Address GBV

Violence Against Women as Sex Discrimination	21
The UDHR and the CEDAW	22
The Obligation of Due Diligence and General Recommendation No. 19	25
The Influence of US Employment Law	28
Regulatory Failure to Enforce and Protect	32

Part III: Battling Spatial Exclusion

Women’s Right to the City	36
Contested Space and Violence Against Women	37
The Objectification of Women	40

Part IV: Comforting Misconceptions, Facile Remedies

The Taxi Debate	44
Gender-Segregated Train Cars	46
The MTA’s Efforts at Curbing Sexual Harassment	47

Part V: The Connection Between Inclusivity and Infrastructure

Women’s Participation in the Planning Process	51
Articulated Train Cars	52
Re-Opening Subway Entrances	53
Surveillance	53
Expansion of the Wi-Fi Network	56

Part VI: Conclusion

The MTA Needs Women	59
In Summary	61
References	65

Part I: Sexual Violence in the New York City Subway

Introduction

Although New York City in the twenty-first century is arguably one of the safest metropolitan centers in the world for the female traveler, the crime of sexual violence on the subway has proven difficult to combat (Anderson, 2014). Women and girls have been subjected to offenses that range in severity from indecent exposure, inappropriate filming and photography, forcible touch, and rape, all in the course of travel throughout the system. Although incidents number in the hundreds instead of the thousands, as in years past, violence against women on public transport, and particularly in the subway system, is still a persistent problem. Despite attempts to raise awareness of this issue by the Metropolitan Transportation Authority (MTA), the New York City Police Department (NYPD), and activist organizations, sexual harassment in this setting is on the rise again. Thus far, however, most efforts at halting this illegal conduct have been devoted to identifying and apprehending perpetrators after an attack has occurred, or entreating women and girls to have greater awareness of their surroundings, to prevent becoming a target. The female ridership should indeed take notice of the subway environs, as it may bear some responsibility for the abusive treatment of women there, solely because they are *women*. This type of harassment is not only illegal, but could also be considered sex discrimination, being a form of gender-based violence (GBV).

Tolerance for this discriminatory behavior threatens to overturn New York City's hard-fought reputation as being more safe and livable than other global cities, as a place and an idea

that promises to uphold the human rights of the individual (Hamilton, 2013). However, if violence against women in the subway is not framed correctly as a human rights issue, there is a danger that MTA management and even the ridership may misconstrue this problem as an all too common outgrowth of street crime. As many of these incidents in the subway system occur beneath low-crime neighborhoods, it would be erroneous to assume that subway crime has a direct connection to the street life above. Rather, it is the particularity of the subterranean (and at times, elevated-track) environment that makes it easier for perpetrators of sexual violence to target their next victims. Sadly, the MTA has refused to recognize the vulnerability of women and girls in this environment, and instead has chosen to abdicate all responsibility for protecting its largest customer base — the female ridership — to the NYPD. The city's over-reliance on the powers of law enforcement and the criminal justice system to curb GBV has not produced a long-term solution, and has in fact hindered more in-depth analysis of this issue (Incite, 2001). There will not be an investigation here of why this is so, but needless to say, the criminal justice approach is largely not preventive in nature, failing as it does to address the structural foundations of gender inequality.

Instead, the focus of this paper will be to address elements that have a direct affect upon female passengers' personal security, which include: the existence of a sexually hostile environment, ineffectual anti-sexual harassment campaigns, and certain misconceptions about reducing sexual violence in the transport setting. Gender representation in transit planning will also be discussed as an important strategy to reduce sexual harassment and assault. The primary intention of this research project is to raise renewed awareness of the problem of sexual violence in the subway, in a way that exposes its discriminatory quality. By using a human rights

framework to examine the integral part that environmental factors play in encouraging this illegal conduct, the MTA may begin to acknowledge how the agency violates the rights of the female ridership.

Methodology

This paper will analyze the problem of sexual violence in the New York City subway by studying a range of secondary sources. All of these selections will be evaluated from a human rights perspective, to determine whether the MTA has shown discrimination against the female ridership by not doing more to prevent this illegal conduct. Research methods include close readings of newspaper reports regarding the contributing factors to this crime that have garnered the most media attention, like the phenomenon of overcrowding on trains. Transportation studies will be examined to discover the current industry consensus on how best to address women's safety concerns in the transport environment. Also, a discussion of gender audits designed for transport agencies will highlight the importance of incorporating women's voices into the planning and implementation process, to ensure that women's transit needs are not overlooked.

There will be a particular focus on analyzing various academic articles and books which address the problem of gender-based violence (GBV), and how this issue affects women's travel choices and access to urban space. Human rights instruments and documents, such as the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), and General Recommendation No. 19, as well as salient aspects of US Employment Law will be considered, to determine the most effective way to combat and raise awareness of this issue. There will be a critical look at the content and effectiveness of MTA anti-harassment campaigns,

as well as the MTA's ill-advised choices in subway advertising, which have objectified women and created an environment that puts the female ridership at further risk of sexual violence. This paper will also investigate the concept of 'designing out crime,' by incorporating research from the fields of urban planning, architecture, environmental psychology, and law enforcement. A review of new technologies in the subway system will investigate how these improvements could be used to reduce the incidence of GBV. There will also be a section devoted to facile remedies, that propose 'easy' solutions to the problem of sexual violence, but are controversial in nature, including taxi-cab use, closed-circuit television (CCTV), and gender-segregated transport. These options will be considered by examining both scholarly research and opinion pieces mined from city blogs, academic dissertations, and legal papers.

Although an effort has been made to explore this problem utilizing as many different types of secondary sources as possible, the research as currently presented has certain limitations. Due to time constraints, no interviews with representatives of city agencies were conducted for this paper, and so information gleaned from inquiries regarding various MTA policies or practices, for instance, cannot be analyzed at this time. However, the data gathered from the literature has provided the foundation and direction for further inquiry into the issue of sexual violence in the subway. Out of this research has come the development of a 21-question structured interview, an opt-in recruitment letter, and a telephone recruitment script, which the author of this paper will use to gather primary source material on this research problem. Questions are grouped under the following topics: Defining the problem of sexual harassment in the subway; Your organization's involvement; and Ridership Education and the MTA's Anti-Harassment Campaigns. A list of possible interviewees for this future project will include

representatives from the MTA, the NYPD Transit Bureau, the Straphanger's Campaign, Hollaback!, an international anti-street harassment group, the District Attorney's office, and the New York City Commission on Human Rights.

Current Literature

i. Introduction

Urban women and girls' access to rapid and economical transport affects every area of their lives; and yet there has been almost no scholarship at this point in time to investigate the problem of discrimination against the female ridership of subway systems, based on how much women are subjected to sexual harassment in that setting. Although there is a growing body of literature on gender-specific concerns in urban transport, there has yet to be research that specifically focuses on this issue from the standpoint of discrimination. Instead, there have been studies done in the transport arena which are seen to directly affect various material deficiencies, such as lack of proper lighting, electronic surveillance, and law enforcement personnel. However, this is looking at the issue of women's safety from a wearily defensive, whack-a-mole standpoint. "There's been an assault there? Put up another light. Attacks have been on the rise over here? Place another officer on the scene." But this way of handling the problem of sexual violence against women in the subway doesn't begin to address the root structural inadequacies, the fundamental issues of inequality that drive this crime. It's time to start thinking more creatively about this problem, and regard it from the standpoint of women's needs, rather than a patriarchal society's need to protect women without understanding their priorities within this environment. This paper will hopefully supply transit agencies and other public policy groups

with another more dynamic, and interactive way of combatting this persistent urban problem, that might actually improve women's prospects for safety. The sampling of literature collected below represents a few of the major areas of concern to be covered over the following pages. These are factors which affect gender-based violence in the transport setting, and include looking at the importance of the gender audit, women's fear of victimization in the transit environment, the possibility of designing out crime, and gender segregation on public transport.

ii. Importance of the Gender Audit

The gender audit is a valuable tool which has been developed to evaluate how well an organization meets the priorities of women. It is a way of examining structures and processes to determine whether they sustain inequality, or represent women's lived experiences, concerns and values. When applied in the transport setting, the community can use this tool to see how well a local transport provider meets the female ridership's needs.

In recognition of how transport policies can give rise to social exclusion, Kerry Hamilton and Linda Jenkins were commissioned by the Mobility Unit of the Department of the Environment, Transport and the Regions to produce a Public Transport Gender Audit. The authors found that a transport system which fails to respect women's needs exacerbates feelings of alienation and the relative disadvantage of women (Hamilton & Jenkins, 2000). Doing a gender audit of a transport agency, therefore, recognizes that essential distinctions need to be made between the travel experiences of women and men. This process would take into account issues which affect women's travel behavior, including anxiety surrounding the travel environment, as well as income disparity.

Hamilton and Jenkins point out that the sexual division of labor and women's lower socioeconomic status places them at a disadvantage in terms of safe transit use. Primary care-giving responsibilities for children and elders in need of home-based care, as well as providing household maintenance, are still the province of women, and this unpaid work takes up more time in the day for women than for men. As a result, the time-consuming aspect of these home and family obligations typically require women to take part-time or flex-time jobs. The result is that these positions fail to pay as well as full-time, salaried, and managerial positions, and often require travel at non-peak times. This varied schedule necessitates that women take more trips on average than men,¹ and women in the 35-65 age group are more likely to take shorter trips under one mile.

However, most statistics collected by urban transit agencies have not included a breakdown of trips according to gender, until more recently. The disaggregation of national transport statistics concerning women has been a positive development to better understand gender differences in travel patterns, although the literature is still lacking in this regard. Hamilton and Jenkins observe that the trend has been to view travel with an androcentric bias, which has conflated business trips with shopping trips, and care-giving trips with 'other' trips. They point out that merging the objectives for various types of outings has made it challenging to accurately discover women's travel patterns to better serve their transport needs.

While Hamilton and Jenkins acknowledge the importance of socioeconomic factors that affect women's travel choices, they seem to veer away from this central thesis in their conclusion, however, by devoting a section to women and car-use. Stating that the transit system

¹ Santos, A. et al. (2009). Summary of Travel Trends: 2009 National Household Travel Survey. Retrieved from: <http://nhts.ornl.gov/2009/pub/stt.pdf>

is fleeing women, who are “deserting public transport in droves,” Hamilton and Jenkins maintain that the female ridership is instead opting to avail themselves of taxis and minicabs, and that women are “less and less a captive audience.” But to most urban women, this particular mode of escaping mass transit is a fantasy. Instead, this option needed to be included with a caveat stating its accessibility only to the privileged few, at least on a regular basis. While the authors are not alone in advocating the hiring of private cars to keep women safe in the city, it is unfortunately one of those facile ‘remedies’, which I discuss later in this paper.

Where Hamilton and Jenkins are strongest is in communicating how women’s transport needs can only be met if agencies first understand and become invested in the female ridership’s differing travel needs. Instituting programs specifically geared toward women is one necessary step in achieving a gender balance. However, there must be an analysis of all systems to ascertain the repercussions upon female travelers.

iii. Women’s Fear of Victimization in the Transit Environment

Anastasia Loukaitou-Sideris (2009) has found that fear of the transport environment affects access. The perception of safety is the focus of her study, which examined women’s fear of victimization in public space, and how this has increased due to the recent trend toward more technological, as opposed to human, solutions to security. Her study, “How to Ease Women’s Fear of Transportation Environments: Case Studies and Best Practices,” looks at all transit agencies throughout the US, and concludes that they have failed to bring women into the planning process. The study also addresses how fears about safety significantly modify female

transit-users actions, leading them to choose more circuitous routes, reconsider times of travel, or not travel at all, if the only choice is to ride the subway alone.

A source of anxiety surrounding the transit setting that has not been adequately researched, but to which women are forced to give serious thought before entering the system, is how to ‘dress’ for the subway environment. This is an aspect of riding the train, or even just transiting through stations, which those in the male ridership rarely, if ever, have to consider. In the underground transport setting, women and female-identifying individuals have frequently been the target of harassment that has focused on traditional signifiers of their femininity, such as figure-accentuating clothing, make-up, and high heels. It is important to remember that female subway riders are in transit to and from all manner of activities, and must have the freedom to dress accordingly. If a woman is on her way to yoga class or an early morning running club, she may step out wearing an athletic outfit. Going to meet her friends or a date, she may be dressed to garner attention — from the people she is traveling *to meet* — *not* from other passengers on the train.

This is the common problem that a woman traveling alone in the city encounters: that she must leave the safety of her home environment dressed for her destination, but must first pass through the unfriendly environment of the subway in the interim. Unfortunately, a woman’s appearance in this circumstance can be misconstrued as an effort to elicit attention from male subway riders. In fact, after a subway passenger has been sexually victimized, public reactions often include analyses of how “appropriate” the victim’s clothing was for the transit environment, without taking into account her travel destination at all. Educational campaigns on the subway which speak about women’s personal style choices as being expressions of their

individuality, as opposed to being invitations to sexual harassment, may effectively raise awareness about inappropriate and abusive behavior, and reduce victim-blaming in the event of an assault. They might also alleviate some of the anxiety and self-consciousness women feel in the subway, as they go about their way, ‘dressed to impress.’ This is just one example of a situation that causes fear of victimization in the female ridership, and it is vital that transit agencies start becoming more sensitive to every-day gender concerns like this, to ensure that women receive the respect they deserve, and the safety that is their right.

iv. Designing out Crime

To comprehensively identify the tools necessary to rectify the problem of sexual harassment on trains and platforms, it is necessary to acquire some knowledge of the criminal mind-set that leads to these crimes of opportunity against women. It is also critical to understand how this mind-set takes advantage of the limitations of the underground setting. Sexual violence that is perpetrated in this context relies on lack of supervision and the anonymity factor, in the great majority of cases. In Martha J. Smith and Ronald V. Clarke’s (2000) article, “Crime and Public Transport,” it is argued that crime could possibly be “designed out.” The subway is an environment that is difficult to control, and can be entered and exited by anyone, at anytime. In addition to studying the psychology of crime in this setting, this article exposes design flaws which leave women and girls more prone to attack, such as the crowding together of potential victims on train cars. Overcrowding is an important choice-structuring property (Clarke & Cornish, 1985) for many crimes, including sexual assault in the form of touching and rubbing (Clarke & Smith, 2000). In comparison to the current security trend of focusing on defense, the

authors advocate that more attention be placed on offender decision-making, to better predict vulnerabilities to crimes before they occur.

v. Gender-Segregated Transport

One of the seemingly easy, and cost effective remedies posited for eliminating sexual harassment on public transport is the separation of the sexes into gendered train cars. This has become a growing practice in large urban centers like Tokyo and Mexico City which are witnessing elevated rates of GBV in the transit system. Amy Dunckel-Graglia's (2013) piece, "Women-Only Transportation: How "Pink" Public Transportation Changes Public Perception of Women's Mobility," discusses how the global emergence of gender-segregated transport has become indicative of larger gender inequities in cities. It addresses the questions of women's fear of traveling and how this perception, heightened by the transport setting, has limited women's access to urban resources.

Definition of Public Sexual Harassment

As far back as the late nineteenth century, the term "mashing" was coined to describe the phenomenon of public sexual harassment (Segrave, 2014). "Mashers," the perpetrators of these crimes, would bother unaccompanied women in public places like the subway with their unwanted advances. Newspaper and magazine articles frequently offered women advice on how to thwart these attentions, and victim-blaming was a common occurrence.

There is the common perception today that much has changed regarding women's safety since the advent of mass transit, and yet female passengers' concerns remain very similar

(Zimmerman, 2014). Nowadays, there is even greater acknowledgement of this problem, since a higher percentage of women than men use public transportation to travel to and from work, school, and other obligations which bring them out of the private sphere and into the public (Goodyear, 2015). There have also been regular news reports on the persistence of sexual harassment in the subway, such as the December 15, 2015 *New York Post* piece on the recent upsurge in this type of crime.² The 2015 yearly total of harassment incidents shows an 18% increase from last year, approximately 106 additional reports (Furfaro & Rosario, 2015). Transit police contend that the increase is not due to a rise in sex crimes, but more reporting and enforcement. However, no study has been done to corroborate this contention (NY1, 2015).

The New York City Police Department uses the term ‘sexual harassment’ to describe unwanted sexual contact in the subway, and the legal definitions of the most common expressions of this type of crime are detailed in Articles 130 and 245 of the New York State Penal Law as follows, most of which carry a maximum prison sentence of one year :

Forcible Touching (S 130.52, a Class A misdemeanor)³

Sexual Abuse in the Third Degree (S 130.55, a Class B misdemeanor)⁴

² The article reported that there have been 699 sexual offenses committed this year in the subway, and arrests have been made in about four hundred of these crimes. Fifteen of the perpetrators were registered sex offenders. Seven of them were on parole, and five of the seven were incarcerated (NY Post, 2015).

³ A person is guilty of forcible touching when such person intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire. For the purposes of this section, forcible touching includes squeezing, grabbing or pinching.

⁴ A person is guilty of sexual abuse in the third degree when he or she subjects another person to sexual contact without the latter's consent; except that in any prosecution under this section, it is an affirmative defense that (a) such other person's lack of consent was due solely to incapacity to consent by reason of being less than seventeen years old, and (b) such other person was more than fourteen years old, and (c) the defendant was less than five years older than such other person.

Public Lewdness (S 245.00, a Class B misdemeanor) ⁵

Persistent Sexual Abuse (S 130.53, a Class E felony) ⁶

Charged with enforcement of these laws, officers ride the trains and patrol stations to apprehend perpetrators and take them into custody. However, without the ability to staff each train car and every station platform with either uniformed or plain-clothes police officers, there are still myriad gaps in enforcement which sexual offenders can easily exploit. It is simply a mathematical impossibility to expect the NYPD to handle all instances of crime within the system, as there are 469 subway stations and over 6,000 trains (MTA, 2016), in a network that runs twenty-four hours per day. With that knowledge, and the understanding that the MTA is providing a paid service to its customers within the confines of a covered facility, there is a reasonable expectation that the agency should provide an environment that safeguards personal security and equal treatment for all members of the ridership, and every individual who moves through that space. Although the primary responsibility of law enforcement falls to the NYPD Transit Bureau, there are concerns that the Metropolitan Transportation Authority (MTA) has not done everything possible to reduce incidence of sexual violence in the subway system.

⁵ A person is guilty of public lewdness when he intentionally exposes the private or intimate parts of his body in a lewd manner or commits any other lewd act (a) in a public place, or (b) in private premises under circumstances in which he may readily be observed from either a public place or from other private premises, and with intent that he be so observed.

⁶ A person is guilty of persistent sexual abuse when he or she commits the crime of forcible touching, as defined in section 130.52 of this article, sexual abuse in the third degree, as defined in section 130.55 of this article, or sexual abuse in the second degree, as defined in section 130.60 of this article, and, within the previous ten year period, excluding any time during which such person was incarcerated for any reason, has been convicted two or more times, in separate criminal transactions for which sentence was imposed on separate occasions, of forcible touching, as defined in section 130.52 of this article, sexual abuse in the third degree as defined in section 130.55 of this article, sexual abuse in the second degree, as defined in section 130.60 of this article, or any offense defined in this article, of which the commission or attempted commission thereof is a felony.

Scope of the Problem

Research in 2015 shows that female passengers comprise 60% of subway ridership in New York City, and are the target of sexual harassment in the majority of incidents. In fact, the coming of age story for many girls growing up in the city has been sexual assault and harassment in public space, and specifically in the subway system. In recognition of the pervasiveness of this issue, the Manhattan Borough President's office conducted a survey in 2007 about sexual harassment in the subway, and nearly 2/3 of the 1,790 respondents identified as female. A full 63% of them reported having been sexually harassed, and 10% reported being sexually assaulted in the station or on a subway car. NYPD Chief James Hall stated in 2009 that sexual harassment is the number one quality of life offense in the subway, and that is still true today.

However, even considering the prevalence of this type of crime, it is still challenging to acquire accurate data about it, due to victims' reluctance to approach law enforcement, and from the way in which statistics are acquired. The difficulty in obtaining accurate statistics about the numbers of female victims of sexual violence in the subway system can in part be attributed to the lack of gendered data compilation initiatives, by both the NYPD and the MTA. So far, the NYPD has denoted categories of violence, such as rape and misdemeanors, but no break-down as to which gender has been the target of what type of crime. Instead, focus has been placed on determining the prevalence, time, and station location of each incident. While this is undeniably valuable data, it ignores the gendered aspect of certain crimes, especially ones of a sexually violent nature. This knowledge could be used to more effectively prevent future crimes of this type, and at the very least, increase city agencies' sensitivity to the female ridership's heightened vulnerability in this regard.

Another difficult aspect of collecting data of this nature concerns the stigma of acknowledging that one has been the target of this type of crime. Most female victims still do not report being sexually harassed in the subway, and express shame and embarrassment at having been targeted. They report wanting to forget about the incident rather than press charges, or feel that nothing can be done to apprehend the perpetrator. Other victims fear their accusations would not be taken seriously, although NYPD officers are less likely than ever before to dismiss such allegations. Therefore, more education should be required of city and state agencies such as the MTA to encourage and empower victims of GBV in the subway to report incidents and have their experiences be counted by law enforcement, as well as counseling services. These campaigns could take the form of posters in stations, and public service announcements on television, radio and the public address system in subway cars to inform victims about city and state resources available to assist them. Without methods to obtain more reliable statistics about sexual violence in the subway however, city agencies will be hampered in their efforts to create more effective preventive measures.

Part II. Applying a Human Rights Framework to Address GBV

Violence against Women as Sex Discrimination

Violence against women can be considered to be any act of physical, sexual, or psychological violence perpetrated against women⁷. For the purposes of this paper however, not all forms of violence, only gender-related forms such as sexual violence, will be included to explain how violence against women in the New York City subway system can be understood as a form of sex discrimination.

The designation of sex discrimination is critical to apply to the ill treatment many women have endured in the subway environment, as it not only points out the criminality of the acts perpetrated there, but perhaps most importantly, the underlying lack of respect for the human rights of women. Byrnes and Bath (2011) state that “violence that is directed disproportionately against women or is experienced overwhelmingly by women is gender-based, and thus a form of discrimination against women.” Sexual violence against women, as a form of gender-based violence, is a threat to women’s enjoyment of other human rights, namely the right to dignity, the right to equal treatment, and the right to live a life free from violence (Edwards, 2008). In the next few sections, there will be a discussion of how various human rights instruments apply to the central thesis problem, of the MTA’s discriminatory treatment of the female ridership.

⁷ Partial definition taken from Art. 2, Declaration on the Elimination of Violence against Women 1993; G.A. Res. 48/104, U.N. Doc. A/RES/48/104 (Feb. 23, 1994).

The UDHR and the CEDAW

There is no doubt that access to basic services like subway transport has been made more difficult for female passengers because of the threat and reality of sexual violence. Equal access is one of the founding principals of the equality project, which derives its foundational support and theoretical sustenance from key human rights documents and mechanisms.

The preservation of dignity is the focus of Article 1 of the Universal Declaration of Human Rights (UDHR), which states: “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.” This statement addresses the crux of sexual violence — to rob an individual (most frequently a female-identifying person) of dignity, choices, and personal power. Article 5 of the UDHR speaks of the prohibition on degrading treatment: “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” The illegal sexual conduct that women are subjected to on the subway could certainly be considered degrading treatment, and Articles 1 and 5 could be utilized in concert to safeguard women from crimes like sexual harassment. Article 13 (1) of the UDHR also has direct applicability to women in the subway environment, as it states that: “Everyone has the right to freedom of movement and residence within the borders of each state.”

While technically this right is in place for each woman and girl child who has the fare to enter the New York City subway system, this environment has well-known risks which prevent the use of this service as extensively as the male ridership. Women and girls in New York City must remain constantly vigilant while riding the subway to and from work, school, and leisure

activities, which has the effect of limiting their access to the city and all it has to offer. If female passengers have to deal with a higher probability of danger on a daily basis in the underground setting, the choices they make to *not* travel increase their isolation by reducing their social circles, and inhibiting their participation in civic life and access to livelihoods.

One of the stumbling blocks to preventing sexual violence in the New York City subway, is the inability of MTA management and others in society at large to regard this problem of security from the point of view of gender, and to understand that these attacks are human rights abuses. Gender-based violence against women and girls in the home, in the workplace, and on the street has been well-documented and counted as a form of human rights abuse for decades in the United States. However, the safety of women commuting in the unique urban environment of the subway has largely gone ignored as being a strong litmus test of society's commitment to tenets of social justice.

Preserving the dignity and worth of each human being is paramount in all human rights documents, and women's human rights are accorded special consideration in the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). This is the global human rights treaty which provides an "internationally-recognized set of norms and standards for gender equality" (UNIFEM, n.d.) through the elimination of discrimination against women. It was set up to ensure that not only international organizations, but governments would utilize national law for the realization of women's human rights. However, the United States has made it difficult for gender equality advocates to utilize CEDAW to safe-guard these rights. The United States has placed itself in the company of only six other regimes world-wide, including Sudan, South Sudan, and Iran, by not being party to this treaty, and therefore not bound by its laws.

Opponents of the US ratification of CEDAW have stated that since many member states in actuality have an abysmal record of upholding women's human rights, ratifying this treaty is meaningless, in terms of advancing the gender equality project.

Nonetheless, considering CEDAW's requirements for States parties provides a useful, globally-sanctioned framework with which to examine the problem of gender-based violence on public transport. At its heart, CEDAW aims for equality for women in all aspects of life, and defines discrimination in Article 1 as:

"...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."

Among other measures to end gender inequality, all States who are party to this treaty have committed themselves "to ensure elimination of all acts of discrimination against women by persons, organizations or enterprises" (CEDAW). This statement directly relates to the rights female passengers should expect to enjoy while on public transport. In the context of the subway system in New York City, this means that women and girls should not expect to be at risk of enduring GBV at the hands of private actors while using this municipal service. The female ridership could contend that the MTA has maintained a gender-discriminatory environment by not substantially reducing this risk.

The Obligation of Due Diligence and General Recommendation No. 19

Up until about twenty years ago, the international community had tended to turn a blind eye to the plight of women subjected to sexual violence by non-state actors, believing that the domestic legal system of each nation was solely responsible for achieving justice for women who had endured these crimes, which were subsequently deemed ungovernable under international law. The sacred ethos of State's sovereignty reigned supreme, and international bodies such as the United Nations and its treaties were loathe to trespass against this invisible barrier to justice. However, the early 1990's heralded a sea change for the women's human rights movement in general, and the protection of victims of sexual and domestic violence in particular.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) led the way, with its Committee adopting General Recommendation No. 19 in 1992, in which it confirmed that violence against women constitutes a violation of human rights, and emphasizes that:

“States may also be responsible for private acts if they fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence, and for providing compensation.” (U.N., 1992)

Relating this statement to the problem of sexual violence in the New York City subway, it is important to remember that the system is managed by an agency which is city-, state-, and federally-funded. This would indicate that although sex offenders in the system are considered

private actors, the MTA might possibly be responsible for their illegal actions if the agency has not met its obligations under the due diligence standard to protect women from gender-based violence — which is a form of sex discrimination. Article 2 of the CEDAW makes clear that institutions will be held responsible for allowing a discriminatory atmosphere :

- d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;
- (e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;

Regardless of whether there are currently anti-sexual harassment campaigns in the subway, the efficacy of these programs must be evaluated to determine if the MTA has been able to appreciably lessen the female ridership's risk of GBV. Non-State actors need to be held accountable for their acts of violence, and it is not enough to inform the ridership where they can go for help after a crime occurs. Certain actions of the MTA suggest that the agency has not acted with due diligence. These actions include reliance upon an ineffectual anti-harassment campaign, despite an uptick of sex offenses in the subway, and posting advertisements in train cars that sexually objectify women, thereby increasing the likelihood of women's exposure to discriminatory treatment. These issues could be seen to increase women's fears of victimization in the transit environment, which have the knock-on effect of decreasing the female ridership's access to this vital service. Taking these deficiencies into account, the MTA as the State party has failed to fulfill its positive obligations under the following Convention Articles: 1

(discrimination); 2 (d, e); 5 (a: modifying social patterns to eliminate prejudice); 13 (c: the right to participate in cultural activities); 15 (4: freedom of movement).

Paragraph 24 of Recommendation No. 19 comments on the importance of gathering statistical evidence surrounding the causalities of GBV, and its usefulness in prevention initiatives:

(c) States parties should encourage the compilation of statistics and research on the extent, causes and effects of violence, and on the effectiveness of measures to prevent and deal with violence

However, without research to illuminate both the causes and the effects of this type of violence, public support for funding to improve women's security on public transport will be limited. While statistics have been compiled regarding how many sexual assaults have occurred in the subway system, what lines they occur on, and at what times of day, there are still missing pieces of the puzzle. Right now, there is no data collected about the circumstances of sexual harassment incidents, to determine how many incidents might be due to overcrowding or conversely, due to vacant trains or platforms. Also, there has not been any large survey conducted to find out how the female ridership feels about the MTA's anti-sexual harassment campaign. Regardless of the answers, though, women as a group endure sexual violence in public space with much greater frequency than men.

As none of the above articles specifically mentions violence against women, General Recommendation No. 19 was created to address this issue directly. In an effort to identify and

eradicate degrading practices, the 1993 World Conference on Human Rights in Vienna followed No. 19 with its unequivocal declaration of the equal status and human rights of women. This was a turning point regarding the identification of gender bias within State's societies. Then later that year, the United Nations General Assembly adopted the Declaration on the Elimination of Violence against Women (G.A. Res. 48/104):

“.....States should exercise due diligence to prevent, investigate, and in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons.” (U.N.,1993)

Before the adoption of these declarations, most States tended to regard violence against women largely as a private matter between individuals, and not as a pervasive human rights problem requiring State intervention. (U.N., 1996) Both General Recommendation 19 and General Assembly Resolution 48/104 make clear State's responsibility in the event of a breach of women's human rights. Both the Declaration and General Recommendation 19 categorize gender-based violence that is predominantly experienced by and excessively directed against women, such as the pervasive phenomenon of sexual harassment in the New York City subway.

The Influence of US Employment Law

Although the pervasive issue of sexual violence in urban public space is by now, a well-acknowledged phenomenon by both the public and the media, there has yet to be a substantial reduction in this type of crime, and in fact, it is on the rise. One of the difficulties is that sexual

harassment and assault in the New York City subway is still largely conflated with that of general street crime, and is not perceived or reported as a gender issue.

While regulations against sexual harassment in the West have been codified into employment law and in domestic violence cases, it has been more challenging to safeguard women against more subtle forms (i.e., non-verbal expressions) of sexual violence in the public setting, but which are also referred to as “sexual harassment,” and sometimes “street harassment.” One of the reasons for this may be that sexual harassment on the job site has been successfully equated with sex discrimination, and that survivors of sexual violence in state-sponsored facilities like the subway system have yet to make this assertion.

However, if one examines the definition of sexual harassment in the workplace provided by the U.S. Equal Employment Opportunity Commission (EEOC)⁸, it is evident that many parallels could be made between the illegal conduct women are subjected to in the workplace, and the abuse women endure in the subway environment. This partial definition of sexual harassment is from the EEOC website:

“Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964. Title VII applies to employers with 15 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations, as well as to the federal government.

⁸ Title VII of the Civil Rights Act of 1964 created the U.S. Equal Employment Opportunity Commission (EEOC). (Retrieved from: <https://www.eeoc.gov/eeoc/history/35th/milestones/1964.html>)

It is unlawful to harass a person (an applicant or employee) because of that person's sex. Harassment can include "sexual harassment" or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature."

Although the law doesn't prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted).

The EEOC highlights the importance of there being a pattern of ill treatment for the conduct to be designated as "harassment." For this definition to be applicable to sexual harassment in the subway, the pattern of harassment would not be applied to the experiences of individuals on a case-by-case basis. Instead, the regularity with which a broad cross-section of the female ridership has endured this illegal conduct should be considered to find out if there exists a hostile or offensive environment which has led to sex discrimination. This concept of "hostile environment" could also be applied to the subway setting, to analyze why so many women have been and continue to be the target of sexual violence there.

To many in the ridership, the New York City subway may immediately conjure up images of customers shoving past each other onto overcrowded trains, cars littered with the fragrant remnants of fast food meals, and train operators who slam the doors shut on body parts and belongings before riders can fully enter or exit train cars. However, U.S. employment law makes an important distinction between what one might consider a "hostile" place — i.e., one in which general incivility reigns — and a workplace where one or more individuals are ill-treated

because of a protected characteristic, such as race, sex, age, sexual orientation, disability, etc. (Pospis, 2013). In the subway, members of the female ridership have been the target of sexual violence because of the characteristic of their sex.

The hostile environment of this transit setting not only hinges upon the perpetrator of sexual violence being there, but the physical environment provided by the MTA, which is responsible for women being treated with inequality. One only has to gaze up at the advertisements which adorn the walls of each subway car to understand that it is perfectly acceptable to the MTA that women — *all* women — are objectified in that setting. To make an analogy with the workplace, it is important to consider how degrading, inappropriate, and offensive it would be to require a female employee to sit in front of a poster each day that shows an almost naked woman selling a diet product. The professionally-dressed employee is there to do a job, and does not wish to be sexually objectified while she is there. As a woman, she needs her sexual boundaries to be respected at all times and in all places, and as an employee she needs to be taken seriously. Surrounding her with inappropriate images, however, would make it impossible for her to be considered professionally, and seen as more than a sex object⁹. Now apply this vignette to the female riderships' experience of riding in the New York City subway each day. All passengers, including women and girls, are required to sit directly below these images, which sexually objectify the female body and equate a woman's worth with her body's appearance and sexual functions (Szymanski, et al., 2011).

⁹ Of course, the outrageousness of this scenario may seem highly improbable in current professional environments — until one remembers that these situations still occur on a daily basis. However, there are now more consequences for this type of illegal conduct since the passage of Title VII in 1964, and after the term “sexual harassment” was coined in 1975 by Cornell University activists, public awareness of this issue substantially increased (Reed, 2013).

While these images cannot be “blamed” in a literal sense for the sexual harassment and assault which still occurs to an alarming degree there, the MTA has inadvertently created a “hostile” environment which makes it more possible and even acceptable to discriminate against female passengers with sexual violence. There is undoubtedly widespread objectification of women everywhere in U.S. culture, and there will be more discussion of the deleterious effects of this practice later in this paper.

Regulatory Failure to Enforce and Protect

There have been serious allegations made about the MTA and its failure to provide a safe transport environment for women. While most sex offenses in the subway system are of a low-level variety, there have been a few very high-profile attacks on women that have raised awareness of the MTA’s deficiencies in this regard. Below is a grim tale of transit workers’ lack of compassion, the slavish following of orders almost at the cost of a young woman’s life, and of management that seems to care for nothing but customers’ money and the agency’s own legal position:

In the early morning hours of June 7, 2005, a 21-year-old woman (initially referred to in the media as “Nicole”) suffered a violent sexual assault at the 21st Street G train station in Hunters Point, Queens. Immediately before the incident, she tried running away and even made it almost to the top of the stairs, where she made eye contact for several seconds with booth attendant John Koort as she was screaming for help. But then the perpetrator caught up with her, dragged her back down the steps, and sexually assaulted her on the stairs and again at the end of the platform (Chung, 2006). During the entire incident, the attendant did nothing but press the

emergency button, which NYC Transit said was his only responsibility in this circumstance. Train conductor Harmodio Cruz also witnessed the attack, but said that it was too late for him to stop the train and do anything about it except alert Central Command. Defending these actions, attorneys for the Transport Workers Union Local 100 said that it is was impossible to know if the attacker was armed, and whether the workers were actually being set up to intercede.

The victim, later self-identified as Maria Besedin, responded to the MTA's intransigence to bear any responsibility by suing NYC Transit for negligence, in a civil suit claiming the Transit Authority had "failed to meet the standard of care owed...to their passengers" (Chung, 2006). Much to the victim's shock however, Queens Supreme Court Justice Kevin Kerrigan tossed out her suit in 2009, saying that both transit employees had followed standard procedure, and therefore had no further obligation to intervene on her behalf.

However, there are several irregularities about the MTA's position on this incident. There has been a long-standing perception, nurtured by transit employees, that the presence of token booth attendants/clerks in subway stations has been a deterrent to violent crime. In 2001, there were vehement protests by the Transport Workers Union of America (TWU) Local 100 and straphangers advocates when the MTA threatened to close most part-time token booths throughout the subway system in another attempt to shore up its massive budget deficit. City Council-member Kathryn Freed was among the protesters who cited security concerns, relating the cautionary tale of a woman who was raped in a station without a booth agent: "And this might not have occurred, if the token booth was still open where the incident happened" (Boyd, 2001). The TWU has played into this unfounded belief, partially in an effort to preserve its employees' jobs.

Other reasons cited for keeping station booths open have greater plausibility and include having agents assist customers on a daily basis, among the ranks of the elderly, parents with baby carriages, and people with physical challenges who need help entering the system. Somehow, though, it was never made clear during the public hearings on MTA service cuts and booth closings that agents could not, in fact, step out of their booths to physically provide assistance to crime victims in the system. Although the Local 100 has not been directly quoted as saying that “booth attendants deter crime,” the organization has supported many advocate statements that cite station security as one reason to oppose booth closings. While there is no doubt that a booth attendant would be helpful during an emergency, so that police or medical personnel could be alerted, it may be reaching too far to imply that violent crimes like rape would be less likely to happen solely because there is a station booth clerk present.

Even the roving station attendants that are now in limited use are not obligated to come to the aide of crime victims, but instead have the same protocol of notifying Central Command or perhaps Transit Police if they are nearby. The average police response time to a 911 call in New York City is about 10 minutes, but perpetrators commit sexual harassment and assault in much less time than that. So it is unreasonable for the TWU to contend that the presence of booth attendants or station agents can deter, (i.e., prevent) violent crime, and at the same time, contend that regulations against leaving station booths are a valid reason to not actively help rape victims in the system.

The long-term effects upon women who are victimized in the subway can be devastating. In addition to going through an unsuccessful legal struggle, Besedin’s attacker was never apprehended, and she suffered serious mental health issues long after the incident, including

flashbacks and post-traumatic stress disorder, which necessitated she drop out of college and move back home with her parents to receive intensive therapy and anti-anxiety medication (Boyle, 2009). Reflecting on the final moments of her ordeal in the subway, Maria Besedin remarked that, "By the time somebody came, I mean, I had lost all my dignity, and it was over." It is difficult for female travelers like Maria Besedin to feel that their dignity and right to bodily security are protected while in the New York City subway system, when they have not only been subjected to sexually violent crimes there, but have also been told that the MTA bears no responsibility for their safety.

Part III: Battling Spatial Exclusion

Women's Right to the City

There has been a recent movement to ensure that women have just as much right to utilize urban public space as men (Whitzman, 2013). The concept of “women’s right to the city” needs to be effectively paired with a growing understanding of the intersectional perspective concerning women’s safety in the urban context. It is critical to acknowledge how women as a group, and specifically, women of color (WOC) are disproportionately affected by violence in urban settings, as well as by the mentality which privileges safety to non-WOC. There is also the privileging of autonomous movement by the “able-bodied” in urban public space. And yet, the public still holds an illusion of safety for “women” as a group, that by having them all bundled into expensive taxis, they can remain safe — and yet there is no examination of who “they” are, who ride the subway at “unsafe hours.” This cohort includes women who do not possess the means to travel without a MetroCard, such as women with lower socio-economic status. It also can and does include women with visible disabilities who choose to (dare to!) travel by themselves in the subway system. Insensitivity toward various groups of women’s unique challenges can increase the danger of sexual violence on public transport, as issues of personal safety go underrepresented.

Contested Space and Violence Against Women

Women's travel obligations for work, family and for leisure activities necessarily locate women's agency outside of the home, into the public sphere, and onto public transportation. These acts of independence and autonomy are potent symbols of modernity, as well as the growing status of women which democratic societies cannot afford to force into retrograde. While women have made many strides in the professional arena, the persistent levels of GBV in American society, in particular, indicate that there is still a dangerous power imbalance between men and women. The objectification of the female body throughout media, and even depicted in subway car advertisements, continues to send the message that women exist to fulfill men's desires. An anonymous man groping an anonymous female passenger's body on a packed subway car is a gendered expression of dominance that other societies continue to explain away with the phrase, "Boys will be boys."

However, this reaction assumes that men and boys have a right to and power over women and girl's bodies (and therefore lives) at any time. It also implies that these actions are indicative of man's nature, and therefore impossible to eradicate, as an intrinsic characteristic. This system of belief removes the possibility of female agency, and creates problems of access to services where there is a continual threat of sexual assault and harassment. Expressions of male entitlement on the subway are both gross and subtle. These include but are not limited to: failing to give up one's seat to a pregnant woman; verbal harassment, such as commenting on a female passenger's body, countenance, clothing, and demeanor; and all levels of inappropriate physical contact.

CEDAW Articles 1, 2 (e), and 5, relate to the elimination of discrimination and prejudicial attitudes, of which female passengers are often the target while utilizing public transport. The primary purpose of these Articles is to ensure equal access for women so that the enjoyment of rights will neither be “impaired” nor “nullified,” and so that they will not become victims of stereotyping based upon notions of superiority by the male sex.

From a sociological point of reference, one might understand the contested space of the subway as a social microcosm of the above-ground milieu, where power imbalances between men and women play themselves out in territorial disputes. In many world societies, men assume overt control and dominance in myriad arenas, including: cultural, financial, educational, political, medical, religious, and environmental. Among other methods, control in these settings has been maintained by placing limits on women’s physical access to services. In some societies, women’s physical access may be controlled by such obvious means as not being allowed to drive, as in Saudi Arabia.

However, bias and restraints placed upon women’s participation outside the home frequently take more subtle forms (Sue, 2010). One way of unintentionally limiting access is to tolerate a hostile transportation environment, which legally maintains equal access for male and female passengers alike, but in actuality sustains conditions which make it difficult for women to negotiate. Two examples of these hurdles in the transport arena include: the existence of few elevators throughout the subway system, which affects women’s (60% of the ridership’s) ability to transport baby carriages, and hence travel with young children (Epstein, 2011); and overcrowded and/or inadequately surveilled conditions on subway cars and platforms, which overwhelmingly place female passengers at risk of sexual violence vs. their male counterparts

(Stringer, 2007). Men, too, have been subjected to sexual violence in the subway, but in far fewer numbers. This increased risk forces women to sometimes significantly change or limit their travel plans in the system, to the detriment of their quality of life (Miranne, 2000). The focus of this paper is to examine ways in which fundamental power imbalances between the sexes may have been institutionalized by the administration of the New York City subway, with practices ranging from .

While women have achieved many rights-based gains in the United States, the balance of power is still tipped firmly in favor of male hegemony, which is better represented to defend its interests (Hearn, 2004). Nowhere is this inequity more pronounced than in the use of men's physical strength to dominate women physically and sexually, in both conscious and unconscious ways. Studies have shown that women fear being in and moving through public spaces from the perspective of potential victimization, and that close contact with male strangers is anxiety-producing (Condon, 2007).

Both the fears and the realities of these encounters act to limit women's mobility and access to the city. At street level, women in most circumstances are able to place greater physical distance in between themselves and male pedestrians. However, in the crowded, jostling environment of a subway car, or in the confined and not-easy-to-exit spaces of subway stations, women are at a physical disadvantage. As a by-product of most women's slighter physique and lesser muscular strength, it is challenging for female passengers to assume the space around them in the subway, without it being encroached upon. Conversely, it is this author's observation, as well as that of psychologists, that most male passengers will avoid sitting or standing in subway

cars too close to other men (Holland, 2004). As LCSW Allan Schwartz observed in his article on the connection between lack of personal space and stress,

“...[W]omen interact with other women at a much closer distance as compared to men. Here in the West, men keep their distance from other men so as to avoid being viewed as either homosexual or aggressive. ...[M]any men react with hostility if other men make eye contact or come too close” (Schwartz, 2012).

At the same time, however, men in these surroundings have become habituated to pressing their bodies against female passengers for the duration of travel – with their feet, knees, arms, or hands – forcing women to experience this unnecessary proximity to them. These quotidian demonstrations of physical dominance over women’s bodies alter conceptions of selfhood and sovereignty, sending the message that women’s right of access to public space is negotiable, not guaranteed (Menon, 2000). So prevalent are the every-day expressions of this power, that other more flagrant and outwardly dangerous demonstrations, such as sexual harassment and assault, can be overlooked or taken for granted. As greater numbers of female passengers utilize the subway, the need to redress these gendered concerns becomes more urgent.

The Objectification of Women

Regardless of the context, all forms of sexual violence are on a continuum and share the same foundational social and cultural attitudes (Davis, 1994). Women are made to feel unwelcome and even threatened in public urban spaces with a range of sexually dominant behaviors. These may go unremarked by others who are not in close proximity, or simply

overlooked as aggressive behaviors because they are so common. Another important reason these expressions of male dominance may be overlooked, is because they are largely nonverbal.

By and large, we have been taught in our schools and workplaces to recognize sexual harassment as inappropriate and degrading verbal interactions and sometimes physical acts (Henley & Freeman, 1995). However, there are nonverbal expressions as well, which may equally result in intimidating and/or objectifying the female target. Additionally, Argyle et al. (1970) found that female subjects were more responsive to nonverbal cues (compared with verbal ones) than male subjects. Cues that act to discriminate against women in the subway can come from the male ridership but also from the subway environment itself.

An example of this kind of sign would be the recent spate of advertisements posted inside the entire length of subway cars, which project to the female ridership various misogynistic messages. These ads specifically communicate to women that they would feel better about themselves if they had more obviously sexualized bodies — which is to say, that society would be more accepting of their female bodies if they resembled the heavily air-brushed woman on the poster, who has done the ‘right’ thing, and molded her body into — ostensibly — what men want. These campaigns not only show stereotypical versions of beauty, but much more insidiously, equate physical attractiveness with being sexy (APA, 2007). Posters with these images invite female viewers of all ages to simultaneously long for the ‘flawless’ body of the model in the ad, and also be ashamed of their own corporeality.

So how does this affect the safety of women in the subway environment? These ads also encourage the prurient gaze of the male viewer to not only lust after the model, and also regard women in the subway car around him in a more sexualized manner. Subconsciously, and perhaps

even consciously, the male ridership is invited by these posters to compare these highly idealized and sexualized forms to the women who are in his immediate vicinity. To be forced to sit and stand in the presence of images like this in the course of one's daily commute encourages both the male and female ridership to hold degrading and objectifying attitudes about women.

Featured in subway cars all over the city, the ad copy for the Protein World weight-loss powder asks women if they are truly "beach body ready." This poster in actuality resembles a strip-club advertisement, and features a life-size, soft-porn image of a bikini-clad model, complete with under-cleavage. The woman's facial features are obscured in shadow, but the body is a well-lit representation of the feminine ideal. By highlighting her sexual anatomy and not her face, the model can be objectified as a living sex doll, with no individuality.

These print ads not only cause women embarrassment in the moment (as some women try to avert their eyes from these salacious images), but also intentionally inspire a feeling of inferiority in the target sales market, which is women. This is actually the ad's intended purpose, so that the consumer will be compelled to purchase the product in question. Take for instance one infamous ad in the subway for breast enlargement, which has been the subject of a removal petition: Side-by-side photos first show a depressed-looking woman holding up two tangerines in front of her breasts and in the next photo, she holds up two grapefruits in the same position, while grinning lasciviously. This genre of advertisements — to which all ages of female subway riders are subjected — projects how poor self-image can and *should* be an outgrowth of not resembling, or at least *trying* (with lots of money) to resemble the feminine sexual ideal in our society. Nonverbal messages such as these serve to communicate to the female ridership that they are first and foremost sexual beings to be objectified. These campaigns directed at the

female ridership serve to psychologically break down the healthy boundaries that are needed to preserve women's dignity and safety in public space, and in fact may tacitly encourage sexually transgressive behavior in that setting.

According to Strauss (2015), "The notion that women's bodies are not public property is a hard thing to argue when the subway is covered in celebrations of exaggerated bosoms." However, the tack that Strauss takes in her article is that these ads are reprehensible, and so must be banned. Although there is acknowledgement of the relationship between sexual violence and the media, Strauss does not explain how a ban on this sort of advertising would take effect. The only indication comes when she mentions how 71,000 signatures were garnered from the ridership of the London transport system, which effectively removed the Protein World ad from all trains. Unfortunately, the same results have not yet been achieved here in New York City, as the Change.org petition organized by Natalie Considine has collected only a few more than 2,000 signatures.

So perhaps most saliently, the fact that the MTA has been comfortable to receive money to post these objectionable ad campaigns illustrates how the agency fails to prioritize the needs, comfort, and yes, safety, of female travelers. Currently, the MTA has placed the onus on the ridership to try and remove offensive ads one by one through the time-consuming petition process. It would be much more efficient, however, if the agency could develop a review process for all advertisements to determine in advance of posting whether certain images could be deemed gender-offensive, thereby in danger of compromising the dignity of the female ridership.

Part IV: Comforting Misconceptions, Facile Remedies

The Taxi Debate

Invariably, news of a female passenger being assaulted in the subway late at night or early in the morning invokes public reactions that include questions of why she was out that early, late, alone, in that neighborhood, etc., and of why she did not choose to take a taxi to increase her safety. This line of reasoning could be ascribed to the category of victim-blaming, as it implies that her choice to travel alone at that hour, on public transport, incurred her being the victim of sexual violence. It also assumes that the female passenger in question, or anyone who chooses to travel alone at that time, has the socio-economic option *not* to do so. However, the fact is that many women in New York City are obligated to work in a myriad of non-9-to-5 jobs, including as waitresses, bartenders, hostesses, nurses, caregivers, domestic helpers, students, office cleaning personnel, etc.. It is simply not financially feasible for these women to have a hired car take them home to their neighborhoods – many of which are quite far from where they work – on a regular basis.

To insist that taking a taxi home is the only option for “smart” women, i.e., women who aren’t willfully placing themselves at risk of assault, is to deny the economic reality of the working woman in New York City, and ultimately to deny that the MTA bears any responsibility for the female ridership’s safety if they travel at non-peak hours. The subway is most often used by low and middle-income female travelers who might not have the financial resources to avail themselves of street-hail taxi cabs and private car services on any kind of regular basis, and so

are forced to take this mode of transport despite the risks. In response to the crime against Maria Besedin, an on-line poster lamented about the financial impracticality of taking taxis to keep women safe at night:

Blag • 9 years ago

“Nobody deserves something like that happening to them, regardless of where they are. [F]or lots of us (including me, a male) it's simply not viable, nor in our budgets to take a cab simply b/c it's late. Case in point, my girlfriend works late nights in the city and we live off the G. She gets off around 12am-1am and the closest train to her is the L. Some might say take a cab, but the cab could be b/t \$15-20. Now that might not seem much to many, but it's a lot to me and sometimes we just don't have it.... So, clearly the "take a cab" theory is flawed.”

In addition to the impracticality of taking regular taxis to and from work, there is also the broader issue of discrimination against women of lower socio-economic status who might want to travel for other reasons, as well. In an urban center with such extensive cultural offerings as New York City, there is something to do and somewhere new to go every night of the week, if one wants. Why should women's access to these options be limited because they don't have more money for transport than what the MTA asks of them? To contend that women cannot safely utilize the subway at night/early morning shows a strong bias toward women who can afford to pay more for private modes of transport. It lets poor women know that the city is not as open and accessible for them to enjoy, and prevents them from easily accessing public spaces outside of their own neighborhoods.

So are women in New York City really caught between paying higher transportation costs, or gambling with their safety if they need to travel (late, early, far, to desolate stations, etc.) to avoid becoming another crime statistic of the subway system? This sort of Catch-22 is actually a false choice. It points out how the MTA has failed to prioritize security for the entire ridership, and is in violation of Article 3 of the UDHR, which states that “Everyone has the right to life, liberty and security of person.” Security is a basic human right for each person in society; as a government-funded agency, the MTA has an obligation to provide this security in the course of rendering its transportation services to the public. The terms “liberty” and “the right to life” can in this circumstance refer to women’s reasonable expectation that they will not be subjected to conduct by others which compromises their physical well-being in the course of utilizing this vital service. Article 3 indicates how the MTA has an obligation to take preventive measures to protect women in this environment, so that the female ridership is no longer forced to take unreasonable measures to avoid being the target of sexual violence, such as avoiding travel at certain times and on certain subway lines and stations.

Gender-Segregated Trains

One approach that has gained popular support in other urban centers such as Mexico City, Rio de Janeiro, and Tokyo, is gender-segregated transport (Sanghani, 2015). On the surface, this seems like a viable alternative to the risk of being sexually harassed or assaulted. However, this is what might be considered a “false-remedy,” a bandage over the problem that further marginalizes women in the transport environment. By placing the onus of women’s safety solely on women themselves, women can face discrimination and ill treatment if they choose not to

avail themselves of this option. So any woman's autonomy is further limited by now being forced to choose this option if she desires to be seen to value her safety, her morals, etc. This enforced separation of the sexes also casts the entire male ridership into the would-be perpetrator role, which is an unjust portrait that does nothing to increase respect for women in society. Another danger of utilizing segregated transport is that it has the capacity to marginalize gender non-conforming individuals, by placing them at further risk of exposure, and hence violation.

By many accounts, though, gender-segregated transport is not even practical, as women-only train cars and buses have not been made available in nearly the same numbers as for the general public, mostly due to financial reasons. There have also been problems with enforcement of this regulation when male passengers have boarded women-only cars with impunity.¹⁰ There have also been incidents of women confronting men to leave these gender-segregated spaces, which have resulted in violence against the female passengers involved (Siung, 2013). So rather than instructing women to segregate themselves into a more limited space, in an already confined subway system, to avoid a crime that inhibits women's autonomy, only solutions which preserve both women's and men's dignity should be considered for reducing sexual violence in this setting.

The MTA's Efforts at Curbing Sexual Harassment

The MTA has made efforts in recent years to curb sexual harassment on its subway trains with public service announcements (PSAs) and posters which address the problem, that read: "Ladies and gentlemen, a crowded subway car is no excuse for sexual misconduct." and "Sexual

¹⁰ When women-only train cars were introduced into the Rio de Janeiro train system in 2006, male passengers routinely boarded these trains anyway, as there was a lack of enforcement. As of 2013, this problem was still occurring, due to lack of guards at most stations to enforce this regulation (Sanghani, 2015).

Harassment is a Crime in the subway, too — A crowded train is no excuse for an improper touch.” However, these initiatives advise the targets and victims of this abuse, as if there is no point to addressing would-be perpetrators. This sends a confusing message to the ridership, as it places most of the burden of prevention on victims of this illegal conduct.

Besides being confusing in terms of who is being addressed by this campaign, the language of these posters does not reflect the legal reality of sexual harassment. The MTA’s use of the ambiguous term ‘improper touch’ may in fact be somewhat responsible for the under-reporting of this crime. When this phrase is typed into the Search box of the New York Penal Code website, the search engine replies that ‘No results found containing all search terms,’ suggesting that it is not recognized legal terminology (NYS Penal Law, n.d.). Its vagueness may deter victims in the subway from reporting sexual offenses, as they may question what exactly categorizes an ‘improper touch.’ This is an unfortunate oversight by the MTA, because New York State law makes clear what is a sexual offense. If posters and announcements in the subway plainly communicated these legal definitions, there might be higher percentages of crime reporting.

In addition, the language of these posters is euphemistic about sexual offenses, and even misleading. The majority of sex crimes committed in the subway do not rise to the level of engaging in sexual intercourse without another person’s consent, or involve sexual conduct with an animal or a dead human body, both of which are listed under Article 130 as legal definitions of sexual misconduct — and yet this term is used on MTA posters in its anti-harassment

campaign. ¹¹ The terms ‘improper touch’ and ‘sexual misconduct’ might even goad sexual offenders, who can easily recognize, just like the rest of the ridership, that these campaigns fail to spell out specifically what is a punishable offense.

Another campaign against violence in the MTA system is much more effective, and clearly delineates criminal behavior – large stickers in the form of a law enforcement shield which warn that assaulting a transit employee is a felony, and punishable by up to seven years in prison (MTA, 2013). The ridership of both MTA buses and subway cars can see that this behavior is unacceptable, and carries a severe punishment. Perhaps if the MTA’s anti-harassment campaigns transmitted this unequivocal sentiment, rates of harassment might go down. In any case, the multivalent language the MTA uses now neither serves to deter would-be perpetrators, nor encourage reporting of sexual offenses.

As the number of sex crimes in the subway has risen in the year 2015, it is unlikely that these PSAs are doing enough to combat the problem of sexual harassment. More than a few of the perpetrators arrested recently were multiple offenders, and have not been deterred by the MTA’s campaign. Which agains begs the question — *Who* is the intended audience for these PSAs?

Although seemingly lacking in preventive capabilities, these messages do raise awareness of this issue to the general ridership — but perhaps may not provide a sense of comfort to victims who need guidance in reporting such incidents. The tenor of these messages may also

¹¹ Sexual misconduct (S 130.20, a Class A misdemeanor)

A person is guilty of sexual misconduct when:

1. He or she engages in sexual intercourse with another person without such person’s consent; or
2. He or she engages in oral sexual conduct or anal sexual conduct with another person without such person's consent; or
3. He or she engages in sexual conduct with an animal or a dead human body.

alarm women who are new to the subway environment, and even tourists. If an out-of-towner were to come across the message, “A crowded train is no excuse for an improper touch,” s/he would rightly assume that being on a crowded subway car would put one, usually a *woman*, more at risk of assault.

By posting this message to the ridership, the agency is acknowledging that these crowded conditions may result in the victimization of women, which in the opinion of this author, leaves the MTA open to issues of liability. Perhaps the criminality of these acts of sexual harassment is not highlighted so that women who have been sexually harassed in the subway environment cannot bring suit against the MTA for exposing them to a harmful environment (overcrowding and sexually objectifying images). The poster campaign seems to be in existence not for the benefit of victims of harassment or to directly address sex offenders, but for the MTA *itself*. By at least warning customers of this conduct, the agency seems to feel that it is doing enough, and can at least say that it is trying to warn the ridership of this risk. However, this risk is a gendered one, as most victims of sexual harassment and assault are women, and so this poster’s message is really aimed at the female ridership, without actually making that clear. This is another reason why statistics are needed to prove that the largest number of sexual violence victims in the subway system are women, and that this could be considered a case of sex discrimination.

Part V: The Connection Between Inclusivity and Infrastructure

Women's Participation in the Planning Process

Greater sensitivity needs to be given to women's concerns in the subway environment, especially regarding their personal safety. The tone-deafness by the MTA to issues of security affecting the female ridership may have arisen in part because of the under-representation of women in the urban planning and design fields, and specifically in the MTA management. Traditionally this has been the province of male architects, operators, and administrators, who have often failed to recognize the special needs of female consumers of public space. Although the MTA will have its third subsequent female transportation Commissioner (Polly Trottenberg, appointed in 2014), there has still been no concerted effort to incorporate gender concerns into security planning. A gender audit of the MTA needs to be conducted to better examine this problem of inclusivity and to propose that women's voices and concerns need to be better incorporated into the planning phase of transportation design. While consumer advocacy groups such as the Straphangers Campaign have reported on many issues including infrastructure development, over-crowding, and fare hikes, there has not yet been a comprehensive analysis of concerns which specifically impact the female ridership in the New York City subway environment.

Articulated Train Cars

Articulated train cars, which resemble the accordion buses of the MTA, can be found in other metropolitan transit networks, including in Paris, Berlin, and Toronto (Flegenheimer, 2013). Train cars in use today by the MTA are all compartmentalized, with locking doors at both ends. The articulated cars however, have no separation between them, and allow for free flow of ridership access from one area of the train to the next, unimpeded. The benefits of this improved design are many, and include reduced overcrowding at rush hours, as passengers have more room to move further into the length of the car, and also the benefit of being able to move away from a sexual offender.

For women, the overcrowding issue has resulted in increased victimization, as lower-level offenders seek the most crowded conditions in which to hide their identities and offenses. But the advantage of the articulated car is that not only can a passenger move away from a potential threat, but also more easily seek help. The sense of isolation that female victims feel in response to being the target of a sex crime in public is thereby greatly diminished. Other passengers can also see a crime taking place nearby in the adjoining car, and obtain assistance for the victim as well, or be able to intercede if they are able. The addition of articulated train cars is a worthy and potentially life-saving line item in the MTA's new capital program budget for fiscal years 2015-2019, which has the goal of replacing the current fleet of buses and subway cars at the cost of \$3,777 million dollars (MTA, 2014).

Re-Opening Subway Entrances

Another way of gaining more security for the female ridership consists of addressing the egress and ingress to stations. Entrances have been closed at 119 subway station stops, and some have been closed since the 1970's.¹² These closures have contributed to impassable bottlenecks at rush hours, and make it difficult to get out of a crowded area without coming into prolonged close bodily contact with other passengers. The entrances were closed in the 1970's and 1980's due to the city's fiscal crisis, but many have yet to re-open. By reducing the crowding that these closures engender, female passengers may be able to gain more space around them to avoid victimization. They may also be more likely to escape a deserted platform, in the event of a sexual assault.

Surveillance

Methods of surveillance have long been used to prevent crime and apprehend criminals in urban America, developing from the neighborhood watch in colonial times, to the tactics of the new surveillance state in the nineteenth century, up to the present-day ubiquity of closed-circuit television (CCTV). There have been varying receptions from urban planners and the American public to the increasing prevalence of these surveillance technologies, which among other security foci, are now being marshaled to deter sexual violence. The influential urban studies activist Jane Jacobs was one of the first to show how the built environment of New York City could be designed for crime prevention in mind. She advocated utilizing an 'eyes on the street'

¹² "One in four subway stations has a closed entrance, even as ridership has been hitting record levels, according to transit data." (Harshbarger, 2015).

approach as one of the more effective ways of achieving urban security. In her 1961 seminal work *The Death and Life of Great American Cities*, she wrote of the dire need to revitalize American cities to reflect the ideals of society. Jacobs was a strong proponent of neighborhood watches and of having a “close visual awareness of surroundings” to ensure safety (Faria, 2012). Although Jacobs did not discuss the specific urban security concerns of women, her observations indicate that better security for women in the subway environment could be achieved by combining the increased use of both natural and technological surveillance to prevent sexual offenses. As the occurrence of sexual violence in this setting frequently depends upon the anonymity of the perpetrator, the improved ability to record a perpetrator’s identity may perhaps act as a deterrent to this type of crime or aid in apprehension tactics.

Currently, there is a movement to place closed circuit cameras on subway cars, as a way of “benefit[ing] from real-time monitoring capabilities” (Alcindor, 2014). However, there is opposition to this security approach, rooted in privacy concerns. Christopher Dunn, the Associate Legal Director for the New York Civil Liberties Union, responded to this proposal by saying that more surveillance cameras would not stop crime (Alcindor, 2014). Despite concerns about privacy invasion, however, the MTA, like many transit agencies around the world, has decided that the benefits of CCTV are worth the sacrifices, and cameras have already been installed on all city buses. The MTA has reported that it will be installing cameras on the new fleet of subway cars, to be ordered for the next 2015-2019 capital plan, specifically in an effort to combat lewdness and sexual assault (CBS, 2014).

There appears to be widespread support for increased security measures like CCTV cameras to combat sexual harassment and assault in mass transit systems, although the jury is

still out on whether they are really an effective deterrent to this type of crime. Other world cities such as Washington, D.C. and Beijing have already installed surveillance cameras on all trains. Closed circuit televisions have also been installed in most trains in Great Britain's Tube, but the system has nonetheless been experiencing a record number of sexual offenses.¹³ This seems to indicate that the installation of CCTV on trains might not be a strong enough deterrent for sexual offenders. In fact, a British study published in 2002 suggests that CCTV used on public transport had "little or no effect" on crime reduction in that setting (Welsh, 2002). There is also some evidence to suggest that while the introduction of CCTV cameras into the subway may reduce crime at certain stations, these offenses may actually be displaced to the areas surrounding those stations.¹⁴

Most pertinently for this research project however, is to consider that as of 2015, there have been no studies conducted yet to determine whether CCTV is an effective preventive measure against sexual harassment (Gekoski, 2015). Pursuant to a study of this kind, would be an analysis of what degree the introduction of CCTV reduced sexual violence on subway platforms as opposed to inside train cars. This distinction is critical, as the overcrowding that makes many crimes of forcible touch possible on trains might not make these crimes detectable to CCTV cameras, which might hinder efforts at prosecution. So while CCTV may be one approach to preventing sexual violence against women in the subway system, more research on its efficacy may be needed to warrant this pervasive level of privacy invasion.

¹³ The British Transport Police recorded 1,399 offenses in 2014-15 in England, Scotland and Wales, an increase in 282 offenses, or 25% from the previous year (BBC News, 2015).

¹⁴ In a study on the effect of CCTV cameras in the Stockholm subway, crime was shown to be reduced by 25% in stations nearest to the city center. However, 15% of those deterred crimes were thought to be due to displacement of offenses to surrounding areas (Priks, 2015).

Expansion of the Wi-Fi Network

One problem for many victims of sexual harassment and assault in the subway is that there is currently no way for them to notify the police directly of the crime that has been perpetrated against them, unless an officer happens to be standing nearby, or they are able to use one of the on-platform call boxes, called Help Point Intercoms. Installed over the last four years, these new units replace the outmoded and inefficient analog intercom system the MTA had been using to assist customers. Designed by Boyce Technologies, Inc., the Help Point Intercoms were originally provided to reduce the number of fatalities due to passengers falling, jumping, or being pushed on to the tracks (Donohue, 2010).

While this is an important step for the MTA to increase safety in the transit environment, it does not adequately meet the needs of women and girls who are victimized by sexual violence in the subway system. There are no call boxes on trains, so victims of sexual assault are unable to call for help while trains are in tunnels. Also, these devices have no direct link with law enforcement, which are only notified after the call goes through to New York City Transit dispatchers at the Rail Control Center. Even for assault situations that occur on platforms, however, the call button must still be pressed by a customer in need of help. If a victim is not able to reach the call box, or use her hands to activate it, she cannot be assisted by this technology in an emergency situation.

If a woman has been assaulted on a subway train and wants to alert law enforcement, she must first notify the conductor, who *then* contacts transit police on her behalf. However, there are conflicting accounts about whether Central Command must be radioed first, before the transit

police can be contacted. Either way, these steps are time-consuming and further remove agency from the victim. This cumbersome process also allows perpetrators of sexual violence a better chance to escape the scene before law enforcement arrives. If victims of Gender-based violence in the system could contact police directly, reporting the crime and sending images of the perpetrator, there would be greater chances of apprehension.

A viable solution to this problem for targets of sex offenses in the MTA system would be to improve Wi-Fi capabilities inside trains and stations. The numbers of subway system perpetrators caught by police has risen sharply in recent years – not only because of better reporting and increased vigilance by law enforcement, but because of the targets of harassment themselves taking pictures of sex offenders with their camera phones, and then turning these pictures over to the police. Unfortunately, even when in possession of an image or a description of a perpetrator, law enforcement can have difficulty in apprehending criminals in the crush of people entering and exiting train stations. If victims of sex crimes in the subway could immediately send photos and video recordings to the NYPD during the same train ride, perpetrators would be caught by transit police before they have a chance to escape at the next station stop. The real-time ability of victims to fight back against their harassers could act as an enormous deterrent to sex offenders who would otherwise act with impunity, under the assumption that they would probably get away with their crime.

For female passengers to fully utilize this defensive capability, however, it is important that Wi-Fi service be made available not only in train stations and on platforms, but also while trains are traveling in tunnels, between stops. No survey has yet been conducted to determine how many sex offenses have been committed while cars are sitting in train stations, as opposed

to inside tunnels. However, keeping in mind the tenets of criminal psychology, it is logical to conclude that perpetrators of sex crimes would desire to isolate their victims, in a circumstance that limits their mobility away from the location of an attack. By harassing victims in between station-stops, perpetrators have more time to stage an assault, and can then use the next stop as time to escape the scene, and avoid capture. By providing Wi-Fi to passengers at all points during the train run, the ridership can utilize this technology to capture images of assailants and notify authorities in real-time.

Part VI.: Conclusion

The MTA Needs Women

Many scholars have emphasized how women need urban transport to access goods and services, and yet there are two missing links here: The first, is that there has been scant mention of women's use of the subway to access not only daily needs, but also desires, as if these are incidental to this equality project. Going to meet friends for dinner and a movie, shopping for pleasure, seeing a jazz ensemble play at a bar, and visiting parks and museums are other activities to which women travel via the subway. I mention this oversight, because the over-emphasis of human rights scholars on needs versus wants when discussing women's autonomy in the city plays into patriarchal principles of limiting agency, for both the maintenance of dominance within communities and also for ostensibly securing women's safety. If women must always justify why they are venturing outdoors or out of their neighborhoods (which might necessitate a subway ride alone), by giving one of the "good" or "valid" reasons, like access to employment or childcare, then they are placed in the position of having to seek permission for their movements. Scholars inadvertently cause women to be placed within this trap when they seek to explain women's right to the city by solely concentrating on women's needs, which may come at the expense of women's desires for full participation in everything this great metropolis has to offer.

The second missing link in the argument that women need the subway, and therefore are deserving of equality in that milieu, is that it ignores to a great degree how much the MTA needs

the female ridership. In addition to providing access to the most obligatory needs, women also board the train to shop for everything from food, clothing, entertainment, gifts, and household items for themselves and their friends and families. This heavy level of engagement outside the domestic sphere buoys the New York City economy, and demands attention and respect from the management of key city agencies like the MTA. For without the continued participation of female consumers, who make up more than 50% of the subway ridership, not only would the MTA suffer, but so would the entire economic vitality of the city. The MTA collects approximately \$14 million in subway fares each weekday,¹⁵ and even if a quarter of those were to disappear on one day — in an all-female and male ally ridership strike for instance — the fiscal pain would be substantial. A strike would perhaps motivate transit management more effectively than a petition to achieve certain equality goals, such as requiring:

- 1) A top-to-bottom gender audit of the agency, to ensure women's transport concerns are being represented in a fair and balanced manner.
- 2) More trains at peak hours on heavily travelled lines, to reduce the over-crowded conditions that make it easier for sexual harassers to operate.
- 3) A complete re-design of the anti-sexual harassment campaign, with posters that unambiguously, and *separately* address either would-be sex offenders, potential victims, actual victims, and by-standers. These new campaign would eliminate ambiguity and euphemisms, and instead emphasize that: this conduct is a crime, is a form of sexual violence, and is not about expressing one's masculinity.

¹⁵ In 2015, average weekday subway ridership was 5,650,610 million, the highest since 1948. Annual ridership was 1.762 billion, also the highest since 1948 (MTA, 2015). Retrieved from: <http://web.mta.info/nyct/facts/ridership/>

- 4) The creation of a protocol to identify and screen out train-car advertisements that objectify women and create a sexually hostile environment.
- 5) The immediate removal of all gender-offensive advertisements currently posted within the system.

To effect change on this scale within such a massive city agency, a definitive action like a strike by the paying public could produce a certain amount of discomfort for the agency, and motivate action where before there was none. Denying the MTA its labor is one powerful way in which the transit union has been able to inspire more equitable treatment; and so withholding revenue from the MTA could be another effective method. If the female ridership recognizes its own bargaining power and takes a stand, there is an opportunity to express not only to the MTA, but to other transit agencies throughout the US, that there is no longer any acceptable level of sexual violence toward women on public transport.

In Summary

Women's experiences of sexual violence in the New York City subway system, as in other societies, have arisen out of a system which privileges male dominance and control over both the natural and built environments (Koskela, 2000). The female ridership has greater vulnerability, and is a "captive audience" in this confined setting to sexual harassment and assault. This increased risk of being the target of illegal conduct can change and limit women's travel choices, with the effect of reducing autonomy in the city environment (Loukaitou-Sideris, 2009). For large urban centers to overcome these gender inequalities, transit agencies such as the

MTA must prioritize the removal of these limits to access on government-sponsored modes of transport. While much work must be done to address the root causes of this dynamic in society at large, research in this paper proposes the following changes to lower rates of sexual violence against the female ridership: Relieving the crowded conditions on trains that leave women at greater risk of assault; reducing the ridership's exposure to objectifying images of women; re-launching the MTA anti-sexual harassment campaign to be at once more direct and helpful to women; and incorporating certain urban planning initiatives, such as performing a gender audit of the MTA.

By learning from the failures and successes of other global cities, the MTA may start to transform its approach to sexual violence prevention within its system, and not continue to rely solely on the heavy presence of law enforcement and CCTV to keep its system safe and useable for women. Nor should transit agencies need to resort to gender-segregation as a stop-gap measure to plaster over structural imbalances in society at large. Although this remedy may initially be appealing, it most often results in the further marginalization of the segregated population — in this case, female travelers.

Instead, there are more socially viable solutions, if the MTA is willing to consider them. The problem of overcrowding is an exacerbating factor in this type of crime, and successful changes to infrastructure that address this issue could include using articulated train cars and opening long-closed entrances to subway stations. These approaches defy cries of financial infeasibility and have been utilized in many other global cities, including Berlin and Paris, to the welcome reception of its ridership. Increasing the amount of train cars on each line will be

another effective method to reduce crowding inside train cars and on platforms, and hence opportunities for sex offenders to make contact with their targets.

The expansion of the Wi-Fi network throughout the subway system could be another effective form of self-defense for victims of sexual harassment. This would provide the entire ridership with the capability to report incidents to law enforcement in real-time, instead of waiting for MTA personnel or transit police to arrive on the scene. An expanded network in the tunnels may not only lead to faster apprehension of sex offenders, but also act as a deterrent to future acts of sexual violence against women in this setting.

Perhaps one of the key ingredients, though, in improving subway design to reduce the incidence of sexual offenses, could be the transformation of the MTA's anti-harassment campaign. By sending out public service announcements in the form of posters and over the public address system regarding this crime, the MTA acknowledges its responsibility to protect the ridership from harm. However, the messages transmitted must be made to reflect the legal reality of sexual violence, instead of using euphemistic language to describe this crime, which may simultaneously discourage incident reporting and encourage further violations to take place.

The MTA must also acknowledge the need to incorporate greater female participation, as well as gendered concerns, into the planning, design, and management of the New York City subway system. There has heretofore been a lack of both statistical data and sensitivity to issues of personal safety that affect the female ridership. Too few women in MTA management have participated in security forums, and the differences in women's transport patterns have not yet been properly evaluated to stimulate changes to service. Without female voices being included in

this process and being polled regularly to weigh in on their current experiences in the subway, the MTA cannot adequately serve the female ridership's need for greater personal safety.

It may be an unreachable goal to achieve a zero percentage of sexual violence against women in the New York City subway system. However, the current number of violations should not be considered reasonably low, and the MTA has the capacity and the obligation to do more for its largest customer base.

References

A

ActionAid International. (February 2013). Women and The City II: Combating violence against women and girls in urban public spaces – The role of public services. *ActionAid International*. Retrieved from: https://www.actionaid.org.uk/sites/default/files/publications/women_and_the_city.pdf

Alamdari, Z., & Habib, F. (May 2012). Urban public space designing criteria for vulnerable groups (women and children). *Canadian Journal on Environmental, Construction, and Civil Engineering*, 3 (4). Retrieved from: https://www.researchgate.net/profile/Farah_Habib/publication/236590937_Urban_public_space_designing_criteria_for_vulnerable_groups_Women_and_children/links/00b49519e1a4b45b89000000.pdf

Alcindor, Y. (July 9, 2014). NYC might put surveillance cameras on subway. *USA Today*. Retrieved from: <http://www.usatoday.com/story/news/2014/07/05/nyc-weighs-putting-surveillance-cameras-on-subways/11536763/>

Anderson, L. (October 29, 2014). Exclusive-Poll: New York City transport seen as safest in world for women. *Thomson Reuters*. Retrieved from: <http://uk.reuters.com/article/women-poll-newyork-idUKL6N0SB4WI20141029>

American Psychological Association. (2007). Task Force on the Sexualization of Girls. *Report of the APA Task Force on the Sexualization of Girls*. Retrieved from: <http://www.apa.org/pi/women/programs/girls/report-full.pdf>

Argyle, M., Salter, V., Nicholson, H., Williams, M., & Burgess, P. (1970). The Communication of Interior and Superior Attitudes by Verbal and Non-Verbal Signals. *British Journal of Social and Clinical Psychology*, 9, 222-231.

Armitage, R. (September 8, 2014). How can good urban design reduce crime? *ARUP: Cities*. Arup Group 2011. Retrieved from: <http://thoughts.arup.com/post/details/377/how-can-good-urban-design-reduce-crime>

B

Baldez, L. (March 8, 2013). U.S. drops the ball on women's rights. CNN. Cable News Network. Turner Broadcasting System, Inc. Retrieved from: <http://www.cnn.com/2013/03/08/opinion/baldez-womens-equality-treaty>

BBC News. (August 19, 2015). Sex offences on trains and stations reach record level. *BBC*

News: UK. Retrieved from: <http://www.bbc.com/news/uk-33979568>

Boyd, H. (2001). Token booth clerks a necessity, City Council told. *New York Amsterdam News*, 92 (25), 3.

Boyle, C. (April 3, 2009). Subway rape victim comes forward after suit tossed against MTA workers who ignored her cry for help. *New York Daily News*. NYDailyNews.com. Retrieved from: <http://www.nydailynews.com/news/subway-rape-victim-suit-tossed-mta-workers-cry-article-1.359180>

Bumiller, K. (2006). Freedom from violence as a human right: Toward a feminist politics of nonviolence. *Thomas Jefferson Law Review*, 28 (3).

Bunch, C. (1990). Women's rights as human rights: Toward a re-vision of human rights. *Human Rights Quarterly*, 12, pp. 486, 490-91.

C

Cairns, S., Crysler, G., Heynen, H., & Wright, G. (Eds.). (2012). *Tendencies and Trajectories: Feminist Approaches in Architecture, Architectural Theory Handbook*. London: Sage.

Castells, M. (2001). The space of flows. *The Castells Reader on Cities and Social Theory, I*, 314-366. New Jersey: Blackwell.

Cavoukian, A. (2008). Privacy and video surveillance in mass transit systems: *TTC: A special investigation report, March 2008*. Toronto Transit Commission.

CBS New York. (October 1, 2014). MTA To install surveillance cameras on subways to combat sexual assaults, lewdness. *CBS New York*. Retrieved from: <http://newyork.cbslocal.com/2014/10/01/mta-to-install-surveillance-cameras-on-subways-to-combat-sexual-assaults-lewdness/>

Chung, J. (June 8, 2005). More details on the subway platform rape. Gothamist. Retrieved from: http://gothamist.com/2005/06/08/more_details_on_the_subway_platform_rape.php

Chung, J. (September 18, 2006). NYC Transit sued over subway platform rape. Gothamist. Retrieved from: http://gothamist.com/2006/09/18/left_in_grip_of.php

Clarke, R. V., & Cornish, D. B. (1985). Modeling offenders' decisions: a framework for research and policy. *University of Chicago Press, Crime and Justice: An Annual Review for Research and Policy, 6*.

Cooper, L. B., Paluck, E. L., & Fletcher, E. K. (n.d.). Reducing gender based violence. Ryan, M., & Branscombe, N. R. (Eds.). *Sage Handbook on Gender and Psychology*. London: Sage.

Cordon, S., Lieber, M., & Maillochon, F. (2007). Feeling unsafe in public places: Understanding women's fears. *Revue Française de Sociologie*, 48 (5), 101-128.

D

de Madariaga, I. S. (Fall/Winter 2013). From women in transport to gender in transport:

Challenging conceptual frameworks for improved policymaking. *Journal of International Affairs*, 67 (1).

Domosh, M., & Seager, J. (2001). *Putting women in place: feminist geographers make sense of the world*. New York: Guildford.

Donohue, P. (September 27, 2010). New high-tech intercoms coming to subway stations near you. *New York Daily News*. Retrieved from: <http://www.nydailynews.com/new-york/new-high-tech-intercoms-coming-subway-stations-article-1.441379>

Duchène, C. (2011). Proceedings from the 2011 International Transport Forum: *Gender and transport*. Paris, France: Organization for Economic Co-operation and Development (OECD).

Dunckel-Graglia, A. (2013). Women-only transportation: How 'pink' public transportation changes public perception of women's mobility. *Journal of Public Transportation* 16 (2), 85-105.

E

Edwards, A. (Fall 2008). Violence against women as sex discrimination: Judging the Jurisprudence of the United Nations Human Rights Treaty Bodies. *Texas Journal of Women and the Law*, 18 (1).

Edwards, A. (2011). *Violence Against Women Under International Human Rights Law*. Cambridge: Cambridge University Press.

Epstein, E. A. (November 13, 2011). Wheelchair & stroller advocates call for subway access. *Metro International*. Retrieved from: <http://www.metro.us/local/wheelchair-stroller-advocates-call-for-subway-access/tmWkkm---29r5BkZ2qrzJE/>

F

Faria, J. R., Ogura, L., & Sachida, A. (2012). Was Jane Jacobs right? A study of violence and urban buoyancy in Brasília. *MPA - UTEP Working Papers Series*. Retrieved from: <http://academics.utep.edu/Portals/1890/WP%208%20Faria.pdf>

Fenster, T. (November 2005). The Right to the Gendered City: Different Formations of Belonging in Everyday Life. *Journal of Gender Studies*, 14 (3), 217-231.

Flegenheimer, M. (October 20, 2013). A subway car with fewer doors, but more ways out. *The New York Times: N.Y./Region*. Retrieved from: <http://www.nytimes.com/2013/10/21/nyregion/no-doors-between-subway-cars-mta-may-consider-new-model.html>

Foran, C. (September 16, 2013). How to design a city for women: A fascinating experiment in “gender mainstreaming.” *The Atlantic, CityLab*. Retrieved from: <http://www.citylab.com/commute/2013/09/how-design-city-women/>

Furfaro, D., & Rosario, F. (December 15, 2015). City subways are a pervert’s paradise. *New York Post: Metro Exclusive*. NYP Holdings, Inc. Retrieved from: <http://nypost.com/2015/12/15/city-subways-are-turning-into-a-sex-crime-filled-horror-show/>

G

Gaylord, M. S., & Galliher, J. F. (1991). Riding the underground dragon: Crime control and public order on Hong Kong's mass transit railway. *The British Journal of Criminology*, 31 (1), 15-26.

Gekoski, A., Gray, J., Horvath, M. A. H., Edwards, S., Emirali, A., & Adler, J. R. (February 2015). 'What works' in reducing sexual harassment and sexual offences on public transport nationally and internationally: A rapid evidence assessment. *British Transport Police and Department of Transport*, London. Retrieved from: <http://eprints.mdx.ac.uk/15219/1/Gekoski%2C%20Gray%2C%20Horvath%2C%20Edwards%2C%20Emirali%20%26%20Adler%202015.pdf>

Georges-Abeyie, D. E., & Harries, K. D. (Eds.). (1980). *Crime: A spatial perspective*. New York, NY: Columbia University Press.

Gogishvili, D. (n.d.). Gender mobility and challenges of masculine transport planning. Retrieved from: https://www.academia.edu/4732856/Gender_Mobility_And_Challenges_of_Masculine_Transport_Planning_Introduction_Gender_and_Mobility

Goodyear, S. (January 30, 2015). More women ride mass transit than men. Shouldn't transit agencies be catering to them?. *The Atlantic: CityLab*. Retrieved from: <http://www.citylab.com/commute/2015/01/more-women-ride-mass-transit-than-men-shouldnt-transit-agencies-be-catering-to-them/385012/>

Greed, C. H. (1994). *Women and planning: Creating gendered realities*. London: Routledge.

Grieco, M., & McQuaid, R. (2012). Gender and transport: Transaction costs, competing claims and transport policy gaps. *Research in Transportation Economics*, 34, 1-86.

H

Habermas, J. (1993). *The Structural Transformation of the Public Sphere*. Cambridge, MA: MIT Press.

Hamilton, B. (November 2, 2013). NYC on track to be nation's safest city. *New York Post*. NYP Holdings, Inc. Retrieved from: <http://nypost.com/2013/11/02/nyc-on-track-to-be-nations-safest-city/>

Hamilton, K. (January 2001). Gender and Transport in Developed Countries: Background Paper for the Expert Workshop "Gender Perspectives for Earth Summit 2002: Energy, Transport, Information for Decision-Making." Berlin, Germany. Retrieved from: <http://www.earthsummit2002.org/workshop/Gender%20Transport%20N%20KH.pdf>

Hamilton, K., & Jenkins, L. (September 2000). A gender audit for public transport: A new policy tool in the tackling of social exclusion. *Urban Studies*, Vol. 37 (10), 1795-1800.

Hanson, S. (1980). The importance of the multi-purpose journey to work in urban travel behavior. *Transportation*, 9, 229-248.

Harshbarger, R. (November 1, 2015). NYC subway station entrances closed despite ridership spike. *AM New York: Transit*. Retrieved from: <http://www.amny.com/transit/nyc-subway-stations-with-closed-entrances-proliferate-despite-ridership-spike-1.11045566>

Harshbarger, R. (July 15, 2015). Undercover female cops fighting rise in transit sex crimes: NYPD. *AM New York: Transit*. Retrieved from: <http://www.amny.com/transit/sex-crimes-in-nyc-subways-on-the-rise-nypd-1.10661849>

Hayden, D. (1982). *The Grand Domestic Revolution: A History of Feminist Designs for American Homes, Neighborhoods and Cities*. Cambridge, MA: The MIT Press.

Hearn, J. (April 2004). From hegemonic masculinity to the hegemony of men. *Feminist Theory*, 5, 49-72.

Henley, N., & Freeman, Jo. (1995). The sexual politics of interpersonal behavior. *Women: A Feminist Perspective*. Fifth Edition. Retrieved from: <https://www.uic.edu/orgs/cwluherstory/jofreeman/womensociety/personal.htm>

Hickey, G. (Spring/Summer 2011). From Civility to Self-Defense: Modern Advice to Women on the Privileges and Dangers of Public Space. *The Feminist Press at the City University of New York Women's Studies Quarterly, SAFE*, 39 (1/2), 77-94. Retrieved from: <http://www.jstor.org/stable/pdf/41290280.pdf>

Holland, R. W., Roeder, U. R., van Baaren, R. B., Brandt, A. C., & Hannover, B. (April 2004). Don't stand so close to me: The effects of self-construal on interpersonal closeness. *Psychological Science*, 15, 237-242.

Hymon, S. (October 15, 2015). Campaign stepped up to combat sexual harassment on Metro. *The Source: Transportation News & Views*. Retrieved from: <http://thesource.metro.net/2015/10/15/campaign-stepped-up-to-combat-sexual-harassment-on-metro/>

Incite! (2001). Gender violence and the prison industrial complex. *Incite!* Retrieved from: <http://www.incite-national.org/page/incite-critical-resistance-statement>

J

Jacobs, J. (1961). *The death and life of great American cities*. New York, NY and Toronto, Canada: Random House, Inc.

K

Kelly, L. in Walby, S. (Ed.). (1999). Violence against women: A policy of neglect or a neglect of policy? *New Agendas for Women*. New York, NY: St. Martin's Press.

Koskela, H., & Pain, R. (May 2000). Revisiting fear and place: women's fear of attack and the built environment. *Geoforum*, 31, (2), 269-280.

L

Lee, J. (November 19, 2009). Sexual harassment is 'No. 1 quality of life offense' on subways, police say. *The New York Times: City Room*. Retrieved from:

http://cityroom.blogs.nytimes.com/2009/11/19/sexual-harassment-is-no-1-quality-of-life-offense-on-subways-police-say/comment-page-4/?_r=1

Loukaitou-Sideris, A., Bornstein, A., Fink, C., Samuels, L., & Gerami, S. (October 2009). How to ease women's fear of transportation environments: Case studies and best practices. *MTI Report 09-01*. San José, CA: Mineta Transportation Institute.

Loukaitou-Sideris, A., Taylor, B. D., & Fink, C. N. Y. (July 2006). Rail transit security in an international context: Lessons from four cities. *Urban Affairs Review, 41*, (6), 727-748.

Lynch, K. (1960). *The image of the city*. Cambridge, MA: The M.I.T. Press & Harvard University Press.

M

Menon, N. (2000). Embodying the self: Feminism, sexual violence, and the law. Chatterjee, P. & Jeganathan, P. (Eds.). *Community, Gender and Violence, Subaltern Studies XI*, Hurst & Company.

Merry, S. E. (2001). Spatial govern mentality and the new urban social order: Controlling gender violence through the law. *American Anthropologist, 103* (1), 16-29.

Miranne, K. B., & Young, A. H. (Eds.). (2000). *Gendering the city: women, boundaries, and visions of urban life*. Lanham, Maryland: Rowman & Littlefield Publishers, Inc.

MTA. (December 5, 2013). Assault a transit employee and you will go to jail. MTA.com

Retrieved from: <http://www.mta.info/news-bus-train-subway-assault-crime/2013/12/05/assault-transit-employee-and-you-will-go-jail>

MTA. (September 24, 2014). Board Briefing: MTA Capital Program: 2015-2019.

Retrieved from: http://web.mta.info/mta/news/books/docs/2015-2019_Sep_Board_Briefing.pdf

MTA. (2015). Introduction to subway ridership. Metropolitan Transportation Authority (MTA).

Retrieved from: <http://web.mta.info/nyct/facts/ridership/>

N

Neupane, G., & Chesney-Lind, M. (2014). Violence against women on public transport in Nepal: sexual harassment and the spatial expression of male privilege. *International Journal of Comparative and Applied Criminal Justice*, 38 (1), 23-38.

Newman, O. (1972). *Defensible space: Crime prevention through urban design*. New York, NY: Macmillan.

New York State Law: Penal Code. (n.d.). Sex Offenses - Article 130 - Penal Law Code. Offenses

Against Public Sensibilities - Article 245.00 - Penal Law Code. Retrieved from:

<http://ypdcrime.com/penal.law/article130.htm#>

Retrieved from: http://ypdcrime.com/penal.law/article245.htm?zoom_highlight=S+245

NY1 News. (December 14, 2015). NYPD Transit bureau says enforcement of sex crime laws are

up this year. *NY1 News*. Time Warner Cable Enterprises. Retrieved from: <http://>

www.ny1.com/nyc/all-boroughs/news/2015/12/14/nypd-transit-bureau-says-enforcement-of-sex-crime-laws-are-up-this-year.html

O

P

Peters, D. (2013). Gender and sustainable urban mobility. Thematic study prepared for Global

Report on Human Settlements 2013. *UN-HABITAT*. Retrieved from: <http://unhabitat.org/>

[wp-content/uploads/2013/06/GRHS.2013.Thematic.Gender.pdf](http://unhabitat.org/wp-content/uploads/2013/06/GRHS.2013.Thematic.Gender.pdf)

Phadke, S., Khan S., & Ranade, S. (2011). *Why Loiter?: Women and Risk on Mumbai Streets*.

New Delhi, India: Penguin Books.

Priks, M. (2015). The effects of surveillance cameras on crime: Evidence from the Stockholm subway. Dissertation for the Department of Economics, Stockholm University. Retrieved from: http://www.ne.su.se/polopoly_fs/1.153803.1429170587!/menu/standard/file/EJMpriks.pdf

Q

Qudsi, J. (2015). Mexico City's women-only subway cars: Success or failure?. *The Wagner Planner: Spring '15 Issue*. New York University Wagner School of Public Service. Retrieved from: <https://wagner.nyu.edu/wagnerplanner/mexico-citys-women-only-subway-cars-success-or-failure>

R

Reyes, R. C. (March 2016). Public space as contested space: The battle over use, meaning and function of public space. *International Journal of Social Science and Humanity*, 6 (3), 201-207.

Rosenbloom, S. (1989). Trip-chaining behavior: A comparative and cross-cultural analysis of the complicated travel patterns of working mothers. *Gender, Transport, and Employment*. London: Gower Publishing Company.

S

Sanghani, R. (August 2015). These countries tried women-only transport: Here's what happened. *The Telegraph: Women's Life*. Telegraph Media Group Limited: UK. Retrieved from: <http://www.telegraph.co.uk/women/womens-life/11824962/Women-only-trains-and-transport-How-they-work-around-the-world.html>

Schneider, R. H. (2005). Introduction: Crime prevention through environmental design (CPTED): Themes, theories, practice, and conflict. *Journal of Architectural and Planning Research*, 22 (4), 271-283.

Schwartz, A. (August 16, 2012). Strangers and the need for personal space. *Stress Reduction and Management: MentalHelp.net*. Retrieved from: <https://www.mentalhelp.net/blogs/strangers-and-the-need-for-personal-space/>

Seaforth, W., Mwaniki, E., Kinyilli, H., Mathenge, M., & Sudi, P. (2008). Integrating a gender perspective in public transit - The “between two stops” service, Montréal, Québec, Canada. *Gender Mainstreaming in Local Authorities: Best Practices*. United Nations Human Settlements Programme (UN-HABITAT), 72-76.

Segrave, K. (2014). *Beware the masher: Sexual harassment in American public places, 1880-1930*. Jefferson, NC: McFarland & Company.

Siegel, L., Perry, R., & Gram, M. H. (2006). Who’s watching?: Video camera surveillance in New York City and the need for public oversight. *A special report by the New York Civil Liberties Union*. NYCLU. Retrieved from: http://www.nyclu.org/pdfs/surveillance_cams_report_121306.pdf

Siung, R. T. H. (March 30, 2013). Women-only subway cars in Rio (It ain’t workin’). *RayRay in Rio! Wordpress blog*. Retrieved from: <https://rayrayinrio.wordpress.com/2013/03/30/women-only-subways-cars-in-rio-basically-it-aint-workin/>

Sloman, L. (1993). Putting women in the picture: Participation in transport policy-making. *Transport 2000*.

Smith, M. J., & Clarke, R. V. (2000). Crime and public transport. *The University of Chicago Press, Crime and Justice*, 27, 169-233.

Sorkin, Michael. (Ed.). (2008). *Indefensible Space: The Architecture of the National Insecurity State*. New York: Routledge.

Strauss, E. (July 28, 2015). Let's ban sexist subway ads. *The Week*. Retrieved from: <http://theweek.com/articles/566644/lets-ban-sexist-subway-ads>

Stringer, S. M. (2007). Hidden in plain sight: Sexual harassment and assault in the New York City subway system. *The New York Times*. Retrieved from: http://www.nytimes.com/packages/pdf/nyregion/city_room/20070726_hiddeninplainsight.pdf

Sue, D. W. (Ed.). (2010). *Microaggressions and marginality: Manifestation, dynamics, and impact*. Hoboken, NJ: John Wiley & Sons, Inc.

T

U

UN Committee on the Elimination of Discrimination Against Women (CEDAW). (1992).

CEDAW General Recommendation No. 19: Violence against women. Retrieved from: <http://www.refworld.org/docid/52d920c54.html>

UNIFEM. (n.d.). Women, Peace & Security. CEDAW and Security Council Resolution 1325: A Quick Guide. United Nations Development Fund for Women (UNIFEM).

Universal Declaration of Human Rights. (2005). Articles 3, 13. *25+ Human Rights Documents*. 2005 Edition. Carson, L. (Ed.). Center for the Study of Human Rights, Columbia University.

Uteng, T., & Cresswell, T., (Eds.). (2008). *Gendered Mobilities*. New York: Ashgate.

V

Viswanath, K., & Mehrotra, S. T. (April 28 - May 4, 2007). 'Shall We Go out?' Women's Safety in Public Spaces in Delhi. *Economic and Political Weekly*, 42 (17), 1542-1548.
Retrieved from: <http://www.jstor.org/stable/pdf/4419521.pdf?acceptTC=true>

W

Welsh, B., & Farrington, D. (2002). Crime prevention effects of closed circuit television: a systematic review. *Home Office Research Study*, 252. Development and Statistics Directorate, London.

Whitzman, C., Legacy, C., Andrew, C., Klodawsky, F., Shaw, M., & Viswanath, K. (Eds.). (2013). *Building Inclusive Cities: Women's Safety and the Right to the City*. London and New York: Earthscan for Routledge.

Whitzman, C. (2005). Stuck at the front door: Gender, fear of crime, and the challenge of creating safer space. *Environment and Planning A*, 39, 2715-2732.

X

Y

Yakin, E. (2006). United Nations Economic and Social Council: Integration of the human rights of women and the gender perspective: Violence against women. The due diligence standard as a tool for the elimination of violence against women. *Commission on Human Rights*. E/CN.4/2006/61. Retrieved from: <http://www.refworld.org/pdfid/45377afb0.pdf>

Z

Zimmerman, J. (November 23, 2014). The shame of the ‘mashers’: In the early 1900s, sexually harassing women in the streets was a crime. *Pittsburgh Post-Gazette*. Retrieved from: <http://www.post-gazette.com/opinion/Op-Ed/2014/11/23/The-shame-of-the-mashers-In-the-early-1900s-sexually-harassing-women-in-the-streets-was-a-crime/stories/201411220159>