

**Subway Spaces as Public Places:
Politics and Perceptions of Boston's T**

by

Holly Bellocchio Durso

Submitted to the Department of Urban Studies and Planning
in partial fulfillment of the requirements for the degrees of

Bachelor of Science in Planning

and

Master in City Planning

at the


MASSACHUSETTS INSTITUTE OF TECHNOLOGY

June 2011


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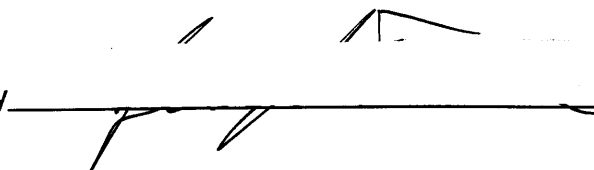
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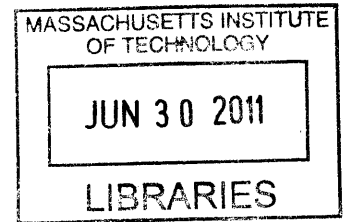

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ABSTRACT

Subways play crucial transportation roles in our cities, but they also act as unique public spaces, distinguished by specific design characteristics, governed by powerful state-run institutions, and subject to intense public scrutiny and social debate. This thesis takes the case of the United States' oldest subway system—Boston's T—and explores how and why its spaces and regulations over their appropriate use have changed over time in response to public perceptions, political battles, and broader social forces.

I use data collected from historical newspaper archives, published reports, and official agency records to detail how the city's subway authorities—first the Boston Elevated Railway Company, then the Metropolitan Transit Authority (MTA), and presently the Massachusetts Bay Transportation Authority (MBTA)—have sought to manage and shape these unique underground spaces and simultaneously maintain an image of order and control within them.

My research reveals and more closely examines three major factors that have influenced the changing controls over subway space usage in Boston: (1) the highly specific design constraints and unique physical aspects of the city's subway spaces; (2) evolving values and ideologies embedded within the transit agencies that are continuously seeking to promote a positive image of themselves; and (3) persisting public perceptions of subway spaces, many of which revolve around historical fears of the unknown and unfamiliar. By highlighting these complex hidden processes at work within Boston's underground realm, this thesis promotes a careful re-examination of a heavily used yet underappreciated urban space for the purposes of better understanding our experiences with and connections to the city.

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ACKNOWLEDGEMENTS

This thesis represents the culmination of five intense years at MIT, a journey that I would not have survived without the love, laughs, and guidance provided by a number of friends, family members, and support figures. I am so grateful that I have had the opportunity to cross paths with so many inspiring people along the way!

First, I must thank my wonderful thesis advisor Annette, for believing in this research topic when no one else did and helping me to develop it into something I could be proud of. Thank you also for giving me the incredible opportunity to be involved with SLAB, which has become an integral part of my years at MIT and left me with many unforgettable memories. Your thoughtful feedback and caring approach have pushed me to think more deeply and helped me to grow as a planning student and a global citizen.

I am also very lucky to have found Robert Fogelson, who has served as my generous, honest, and dedicated academic advisor, mentor, and friend for the last four years. I cannot thank you enough for having shared your expertise and enthusiasm for urban history with me, and having always gone out of your way to help and support me in my professional and personal endeavors.

Thank you also to Terry, whose candid and seasoned insights on this thesis and in class projects have provided me with invaluable academic and professional guidance that I will continue to draw from for years to come.

To my amazing husband Erik: your love and support have kept me sane, fed, and miraculously happy through this crazy process. I don't know where I'd be without you. I hope that in a few years when you are writing your master's thesis I can be half as wonderful as you have been to me.

Mostly, this is for and because of my parents, Matthew and Lisa, who have given me everything I have. Without your unwavering love and belief in me I would never have made it to this point. The desire you instilled in me to learn, to absorb and understand all that I can, and to excel is the greatest gift I have ever received.

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CHAPTER 1: Subways Are Places, Too

We usually think of subways as vehicles designed for a sole purpose—to move the masses—and consider their implications for urban planning through a narrow transportation-oriented lens. This is, of course, a crucial component in ensuring that people move through our cities smoothly and efficiently—but it is also just one perspective on a series of uniquely designed urban spaces that together form a rich network providing multi-faceted benefits and opportunities for our cities and citizens. What would happen if we invested more of our energy exploring this idea of the subway as a specialized physical manifestation of public space? How would this change what we know and believe about the relationship between subway spaces themselves, human interactions and behavior within them, and the management bodies and policies that seek to regulate them? Looking more holistically at the physical spaces, management practices, and public attitudes towards the subway might encourage us to better appreciate the subway as a unique and valuable form of public space.

Our ideas of the subway as a “place” usually revolve around the abstract image of the overall transportation network that has been created for us by the designers of subway maps. This bird’s eye view—often divorced from the constraints of physical geography—usually forms a mental image of the subway as a spiderweb of brightly colored interconnected lines, periodically punctured by dots of familiar names which serve as one of the only graspable connections with the city above ground. Yet the experience of riding the subway and occupying subway spaces is radically different from that which is presented by this abstract subway map. Riding the subway is a very real and sensorial way of knowing a city, and is shaped by sounds, smells, lights and darkness, motion and stillness, and the tangible experience of being packed into tight spaces with strangers. These physical qualities have interested me not so much in the subway as a transportation network but as a series of small, isolated pockets of public space that have the potential to foster inclusive interaction or to reflect and reproduce social tensions, depending on how they are managed.

There are very striking aspects of the spaces comprising these underground transit systems that influence the way regulatory bodies exert control over them. They are dark,

narrow, and enclosed, and therefore sensations—of darkness, noise, odor, and crowding—within them are often amplified. It follows, then, that these specific spatial properties call for particular and sometimes unusual regulations. Such regulations are often tied to physical safety and health as engineers bring humans into an artificial underground world that would not be habitable without careful technological innovations and equally cautious behavioral restrictions.

It is understandable, therefore, that transit agencies would use regulations to protect the safety of their passengers, whether from dangers posed by technologies or fellow riders. But often subway authorities do not limit their regulations to fundamental safety concerns. Throughout history, management institutions have silently acted as socializing agents of the state, using (and, possibly, periodically abusing) their police powers to control more than just basic human safety and health. In this way, these agencies use their authority—at first glance objective—to exert subjective, value-laden ideals of behavior onto their patrons. When these patrons are the majority of urban populations, what we have is an incredible, nearly invisible power play at work as hundreds of thousands of riders enter these seemingly innocuous public spaces each day. While these spaces may appear static or orderly, they often embody long histories of contentious battles between groups arguing over how the spaces can and should be programmed, utilized, and regulated. Commuters are barraged with advertising, art, and public awareness campaigns—all carefully crafted and aimed at getting the most out of their captive audience. This is when, historically, some subway authorities have stepped in and begun to head down the slippery slope of inconsistently protecting and/or interfering with basic constitutional rights. They can choose to value certain messages over others, and to pass off these values as neutral because they are administrative governmental bodies.

Subway authorities are anything but value-neutral, however. In fact, as cross-sections of urban metropolises, cities' subway systems often serve as venues for larger societal conflict. Perhaps tied to the enclosed, crowded nature of the spaces, subways have played major roles in such movements. Looking only at what happens in a city's subway can tell us a great deal about what is happening above ground. As such, subways at different times and in different places have acted as vehicles of inclusion and exclusion for various groups of people,

categorizing them by class, age, gender, race, and disability. As products of society, each of these groups has specific perceived concerns that subway authorities have sought to address or ignore. Looking at some of these can provide a clearer picture of larger societal power dynamics at play that might not be so evident above ground. Because subway spaces are so unusual and elicit very specific behaviors and regulations, the darkness of the underground actually illuminates a number of larger struggles and patterns at work within urban populations.

Research Questions and Discussion

This study will focus on the evolution of management policies, practices, and perceptions concerning the use of the Greater Boston metropolitan area's subway system—currently run by the Massachusetts Bay Transportation Authority (MBTA) and referred to as the “T”—as a public space. In it I will consider the regulations over uses of the space that extend beyond traditional transit questions of capacity, efficiency, and speed. For the MBTA and its predecessors have always influenced much more than just how many trains run and what their routes are. The agency bears a considerable amount of institutional authority to regulate people and what behaviors they are and are not allowed to engage in while occupying subway spaces, perhaps more so than the overseers of many other types of public spaces—such as parks or sidewalks—in the United States. Many people take this at face value, arguing that heightened regulations are justified and even necessary because of the unique physical constraints and hazards posed by subway spaces. I agree that this is indeed a major component of special subway regulations, but it is not the only one. Institutional values and public perceptions also inevitably factor into management decisions regarding the appropriate use of subway space in Boston.

The main question that will guide my research is the following: *How and why have Boston's subway authorities regulated the T as a special form of public space?* I will seek to determine how much of this regulation is based upon the unique physical dilemmas posed by subway spaces versus underlying value-driven actions seeking to appease public opinion or promote an institutional image. What do the MBTA's actions tell us about perceived public opinion regarding the T, especially relating to aspects of the physical environment that play a

role in the experience of riding the subway? What can its actions reveal about how the MBTA tries to market itself and the values it wishes to portray or even spread to its patrons?

My findings and analysis will reveal that the MBTA and its predecessors have made a number of policy decisions that extend beyond the scope of strictly transportation-oriented concerns and into questions of user experience and quality of public space. Throughout the course of my discussion I will hearken back to three elements that have played major roles in the institutional decision-making process throughout the history of the T:

1. The unique physical design and spatial characteristics of subway spaces, which call for specific policy interventions and regulations. Contributing factors include darkness, narrow and confined areas that serve large numbers of people, and proximity to powerful and potentially dangerous technologies.
2. Organizational normative values embedded within the MBTA and its predecessors, who are operating as socializing agents of the state. Though these values are rarely publicly acknowledged and are difficult to pinpoint since they constantly shift as society evolves, they inevitably play a role in the regulatory actions and decisions made by the subway authorities. It is important to recognize that they exist and that no institution is completely value-neutral.
3. Public perceptions and media portrayal of the subway and the experience of occupying subway spaces. Throughout their histories the subway authorities have often reacted to these public narratives through regulations aimed at quelling public fears and complaints, and promoting a positive organizational image.

The first element, basic physical properties of subway spaces, has largely remained constant throughout the T's history. My findings will reveal that the latter two factors, however, have shifted periodically over time.

The Evolution of This Study

My initial awareness of this topic was garnered through personal observations begun several years ago as I started regularly riding the T to travel around the Boston area. My interest was borne of a sort of ethnographic curiosity about the inner workings of social behavior on the subway, and the apparent presence of unwritten rules of subway etiquette.

Despite the fact that, at first glance, it seems that subway riders generally go out of their way to avoid eye contact and any type of physical or social interaction, upon closer inspection it becomes evident that certain kinds of interactions—often non-verbal—do take place within subway cars and stations as people negotiate within the limited space. The presence of momentary shared experiences and subtle interactions among strangers indicated to me that the subway was operating as a unique form of public space, one that deserved to be studied in greater detail.

My interest in passenger behavior within the confines of the subway led me to question what other factors were at play in determining how people used and negotiated temporary claims over limited subway spaces. Certainly, subway patrons had some level of control over how they spatially positioned themselves within relation to one another and the unique architectural elements of subway cars and stations such as seating and stanchions. But then I began to wonder who had designed the existing configurations of those railings and seats, and what was their reasoning behind that specific arrangement? Did those designs have an impact on how people behaved in and perceived the space? Could certain designs foster more or less interaction among passengers or encourage people to engage more with their surroundings? I started thinking about possible ways of programming subway spaces to reflect and build upon their unique characteristics, and found creative examples and experimental designs in other global cities.

Returning to Boston, where I knew I wanted to focus my study because of convenience, history, and personal interest, I recognized there was very little occurring in the way of radical design or interactive programming for the city's subway spaces. In the nation's oldest subway system, the MBTA, sorely lacking resources, faced a daily struggle simply to maintain basic but crucial transportation services with an aging infrastructure. Yet I soon realized that the MBTA was, in fact, involving itself a great deal in matters extending far beyond basic transit requirements. The agency was not only providing a public service, but was also actively proscribing how it could be used by exerting regulations over its subway spaces. To me these areas suddenly represented sites of constant contestation and negotiation between subway authorities, who ran the space, and subway passengers, who used the space. The MBTA's

regulations and actions often had direct and intended—and occasionally, indirect and unintended—impacts on how users experienced riding the subway and occupying its subterranean spaces. But how were these actions and intentions decided upon, and why did the MBTA even care?

This is the thought process that eventually led me to want to study how Boston’s transit authorities have sought to regulate the city’s network of subway spaces over the past 114 years. And in order to consider how much of this regulation stems from properties or demands of the space itself versus organizations acting as socializing institutions, we must first ask whether space even matters. The planning field says that it does; I agree. There is something qualitative and tangible about the physicality of space that influences how we experience the world. Interestingly, though subways were once admired as extraordinarily novel and exciting spaces, today they have for the most part receded into the background of our busy everyday lives. And because we no longer examine the physical properties of subway spaces, we have little grounds on which to question their regulation. This thesis is my attempt to re-highlight the importance of understanding the spaces we encounter on a daily basis in order to deconstruct the regulatory mechanisms operating within them.

Thesis Outline

In Chapter 2, I will begin by providing a brief overview of major relevant events in the rather complex history of the management of Boston’s subway system. My goal there is to provide a basic timeline to orient the reader within the historical framework of the nation’s oldest subway system, which over the last century has been managed by several different private and public agencies. Following that I will discuss my research methodology, sources of data, and principles of my analysis. I will conclude the chapter with a discussion of the limitations of this study.

Chapter 3 discusses several relevant strands of urban theory by surveying existing bodies of literature to structure a basic theoretical framework for my analysis. Major topics and themes include the social production and meaning of space and place, public space use and regulation, and discussions of institutional values and organizational culture among transit

agencies that will be helpful in understanding the actions and ideals of Boston's subway authorities.

The next few chapters present the findings of my research and relevant analysis, broken into five themes. Each one focuses on the history of a different issue or group of related issues that demonstrates how the MBTA and its predecessors have sought to manage both the subway as a physical public space and also public perceptions of the subway and its management. Chapter 4 deals with issues of physical design such as accident prevention, wheelchair accessibility, and material amenities to enhance the user experience. In Chapter 5, I discuss visual and expressive enhancements to subway spaces, including art and advertising. Chapter 6 deals with historical and ongoing debates between authorities and subway performers. In Chapter 7, I trace the evolution of regulations regarding health and cleanliness underground. Finally, Chapter 8 examines policies and programs aimed at combating crime and fear within the city's subway spaces.

I will finish my discussion in Chapter 9 by drawing out major themes and conclusions from my research findings and analysis, and providing a perspective towards the possible future of subway regulations and management in the Boston area.

CHAPTER 2: Delving Underground

A Brief History of Subway Management in Boston

In order to look at specific policy issues within Boston's subway spaces, it is first important to understand the basics about Boston's subway authorities, including who these organizations are, how they came to be, how they have changed over time, the nature of their relationships with the city and the public, and their positions in society at large. Following the overall trajectory of these institutions' fundamental shifts in identity and ideology will provide a valuable framework within which to ground specific management debates and decisions.

The story begins before the subway was even an idea. In the 1880s, congestion was becoming a huge problem in Boston's geographically condensed downtown business district. The major mode of mass transit at the time, the horse railway, was only contributing to the problem of congested streets since it ran within the same right-of-way space shared with other modes of transportation. In addition, seven different railway companies were operating on the city's streets and tracks, leading to inefficient fragmentation of routes and further crowding. In 1887, the Massachusetts state legislature created the private West End Street Railway Company, which essentially served as a merger of the seven separate firms, consolidating them into only a slightly less unruly system of horse-cars. However, continued congestion in the streets quickly indicated to city and state officials that this consolidation was only a temporary answer to the problem. Due to Boston's unique geography and extreme downtown congestion, a more permanent solution would have to make use of a new technology entirely.¹

Almost immediately following its creation, the West End Company began researching more modern alternatives—i.e., mechanical power—to its current horse-drawn railcars. In 1889, Boston became the first major U.S. city to introduce electric-powered street cars (an idea borrowed from much smaller Richmond, Virginia).² However, as exciting and progressive as this new-fangled innovation was, it did nothing to solve the real problem, which was that “[n]arrow

¹ Charles W. Cheape, *Moving the Masses: Urban Public Transit in New York, Boston, and Philadelphia; 1880-1912* (Cambridge, MA: Harvard University Press, 1980), 107, 110, 112, 126; Brian J. Cudahy, *Change at Park Street Under: The Story of Boston's Subways* (Brattleboro, VT: The Stephen Greene Press, 1972), 10.

² Mark Ovenden, *Transit Maps of the World* (New York: Penguin Group, 2003), 48.

streets in the business district were simply incapable of providing sufficient clearance for all the cars ferrying passengers downtown.” The streetcars needed to be moved off the streets. After much discussion and debate, a special state commission determined that the most effective way to do this would be to create a rail network making use of new elevated and underground tracks that would give mass transit its own right-of-way.³ The short underground portion—to become the nation’s first subway—would lie in a tunnel traversing Boston’s crowded downtown business district.⁴



A map of downtown Boston in 1898, showing the congested area (outlined in red) and the new subway (in green). Blue dots represent the original stations, and green triangles show where the subway tracks surfaced to connect to streetcar networks. (Cheape, *Moving the Masses* [color added by author])

³ Cudahy, *Change at Park Street Under: The Story of Boston’s Subways*, 10-11.

⁴ Cheape, *Moving the Masses: Urban Public Transit in New York, Boston, and Philadelphia; 1880-1912*, 138.

In 1893, the City of Boston passed a law outlining “a policy for city planning, finance, and construction of a subway.”⁵ The following year the state legislature authorized the formation of a public agency, the Boston Transit Commission (BTC), to study the problem, and a private firm, the Boston Elevated Railway Company, which was to act on the Commission’s recommendations and operate both the downtown subway and an elevated line into Charlestown.⁶ According to transportation historian Charles Cheape, this early collaborative effort represented that “popular feeling had compelled private interests to accept public action.”⁷ Thus begins a long and complicated relationship between Boston subway authorities and questions of public versus private ownership and management.

The BTC and the Elevated Company were quick to complete the modestly scaled subterranean project after construction commenced in 1894. The nation’s first subway branch opened in September 1897, and the remainder of the original project was completed just one year later. Eventually, the West End Company—which by now ran all of the city’s trolleys and street cars—merged with the Boston Elevated Company to form the city’s powerful local transit conglomerate.⁸ While this privately owned and operated firm retained operational control over existing mass transit, the public Boston Transit Commission would be in charge of planning and constructing all new rapid transit facilities through 1918, when it would be replaced with the Boston Transit Department.⁹

Though the Boston Elevated Railway Company held a monopoly over the city’s transit system and enjoyed the decision-making power over its operational regulations that came with its status as a private company, it was also subject to a number of public controls that limited its long-term viability. While the network gradually extended its lines over time, the Boston Elevated Railway Company faced declining ridership and serious financial woes because of restrictions on fares and revenues imposed by the 1918 Public Control Act. Thus, in 1947, the state created the public Metropolitan Transit Authority (MTA) to absorb the entire Boston

⁵ Cheape, *Moving the Masses: Urban Public Transit in New York, Boston, and Philadelphia; 1880-1912*.

⁶ Maggie Starr, “Boston Subway Performances” (Wesleyan University Olin Fellowship, 2004), <http://www.buskersadvocates.org/saabostonsubwaystarr.html>.

⁷ Cheape, *Moving the Masses: Urban Public Transit in New York, Boston, and Philadelphia; 1880-1912*, 142.

⁸ *Ibid.*, 145.

⁹ *Ibid.*, 148-149; Bradley H. Clarke and O.R. Cummings, *Tremont Street Subway: A Century of Public Service* (Boston: Boston Street Railway Association, Inc., 1997), 14.

Elevated Railway system.¹⁰ The most obvious institutional shift here was from private to public ownership, the effects of which highlighted new tensions over specific responsibilities of the state in controlling subway spaces. Some of these issues which I will explore in greater depth include questions of the state's role in preventing crime, ensuring passenger comfort through both basic and luxury amenities, and civilizing the masses through the introduction of art and music into subway spaces. By experimenting with these programs and regulatory strategies that extended beyond traditional transit concerns, the MTA in a way adopted some of the characteristics of a private firm catering to a discerning public—although sometimes this came at the cost of neglecting more fundamental matters such as safety and costs.

Beyond making these ongoing operational decisions, the MTA worked to further expand the transit network into the suburbs, although regional and national forces exerted increasing strains on the agency. Throughout the 1950s, other Eastern Massachusetts transportation complexes began undergoing major changes; as highways sprung up everywhere, various independent area railroad companies lost interest in providing crucial passenger services to residents of expanding outer suburbs. By the early 1960s, the MTA, facing increasing yearly deficits, was “not in a position to physically or logistically absorb the additional commuter railroad passenger crunch” that was necessary to keep public transit afloat in the Greater Boston area.¹¹

For this reason, in 1964, the MTA transferred management over to the newly created Massachusetts Bay Transportation Authority (MBTA), allowing for integration of the urban core mass transit system with other transportation networks serving the Greater Boston metropolitan area (most significantly, a series of radial suburban lines that would become the commuter rail system). The MBTA (or “T”), a “political subdivision of the Commonwealth,” represented one of the nation's first combined regional transit planning and operating agencies, and continued to expand the region's network to serve 78 municipalities in the Greater Boston area (compared to only 14 previously served by the MTA).¹² In addition to

¹⁰ Massachusetts Bay Transportation Authority, “The Chronicle of the Boston Transit System,” http://mbta.com/about_the_mbta/history/.

¹¹ Ibid.

¹² Ibid.

gaining a more regional focus, the shift from the MTA to the MBTA represents one of revisiting fundamental transit and public space concerns that had previously been neglected amidst some of the MTA's former visions of grandeur. The MBTA immediately focused on improving safety and increasing customer service while trying to keep costs down. Still, over time, the agency has come to experiment with creative ideas, amenities, and innovations both in the design and regulation of its subterranean spaces.

In telling its own history, the MBTA asserts that upon receiving control of the subway, it immediately launched "a very aggressive advertising and marketing campaign to enhance its new image," presumably to distinguish itself from its fairly short-lived predecessor. As such, the agency has prided itself on its "long tradition of innovation and progress," and maintains that it values the system having an identity of its own that is true to the City of Boston.¹³ This concern with image has been a major priority of the MBTA in the more than 50 years since, and has continually influenced the agency's actions during this time period.

Research Methodology and Limitations

The majority of the research I have undertaken deals with historical accounts of attitudes towards and management of the T as a public space, focusing especially on those attitudes pertaining to the quality and experience of being in physical subway spaces. I began my research by combing through historical archives searching for recurring debates and controversies that could potentially provide insight into the institutional mindset and motivations behind subway regulations, especially those specifying how subway spaces could or should be used. For this purpose, I relied heavily on newspaper reports from *The Boston Globe* and the *Boston Herald* as these provided fairly thorough and straightforward reports on management policies and actions, as well as public reactions to them and opinions on the subway itself. It is important to acknowledge that the opinions expressed in newspapers may not be representative of public opinion as a whole. However, they are a valuable firsthand window into a wide variety of existing viewpoints, each of which I find valid because we all experience space differently as we move through our everyday lives.

¹³ Ibid.

Once I identified major themes and patterns from my survey of newspaper archives, I attempted to weave them together into a coherent narrative tracing the evolution of various types of regulations and management actions. In order to fill in the missing pieces and bolster my knowledge of specifics, I referred to official MBTA documents and publications, press releases, court cases, and secondary sources. In considering recent and contemporary popular attitudes and public opinions of the T, I have occasionally drawn upon postings on blogs and social media sites, especially since the MBTA itself is actively encouraging dialogue with its users through these new communication methods. Additionally, much of the MBTA's official positions, initiatives, and imaging campaigns are promoted through the agency's website and online collaborations with local media.

While I did not undertake systematically structured fieldwork for this project, I will occasionally draw upon some of my own reflections of personal experiences riding the T. Over the past six months I have kept an informal journal of vignettes, observations, and subway-related thoughts that strike me on my regular commutes. After having conducted research for this study, I noticed that recently I have become a much more astute observer of my surroundings while riding the T, and I cannot separate myself from these experiences when writing this analysis. I most frequently and regularly ride the orange and red lines, but occasionally ride the green line as well. Because I wanted to experience each of the lines in its entirety, I also rode all of them from end to end at least once over the course of writing this thesis, stopping to examine key stations along the way. In doing so I focused my attention on physical design characteristics (including layout, amenities, aesthetics, and way-finding systems), informally observed passenger behavior and use of space, and noted any visible, audible, or other indicators of regulatory mechanisms at work (such as public service announcements, enforcement of rules by MBTA staff, or the presence of Transit Police).

Although I attempted to familiarize myself with each of the lines, this thesis will not get into the immense differences between them. I do not delve into how MBTA regulations, uniform in theory, might in actuality be implemented unequally along different lines or segments of lines. Related to this are major issues of transportation (in)justice and how geographic routing and station placement can have a huge impact on the demographics, level

of service, and overall character of each line segment. This study frames Boston's subway less as a transit system than as a series of discrete—yet technologically interconnected—public spaces. Therefore I will explore only management actions and regulatory issues that seek to directly influence what occurs within those spaces.

Because the MBTA has recently experienced a high rate of managerial turnover, I have deliberately chosen not to interview any management officials. I wanted to obtain more of an historical perspective, digging deeper into permanent physical attributes and enduring institutional values that are beyond the influence of any one General Manager. Occasionally my narrative uses publicized statements made by MBTA leaders to demonstrate the organization's official position on a specific issue at a given time; often the agency uses these periodic messages to craft and uphold an image of itself that it wants the public to see. However, I find that the actions of the organization often speak for themselves as well as any public statements issued to the press. Later I will, however, briefly discuss the MBTA's current General Manager in looking towards the future, mostly because I am of the opinion that his leadership represents a recent shift in the agency's organizational outlook.

For ease of explanation and understanding throughout the study, I will most often refer to specific subway segments in their current terms (red, blue, orange, and green lines), even though this color-coded way-finding system was not introduced until 1967.¹⁴ Likewise, I will most often refer to the system as the "T"—its present nickname—despite the fact that in previous periods it was known as the "EI" (under management of the Boston Elevated Railway Company) and the "Metro" (under the MTA's leadership). For the purposes of this study I am considering all four major rapid transit lines (red, blue, orange, and green) to be part of "the subway" even though the latter is technically light-rail (more like a streetcar) whereas the others are heavy-rail. Similarly, I will refer to all segments of these four lines as "the subway" even though portions of each are elevated or at surface level. The majority of my work centers on the characteristics of the underground portions of the system which make the subway such a unique public space, and I do not specifically focus on any aboveground stations. However, it would be impossible to consider these portions in complete isolation from the rest of the

¹⁴ Ovenden, *Transit Maps of the World*, 48.

system since the managing bodies have, for the most part, applied their policies across the entire subway network.



2010 MBTA rapid transit map using the color-coded way-finding system to show the four subway lines, along with commuter rail, bus rapid transit, ferry, and key bus routes. (MBTA.com)

CHAPTER 3: Noticing the Unnoticed: Literature that Digs Deeper

The Production, Perception, and Meaning of Everyday Spaces

There are many conceptions in urban theory about how we construct, perceive, and embed meaning within the public realm of our cities. In *The Experience of Place* (1990), Tony Hiss writes about how we experience the spaces around us almost subconsciously, via a method he calls “simultaneous perception,” which functions continuously in the back of our minds, “a mechanism that drinks in whatever it can from our surroundings.”¹ Such a mechanism might be working in overdrive to process the high densities and intensities of sensations one encounters within confined, crowded subway spaces—or, conversely, perhaps in such spaces it is easier just to tune out our surroundings entirely. Hiss argues that in either case, our minds are constantly collecting these perceptions of our surroundings which have a profound impact on our identities and relationships, and he calls for increased conscious awareness of the places around us. He is of the mindset that if we begin to notice them and talk about them, we can address problems with them.² To me, too, recognition of the power dynamics embedded within the physical and social realms created and managed by subway authorities is the first step in the process of unpacking the inner workings of subway spaces and politics.

Similarly, Ray Oldenburg (1989) identifies an unhealthy lack of informal public life in modern American cities, and calls for us to recognize the importance of “third spaces,” places other than work and home where people can gather informally to socialize.³ In the two decades since he wrote that, I believe a lot more attention has been paid to so-called “third spaces,” and now urbanists have begun to draw attention to a fourth type of leftover spaces, those that do not necessarily fit neatly within the other categories. The peculiar design characteristics and extremely specific intended uses of subway spaces make them fall into this

¹ Tony Hiss, *The Experience of Place* (New York: Alfred A. Knopf, 1990), xii-xiii.

² *Ibid.*, xi, xx.

³ Ray Oldenburg, *The Great Good Place: Cafes, Coffee Shops, Community Centers, Beauty Parlors, General Stores, Bars, Hangouts, and How They Get You through the Day* (New York: Paragon House, 1989), 9-14, 24.

gray area of the public realm, often overlooked in discussions of traditional public space—a notion that easily brings to mind images of bucolic parks or charming urban plazas, but not dingy underground train platforms. Yet they function in similar ways, as spaces in which large numbers of the urban populace gather and are subject to state authority and oversight.

John Chase *et al.* voice a powerful call to action in the name of such seemingly ordinary and mundane spaces in *Everyday Urbanism* (1999). Defining everyday spaces as those viewed as banal or routine (including spaces for daily activities such as commuting), they introduce the concept that “The utterly ordinary reveals a fabric of space and time defined by a complex realm of social practices—a conjuncture of accident, desire, and habit.”⁴ These zones, rather than harboring emptiness, are filled with possibility for negotiations over new uses and shifting meanings. In this view, the entire city transcends the physical as a giant social construct of lived experience.⁵ At its core, this theoretical view borrows from Henri Lefebvre’s ideas on the active role that space, ultimately a social construct, plays into the everyday rhythms of our social processes and relationships. To him, these settings for everyday life are not just static backdrops but “products literally filled with ideologies.”⁶ Spaces, even the most seemingly mundane, become crucial to our collective lived experience. Subways play a central role in formulating our understanding of cities and in shaping perceptions of our interactions with the authorities that exert power over city spaces.

Margaret Crawford writes about the notion of public space and its tenuous connection with idealized visions of democracy; to her, the ambiguity of everyday spaces is actually an asset because it allows for “juxtapositions, combinations, and collisions of people, places, and activities” that form the essence of true, working democracy. She powerfully concludes that “Rather than constituting the failure of public space, change, multiplicity, and contestation may in fact constitute its very nature.”⁷ Viewing these ongoing social processes of negotiation and contestation over appropriate spatial use as an asset, rather than a hindrance, might be a

⁴ John Chase, Margaret Crawford, and John Kaliski, eds., *Everyday Urbanism* (New York: The Monacelli Press, Inc., 1999), 8.

⁵ *Ibid.*, 10.

⁶ Henri Lefebvre, “Reflections on the Politics of Space,” *Antipode* 8, no. 2 (May 1976): 31.

⁷ Margaret Crawford, “Blurring the Boundaries: Public Space and Private Life,” in *Everyday Urbanism*, ed. John Chase, Margaret Crawford, and John Kaliski (New York: The Monacelli Press, Inc., 1999), 34-35.

productive way to encourage increased attention to previously overlooked physical spaces. The next step is to ask and explore how these social processes manifest themselves through our public institutions and the regulations they impose on the spatial realm.

Public Space: Use, Democracy, Regulation, and Fear

Robert Ellickson (1996) investigates regulation of misconduct in various public spaces in New York City, including the subway system. He identifies what he calls “chronic street nuisances,” which including panhandling, loitering and squatting, public drunkenness, and vagrancy—all of which are activities that we see occurring within subway spaces as well as on what he calls “unruly sidewalks.” Ellickson then explores various informal and formal zoning methods of these public spaces as regulatory attempts to control such nuisances. Finally, he looks from a legal perspective at the rights of those who are deemed to be causing this chronic misconduct: are their constitutional rights—such as freedom of speech—being eroded by regulations aimed at limiting their presence or activities in public spaces?⁸

Ellickson points out that because public spaces are theoretically open to everyone, they are sometimes the setting of grave and violent events which are subsequently sensationalized by the media. By comparison, the disorderly actions he described earlier seem trivial. Yet he reveals that “chronic street nuisances pose practically knotty and normatively perplexing questions about the management of public spaces,” raising debates on what uses are appropriate in these spaces.⁹ So while public spaces such as subways may earn reputations or heighten public perceptions based upon occasional sensational events (such as violent crimes), there are often quieter—but just as powerful—ongoing political battles occurring within them. In the setting of Boston’s subway, these debates have raised fundamental questions about individual rights and freedoms in public space versus institutional capacity and authority to control or limit those rights.

Ellickson identifies three ideological angles by which to analyze such debates: hyper-egalitarianism (which maintains that redistribution of wealth and opportunity is the ultimate

⁸ Robert C. Ellickson, “Controlling Chronic Misconduct in City Spaces: Of Panhandlers, Skid Rows, and Public-Space Zoning,” *The Yale Law Journal* 105, no. 5 (March 1996): 1165-1248.

⁹ *Ibid.*, 1169.

goal and thus misbehaviors such as panhandling can be excused), free speech libertarianism (considering questions of “public forums” and “time, place, and manner” regulation), and criminal defense (exploring sources of order and control in public space).¹⁰ He also brings up institutional policy discrepancies, one relevant example of which involved a court case where both District Court and Second Circuit judges found that New York’s subway regulations “which banned begging but permitted solicitations by charitable organizations and artistic performers” constituted illegal content discrimination under the First Amendment.¹¹ Almost every chapter of this thesis will contain examples of similar court cases involving the MBTA that delve into related concerns over basic constitutional rights and protections.

Building upon Ellickson’s analysis, John Dixon *et al.* (2006) explore additional fundamental questions of the maintenance of propriety in public space, which they argue “involves careful supervision of the body and its associated activities (e.g., forms of deportment, dress, and demeanour).” All of these bodily and performative signals agglomerate to present an image of a person or persons occupying a given space that either reassures or challenges public order and the status quo.¹² But how is that public order created, and what actions constitute transgressions against it? Dixon *et al.* take the stance that offensive conduct in a public setting not only violates our human civilities towards one another, but also towards public spaces themselves.¹³ They make the case that there is something about the nature of public space in itself that demands a certain code of conduct and an accompanying method of regulation. I wish to tailor this general idea to a more specific public space setting—the subway—one with very specific physical demands and characteristics. Is there something inherently unique about subway spaces that calls for heightened levels of institutional regulation over acceptable behaviors in and users of the space? Or are subway authorities merely exploiting this narrative to justify cautious overregulation or power-hungry institutional motives?

¹⁰ *Ibid.*, 1170-1171.

¹¹ *Ibid.*, 1236.

¹² John Dixon, Mark Levine, and Rob McAuley, “Locating Impropriety: Street Drinking, Moral Order, and the Ideological Dilemma of Public Space,” *Political Psychology* 27, no. 2 (April 2006): 188.

¹³ *Ibid.*, 189.

Of course, the most stringent and literal definitions of public space signify a space owned by a public entity—and thus these areas inherently act as physical and geographical embodiments of the state and all of its civilizing attempts. As Dixon *et al.* point out, the maintenance of order in and “appropriate” use of public space—whatever that might be—have “required the exercise of power, the imposition of a regime of social control that preserves sectional interests and values.” At the same time, however, another classic conception of public space is that of the forum, “a site for oppositional activity, playful deviance, and educative exposure to the full range of people and values that make up a society.”¹⁴ How do public regulatory bodies appropriately govern these spaces, given these seemingly incompatible definitions? There is no simple or straightforward answer; instead regulating agents engage in continuous dialectic processes of negotiation and adaptation. This has led to histories of public spatial management rife with inconsistencies and ongoing uncertainties.

Alexandra Kogl (2008) writes about modern “abstract spaces” in the public realm that seem to barrage passersby with logos and messages but have lost all sense of meaning. However, she argues that while these spaces appear to be neutral—“they do not openly proclaim the workings of power (as a cathedral or monument does)” —they actually do embody meaning and power dynamics, though they fail to express them to users, thereby making people feel isolated and disoriented within them.¹⁵ In fact, she argues that many times the only meanings conveyed to the public in such spaces are regulations, which are often communicated vaguely, leaving room for negotiation:

Spaces [do not] speak in a straightforward language of command that allows for only one activity or interpretation of any given place. Other than explicit prohibitions—no parking, no smoking, no loitering—spatial messages usually speak in a symbolic language that allows for reinterpretation...In communicating meaning in a manner that lends itself to reinterpretation, space may actually be more flexible and less confining than more literal expressions of meaning, lending itself to surprising political uses.¹⁶

Her ultimate argument is that places are not as silent as we might think upon first glance; they are “objects of deliberate political action” and embody hidden meanings and layers of

¹⁴ *Ibid.*, 191.

¹⁵ Alexandra Kogl, *Strange Places: The Political Potentials and Perils of Everyday Spaces* (New York: Lexington Books, 2008), 10.

¹⁶ *Ibid.*, 101-102.

contestation.¹⁷ Restrictions in one place or of one use create opportunities for flexibility elsewhere.

In “Sidewalk Democracy” (2005), Anastasia Loukaitou-Sideris *et al.* look at negotiations and regulation of another unique “underestimated part of the urban form,” the sidewalk.¹⁸ They explore how municipalities define, through regulations such as city ordinances, “appropriate uses of sidewalks.”¹⁹ Tracing the history of sidewalks, the authors show how from their very beginning, these spaces were used for a number of purposes beyond transportation and mobility. The uses upon them were varied: the wealthy promenaded, the working class mingled, businesses overflowed, transients panhandled, protestors gathered. The authors explain that while sidewalks have long been romanticized as spaces of pure democratic action,

the history of sidewalks suggests that their democracy has often been contested, as municipalities, private interests, and the courts have sought to control and regulate sidewalk uses and behavior. Municipal ordinances, statutes, and legal codes have often imposed a legal framework on sidewalks, a framework that has been challenged in the courts. Since at least the nineteenth century, the publicness of sidewalk space has been continuously negotiated through a dialectical relationship between two antithetical images: a space that should be tamed and controlled versus a space that facilitates unmediated interaction, free speech, and oppositional political activity.²⁰

Loukaitou-Sideris *et al.* go on to describe how planners should pay more attention to these unassuming but incredibly important urban spaces in order to “ensure that sidewalks remain accessible to all and effectively balance the needs of a diverse public.”²¹ Perhaps this is part of the difficulty when any institution—but especially a public one, facing increased scrutiny—attempts to exert control over a space as heavily used as a sidewalk or a subway station; there are simply too many potential publics and too many potential uses for it to be an uncontested process.

Robert Sommer makes the point at the outset of his book *Personal Space* (1969) that “Designing functional areas of multipurpose space does not complete the architect’s task. It is equally important to show the residents how to use the space productively and to develop

¹⁷ Ibid., 6-7.

¹⁸ Anastasia Loukaitou-Sideris, Evelyn Blumenberg, and Renia Ehrenfeucht, “Sidewalk Democracy: Municipalities and the Regulation of Public Space,” in *Regulating Place: Standards and the Shaping of Urban America*, ed. Eran Ben-Joseph and Terry Szold (New York: Routledge, 2005), 160.

¹⁹ Ibid., 141-142.

²⁰ Ibid., 148.

²¹ Ibid., 161.

effective institutional policies governing space allocation and utilization.”²² In other words, once the physical architecture is in place, regulatory bodies must enter as social architects to ensure that the space is used productively and to its fullest potential by attempting to appropriately accommodate all these vying uses and users.

In *The Code of the City* (2005), Eran Ben-Joseph looks to the origination of the municipal rules and regulations that have become so pervasive in our lives today. He points out that they “represent the sum of decades of rules designed to promote particular practices. Originating in the desire to improve conditions in the urban areas in the late nineteenth and early twentieth centuries, standards became the essential tool for solving the problems of health, safety, and morality.”²³ Because of their long established historical legacy, many people never think to challenge the legitimacy or question the specific origins of the regulations we abide by in modern spaces.

But who decides what these regulations should be? Erving Goffman (1963), a sociologist who studies behavior in public settings, is quick to point out that “an act can...be proper or improper only according to the judgment of a specific social group, and even within the confines of the smallest and warmest of groups there is likely to be some dissensus and some doubt.”²⁴ Regulations shift according to social and power dynamics as well as differing types of spaces, making the whole process of controlling the “public” (which “public?”) an exceedingly complex proposition continuously requiring self-adjustment.

Public Perceptions and Institutional Values in Urban Transit Systems

Dawn Geronimo Terkla and Marian F. Pagano (1993) argue that “All organizations have an image. An organization’s image is not a clear, concise concept but rather a set of an individual’s perceptions about the institution. Market researchers argue that people’s

²² Robert Sommer, *Personal Space: The Behavioral Basis of Design* (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1969), 10.

²³ Eran Ben-Joseph, *The Code of the City: Standards and the Hidden Language of Place Making* (Cambridge, MA: The MIT Press, 2005), xiii.

²⁴ Erving Goffman, *Behavior in Public Places: Notes on the Social Organization of Gatherings* (New York: The Free Press, 1963), 5.

perceptions are critical to an institution's well-being."²⁵ A major and straightforward way for institutional entities—both public and private—to control their public image is by branding and rebranding themselves in a series of dynamic processes. S. Prakash Sethi (1979) writes from a business and marketing perspective, saying that corporations use “institutional advertising campaigns to express managements’ viewpoints on controversial social issues where their vital economic interests are at stake,” effectively blurring the thin line between commercial and political speech.²⁶ As Sethi points out, image advertising is rarely value-neutral. This becomes even more contentious when applied to a public agency such as the MBTA, whose professed attempts to keep advertising messages uncontroversial as part of their organizational imaging process have sparked public and legal controversies of their own.

Further complicating matters, these institutional values and organizational identities are rarely permanent. Dennis A. Gioia *et al.* (2000) argue that although “organizational identity usually is portrayed as that which is core, distinctive, and enduring about the character of an organization,” the concept can be better viewed as “relatively fluid and unstable.” Additionally, they contend that this instability is not harmfully destabilizing, but rather allows for organizations to progressively adapt over time to enact positive changes in an ever-evolving society. They claim that successful identity must retain “continuity in its essential features” while concurrently maintaining a level of fluidity and adaptability to remain relevant and avoid “stagnat[ion] in the face of an inevitably changing environment.”²⁷

In *Watching the Traffic Go By* (2007), Paul Mason Fotsch explores these ideas of institutional image-making, using as his case study the New York City subway system and public perceptions of its management. He sees the subway as having a dual symbolism: one of urban danger and fear, and one as a venue in which culture and values can be promulgated to a wide audience. He explains that regulation within the city's subway is mostly about preserving the latter positive aspect of the space as “a public forum in which diverse groups and individuals

²⁵ Dawn Geronimo Terkla and Marian F. Pagano, “Understanding Institutional Image,” *Research in Higher Education* 34, no. 1 (February 1993): 11.

²⁶ S. Prakash Sethi, “Institutional/Image Advertising and Idea/Issue Advertising as Marketing Tools: Some Public Policy Issues,” *The Journal of Marketing* 43, no. 1 (January 1979): 68.

²⁷ Dennis A. Gioia, Majken Schultz, and Kevin G. Corley, “Organizational Identity, Image, and Adaptive Instability,” *The Academy of Management Review* 25, no. 1 (January 2000): 63, 65.

express themselves and experience the expression of others; the use of this forum has an important impact on the subway's image. It is for this reason that [New York's] MTA encourages particular voices, such as Arts for Transit, while trying to restrict others, most notably of graffiti writers."²⁸ In this way we see that subway regulations and management decisions regarding issues such as art and graffiti may actually have very little to do with the space itself, and everything to do with the image that the institution tries to foster and project.

Much like Fostch, Barbara Young Welke discusses in *Recasting American Liberty* (2001) how at the turn of the twentieth century, urban railroads and streetcars, while representing previously unparalleled freedom of movement, also necessitated unharnessed technological innovations that had the potential to harm the public in new ways. With these new technologies, she argues, people became increasingly vulnerable to three types of injury: physical (maiming or death), mental (shock), and social (racial and gender segregation). She documents huge numbers of bodily injuries and deaths in Boston and other cities related to the collision of man and machine as these new transportation technologies emerged.²⁹ While there were many reasons to be excited about these novel innovations, there was certainly also cause for concern and even fear. Unfortunately, it seems much of that public perception of fear has persisted over time.

The MBTA and its predecessors have used this strategy of marketing their values and services in striving to create a positive image for themselves, in order to combat such fears and negative associations. Indeed, the images and values that the MBTA projects have shifted over time as the transit system and society at large have evolved. Some of the most major shifts in institutional ideology and image can be linked to the organizational overhauls when the Boston Elevated Railway Company gave way to the MTA and then the MTA to the MBTA. The first transition primarily represented one from a private company to a public entity, although the MTA attempted to bolster its image by retaining or adopting certain values, policies, and actions not always readily associated with public agencies. It explored innovations in luxury

²⁸ Paul Mason Fostch, *Watching the Traffic Go By: Transportation and Isolation in Urban America* (Austin: University of Texas Press, 2007), 121-123.

²⁹ Barbara Young Welke, *Recasting American Liberty: Gender, Race, Law, and the Railroad Revolution, 1865-1920* (New York: Cambridge University Press, 2001), x, 16.

subway car design and marketing, and demonstrated that it fancied itself to be a civilizing institution in its attempts to bring culture and pleasantries to the masses through art, events, and other programming. The second transition to the MBTA was accompanied by a back-to-basics approach that sought to deal with increasing service and safety needs while maintaining financial stability. However, it too, over time, re-expanded its purview to include actions and regulations designed to enhance the user experience.

Changes in institutional image are not only visible during major transition periods; other key elements of organizational identity are revealed more subtly through everyday management practices and policies as the agencies have dealt with the public on a day-to-day basis. While marketing is an important part of bolstering their image, actual implementation of regulations is just as important in getting the message out to the people, especially in public transit agencies, which are arguably subject to much greater scrutiny than most private companies. Thus organizational values are often far deeper entrenched within public institutions than what they may profess in advertising campaigns. Part of my goal in this thesis is to highlight some of the values embedded within the MBTA and its predecessors by looking into how these organizations have marketed themselves, how the media has portrayed them, and how they uphold or refute the images they attempt to create through various regulatory actions.

CHAPTER 4: Design as a Departure from Fundamental Transit Concerns

I begin my discussion of specific management decisions by looking at those that seem most related to the subway authorities' narrow technocratic mandate: these are the actions that aim to physically alter the subway spaces in order to better control user behavior or experience. For the most part, major design changes within the system in the last century have sought to further three areas: passenger safety, accessibility, and comfort. I will begin with the most seemingly straightforward, those that are inevitably linked to the physical demands and dimensions of subway spaces—safety and, slightly later, accessibility—and then progress to other less crucial design issues—comfort and luxury amenities—that highlight how these management decisions often extend far beyond fundamental transit priorities and into subjective institutional ideals that are divorced from the technological requirements of the physical space.

Beginning with Safety, Ending with Other Priorities

Safety underground has always been a topic of great concern among the subway-riding public and management officials alike. In fact, as early as 1908, Boston's civil engineers, city planners, and transportation aficionados were formulating new and updated ideas and design solutions to help improve the safety ratings of their now ten year-old subway system, especially as the city and railway agencies announced plans for expansion. At this time, Professor Charles Zueblin of Chicago University came to Boston, inspected the subway, and introduced a simple but novel concept: that all subway stations be constructed with three platforms, so that passengers could exit each train on one side and enter from the other. He felt that separating the flows of pedestrian traffic would not only improve speed, but would also promote a more orderly—and thus safer—atmosphere.¹ His motivations for this were well-founded, for in 1900, merely three years after the subway first opened, newspaper headlines screamed sensational headlines of a young woman who had been struck and killed by a train at Park St. Station. As

¹ "Three Platforms," *The Boston Globe* (Boston, MA, September 11, 1908).

the subway car approached, and chaotic throngs of people scrambled both to get off and on the train from the same doors, a hurried man ran past her and knocked her down into the path of the oncoming train.² Perhaps, as Zueblin suggested, a more orderly system of ingress and egress might have prevented her unfortunate death.

Similar proposals to improve safety included widening subway platforms so that they would be less crowded, and erecting railings along platform edges to prevent passengers from falling, jumping, or being pushed into the pit. Following another fatal accident at Park Street Station in 1911, Boston Mayor John Fitzgerald sent a concerned letter to board members of the subway authorities asking that something be done to remedy the existing dangers before the Cambridge subway extension opened the following year, adding to the crowding problems at Park Street Station. He wrote:

Various remedies have been proposed for this condition. It has been suggested that the platform might be lengthened in the direction of Boylston st, that a railing of some sort might be constructed along the edge at the car stops; that a penalty should be imposed upon persons who jostle in the crowd or who jump on moving cars, that the special police should be given more effective control of the situation than they now possess. Whether any or all of these suggestions are practicable, there is no doubt that the present situation is fraught with danger and that either some structural change should be made or the existing laws and rules of the company strengthened so that accidents similar to that which befell the victim last evening may not recur.³

In its reply to the mayor, the Boston Transit Commission expressed its opinion that the man's death was his own fault because he had tried to board a moving train. It dismissed most of the mayor's suggestions, arguing that the number of fatal incidents on the platform was tiny compared to the number of people who passed through daily.⁴

Crowding remained a problem for many years, though, and sometimes with similarly dire physical consequences. In 1913 a woman fell down and struck her head on a station platform after a man, rushing to board an arriving subway train, aggressively pushed her out of his way.⁵ The suggestion of installing railings arose again in 1939, following a similar death in the Central Square Station. The Cambridge City Council requested that the Boston Elevated Railway place railings along the platforms in all subway stations, with gates to allow entrances

² "Subway Death," *The Boston Globe* (Boston, MA, February 21, 1900).

³ "Calls for Safer Subway Platforms," *The Boston Globe* (Boston, MA, December 29, 1911).

⁴ "Due to Own Fault," *The Boston Globe* (Boston, MA, January 5, 1912).

⁵ "Woman Badly Hurt in Rush for Car," *The Boston Globe* (Boston, MA, August 8, 1913).

every 10 to 15 feet.⁶ Because different trains had different numbers of cars and different door configurations, however, this was never possible, so subway casualties have continued over time. In 1948, “an unruly schoolboy crowd” knocked down a 12 year old boy onto the platform, nearly crushing him, at the Fields Corner Station as he tried to board a train.⁷ Since then, the MBTA has made serious strides in extending platforms and train capacity and increasing the frequency of service in order to more safely accommodate peak hour crowds. Still, an average of 10 to 15 train deaths occur statewide each year (some within the subway, some by commuter rail trains, and others not within the MBTA system; no official publically available statistics on MBTA subway deaths exist), indicating that it is impossible to completely eliminate the risk of injury or death when fast-moving trains are put into close contact with crowds of people occupying limited unprotected spaces.⁸

The more recent passage of the Americans with Disabilities Act called for also making the T safer and more accessible to the blind. At its enactment the law set a deadline of July 1993 for the MBTA to have installed tactile warning strips along all platform edges. In the 1980s, the T had been ahead of the game, testing out these devices with blind people in abandoned stations. But by June 1993, very few had been installed; the T said it needed more money and an 18-month extension to comply with the federal regulations.⁹ Unfortunately, because the MBTA was behind schedule, a disability activist lost her life. In June 1993, a blind woman, Margaret McCarthy, fell off the platform at Davis Square and died after receiving a fatal jolt of electricity from the third rail. She was not the first blind person to have fallen onto the tracks; reports exist of such periodic occurrences since 1904.¹⁰ During her life she had been an advocate for installing tactile warning strips along station platforms to prevent such accidents as the one that took her life.¹¹ It took this tragic and sadly ironic accident for the

⁶ “Two El Employees on Trolleys Urged,” *The Boston Globe* (Boston, MA, November 15, 1939).

⁷ “Boy Hurt in Subway Rush,” *The Boston Globe* (Boston, MA, October 15, 1948).

⁸ Noah Bierman, “Striving to prevent suicide by train,” *The Boston Globe* (Boston, MA, February 9, 2010).

⁹ Sarah Koch and Moira Downes, “Disability activists to rip T in report,” *Boston Herald* (Boston, MA, July 26, 1993); “Avoidable tragedy on the T,” *Boston Herald* (Boston, MA, June 15, 1993); Noah Bierman, “Transit Archaeology,” *The Boston Globe* (Boston, MA, December 26, 2009).

¹⁰ “Risked His Own Life,” *The Boston Globe* (Boston, MA, December 20, 1904); “Blind Man Falls Off Platform in Subway,” *The Boston Globe* (Boston, MA, February 15, 1929); “Blind Man Rescued After Falling in El Pit,” *The Boston Globe* (Boston, MA, June 19, 1947).

¹¹ Gloria Negri, “Lack of aids for blind cited in death,” *The Boston Globe* (Boston, MA, June 12, 1993).

agency to give proper attention to making the subway safer and more accessible for those with special needs. In the two years following McCarthy's death, the T installed the devices in nearly two thirds of its 150 stations.¹² Now, all stations are outfitted with them. Other accommodations for the blind over the years have included the development of a Braille map of the subway system in 1976, and the introduction of a public address system to make announcements—either by an attendant or automatically—notifying passengers of each station, whereas before the blind would have to count the number of stops as they rode the trains.¹³

Some of McCarthy's friends also urged the MBTA to look into covering the third rail with wooden planks—much like New York had done—as a method of protection against tragedies such as the one that claimed McCarthy's life.¹⁴ Such a provision would protect not only the blind, but the general public as well. This was not the first time this measure was suggested. In 1915, William Puffer, an inspector for the city's Public Service Commission, was charged with the task of evaluating the subway system and making recommendations of any measures necessary to ensure the public's safety. His top recommendation was that the Boston Elevated Railway Company coat the exposed third rail with an insulating cover. He described how in the event of an emergency requiring train evacuation, the rail “would, if alive, be impassable to aged women, ladies and children without great danger even in broad daylight.”¹⁵ The live wire has never been covered. Instead, the MBTA now has the ability to cut the power to the third rail, which would allow people to safely walk along the tracks if an evacuation were necessary. However, the lack of a protective cover means no prevention of death or serious injury in the event of sudden unexpected falls like McCarthy's, and similar tragedies continue to occur periodically to this day.

While these safety concerns involve institutional decision-making capacity on key questions (such as: why has the MBTA never covered the third rail?), they are most fundamentally tied to the specific physical aspects of subway spaces and technologies. In turn,

¹² “Access and safety on the T,” *The Boston Globe* (Boston, MA, August 2, 1993).

¹³ Gloria Negri, “MBTA map issued to help the blind,” *The Boston Globe* (Boston, MA, November 30, 1976).

¹⁴ Negri, “Lack of aids for blind cited in death.”

¹⁵ “Urges Changes for Safety of the Public,” *The Boston Globe* (Boston, MA, July 19, 1915).

the ongoing dangers posed by the subway's fast trains, unguarded track pits, and exposed live wires continue to shape and maintain the fearful perceptions we hold of this unfamiliar underground world, thus creating an impetus for the MBTA to increase physical safety measures and market itself as running a safe transit operation. In this way the design improvement cycle is originally borne from the specific physical characteristics of subway spaces, but consequently involves management's reinforcement of safety as an ideal to be upheld and promoted.

The Fight for an Accessible Underground

The federal Urban Mass Transportation Act of 1964, as amended in 1970, contained broad policy statements concerned with making transportation services and facilities accessible to the elderly and disabled. After several court cases in other cities used this legislation in attempts to enact change, the MBTA recognized that it should take a proactive approach in addressing problems of inaccessibility to avoid similar legal ramifications. In late 1974, the MBTA established an Office of Special Needs and commissioned a comprehensive study of systemwide accessibility issues. The study resulted in a 1978 Master Plan for Transport Services for Persons with Special Needs, "a planned approach to solving the mobility problems of persons with special needs—the transportation handicapped."¹⁶

As part of this effort, the MBTA announced its plan to spend over \$3 million to modernize its downtown stations—not just aesthetically, but also functionally—by installing elevators and escalators so that the elderly and disabled could have full access to all platform levels. Such changes are clearly linked to the most basic physical aspect of subways: that they are underground, and thus require riders to change grades—at that time only via stairs—to access the subway spaces. Interestingly, the MBTA project manager in charge of this modernization effort indicated that these elevators were to be "strictly for limited population,

¹⁶ Applied Resource Integration Ltd. and Charles G. Hilgenhurst Associates, *Master Plan: Transport Services for Persons with Special Needs* (Boston: Massachusetts Bay Transportation Authority, 1978), I-1, II-1.

not for use by the general public.” Access was to be controlled by issuing the elderly and disabled special key cards which would open the elevator doors.¹⁷

Despite the MBTA’s relatively early head-start, by 1990—the year in which the Americans with Disabilities Act was passed—only 26 of 80 key stations (defined as those “used as transfer points and as major activity centers”) were wheelchair accessible. By 2004, after having spent \$1.6 billion on improvements, 69 out of the 80 were accessible.¹⁸ The MBTA faced a number of difficulties in installing elevators, especially in downtown stations—often the most important and the most cramped for space—since the T’s infrastructure was designed and built almost a century before the Americans with Disabilities Act was enacted.¹⁹ Maintenance of elevators proved to be difficult and expensive, too. During 2004 alone, 1,900 elevator failures were documented in the system.²⁰ The breakdown levels hit an all-time high at the beginning of 2005, averaging 15 percent of the system’s elevators and 20 percent of its escalators being out of service at any given time.²¹

For these reasons, in 2002, ten individuals, in collaboration with the Boston Center for Independent Living, filed a class-action lawsuit, accusing the MBTA of “moving too slowly to comply with the federal Americans with Disabilities Act” and “failing to provide readily accessible, usable, and safe public transportation.”²² The plaintiffs collected more than 100 affidavits describing situations of frustration, fear, and embarrassment for disabled riders who dared to brave the T’s inhospitable conditions. Other evidence presented included the results of combing through thousands of pages of official documents, hundreds of elevator inspections, and video footage documenting inaccessible spaces.²³

¹⁷ William R. Cash, “Transit project boon to elderly,” *The Boston Globe* (Boston, MA, December 19, 1976); Ray Richard, “Park St. station to get \$3.6m facelift,” *The Boston Globe* (Boston, MA, December 2, 1976).

¹⁸ Jack Encamacao, “Some with Disabilities Say T Still a Tough Ride,” *The Boston Globe* (Boston, MA, September 15, 2004).

¹⁹ Mac Daniel and Wendy Maeda, “Getting accessibility on track - T manager knows firsthand the barriers disabled face,” *The Boston Globe* (Boston, MA, June 7, 2007).

²⁰ Mac Daniel and Essdras M. Suarez, “Disabled T riders criticize the service - Collection system, drivers are faulted,” *The Boston Globe* (Boston, MA, April 12, 2007).

²¹ Casey Ross, “Disabled Down on T Over Lack of Access,” *Boston Herald* (Boston, MA, February 28, 2005).

²² Encamacao, “Some with Disabilities Say T Still a Tough Ride.”; Eric Moskowitz, “MBTA given mixed grades on accessibility; Settlement review cites uneven gains,” *The Boston Globe* (Boston, MA, December 7, 2010).

²³ Bill Henning and Dan Manning, “Finally, Accessibility on the T,” *The Boston Globe* (Boston, MA, April 6, 2006).

The MBTA reached a settlement agreement with the plaintiffs in 2006, pledging to make necessary changes in a timelier manner by revising employee training, purchasing and installing new equipment, increasing elevator maintenance, and creating a new management-level position specifically tasked with overseeing ADA and settlement compliance. The T agreed to devote \$122 million through 2011 to add and upgrade elevators and ensure their upkeep—and since 2007, all MBTA elevators have been in service 99% of the time.²⁴ Bill Henning, executive director of the Boston Center for Independent Living, declared that “this settlement is more than the promises that have been put on paper. It is a compact between the T and people with disabilities to work together for change.”²⁵ In addition, he reminded Bostonians that the agreement “is only as good as the commitment we all make to see that its provisions become a reality.” Indeed, as part of the agreement, the MBTA would be held strictly accountable: required meetings with a judge would take place twice yearly, and undercover insiders would be enlisted to ride the rails to ensure improvements were being made.²⁶ To oversee changes and demonstrate its commitment to making accessibility universal, the MBTA established the Department of System-Wide Accessibility in 2007.²⁷

Both during and after settlement negotiations, the T worked to make good on its promise by making a variety of physical changes such as adding more elevators and making available bridge plates to cover the gap between platforms and subway cars. These gaps were a known menace to all riders. In 1950, a woman fell into this gap as she was leaving her train, causing her foot to become stuck between the train and platform. Luckily, an observant MTA worker ran to help her: “Unable to extricate Mrs. Maggio’s foot, Ward put his shoulder to the side of the car and started rocking it. Within seconds a dozen commuters joined forces with Ward in the rhythmic rocking of the car” until they had freed her.²⁸ Clearly this gap posed a major threat to able-bodied passengers as well as the disabled.

²⁴ Mac Daniel, “T Agrees to Spend \$310M on Accessibility,” *The Boston Globe* (Boston, MA, April 4, 2006); Massachusetts Bay Transportation Authority, “The Department of System-Wide Accessibility”, March 26, 2011, http://www.mbta.com/riding_the_t/accessible_services/default.asp?id=16901.

²⁵ Henning and Manning, “Finally, Accessibility on the T.”

²⁶ Marie Szaniszlo, “Tough times for disabled; 2 years after suit, many stations still inaccessible,” *Boston Herald* (Boston, MA, September 23, 2008); Daniel, “T Agrees to Spend \$310M on Accessibility.”

²⁷ Massachusetts Bay Transportation Authority, “The Department of System-Wide Accessibility.”

²⁸ “Starter, Riders Rock M.T.A. Car to Free Woman,” *The Boston Globe* (Boston, MA, March 24, 1950).

In 2004, even before the settlement was reached, the T hired the Boston non-profit organization Adaptive Environments to produce a free guide specifically to help the disabled navigate their way through the system. It was “the first comprehensive accessibility guide of any U.S. transit system.” The 64-page guide provided details about every ramp, escalator, elevator, and emergency phone in all T stations, along with information on station orientation at the street level. Creators of the booklet, who included several disabled T riders who visited every station, admitted that while this alone would not fix the system, “it will show riders how to make it work for them. It makes the T less mysterious and less risky.”²⁹ However, users noted that despite such good-faith efforts, in many cases service and employee training was not on par with the new equipment; for example, one rider in a wheelchair said that some MBTA employees were unfamiliar with how to use the newly available bridge plates, or unwilling to take the time to do so.³⁰

Other new problems arose, too, as new technology ‘upgrades’ began to appear in stations. At one of the 2007 meetings conducted to evaluate the T’s progress in enhancing accessibility, some disabled riders gathered to raise concerns they had regarding newly installed automatic fare gates—some were poorly designed for wheelchair access or had confusing or lacking audiovisual instructions. At some stations, people with special disabled passes could enter through any gate, whereas at other stations, only one gate accepted them.³¹ Though these new problems arose out of genuine efforts to make the system more accessible, they meant that disabled passengers still faced high levels of uncertainty, inconvenience, and humiliation when riding the T.

By 2008, two years after the suit settlement, one-third of the system’s 127 stations remained inaccessible. Especially disturbing was the fact that only 95 out of the green line’s 207 cars had floors that made boarding possible for those in wheelchairs. One wheelchair user voiced the agony of many when she revealed she avoided taking the T entirely despite the fact that she lived right on the green line, admitting that “it’s a degrading place to be.”³² Even

²⁹ Paul Restuccia, “Guide Fits the Disabled to a ‘T,’” *Boston Herald* (Boston, MA, September 19, 2004).

³⁰ Moskowitz, “MBTA given mixed grades on accessibility; Settlement review cites uneven gains.”

³¹ Daniel and Suarez, “Disabled T riders criticize the service - Collection system, drivers are faulted.”

³² Szaniszlo, “Tough times for disabled; 2 years after suit, many stations still inaccessible.”

before the lawsuit began, the MBTA acknowledged that the green line—the nation’s oldest and Boston’s original subway—posed a unique challenge; “it was one of the first systems around, so it winds up being inaccessible by default.”³³ The MBTA had ordered a new fleet of accessible train cars for the line in 1995, but when they were finally delivered in 1998 and began to roll out into service, they derailed at alarming rates.³⁴ After the manufacturer improved the safety and design in 2003, the cars were once again introduced to mainstream service, but slowly.³⁵ The MBTA has gradually been renovating many of the older downtown stations along this line, and in doing so has raised platforms to allow easier access to both old and new cars.³⁶ The green line continues to pose a constant accessibility problem, however, as it still utilizes many of the old trains that one must step up in order to board, meaning that drivers must stop, get out, and use special lifts to accommodate passengers in wheelchairs.³⁷

Clearly, the MBTA still has a long way to go in terms of making the system equally accessible for riders with disabilities. In 2010, Patrick King, the Superior Court judge charged with the biannual monitoring of settlement conditions said the T has made “considerable progress in the last four years, but riders with disabilities still face daily obstacles to using the public transit system.”³⁸ Current MBTA General Manager Richard Davey also acknowledged that there were still challenges that needed to be faced, but he also actually thanked those same disability advocates who had sued the MBTA several years earlier, saying “They have really woken the T up to accessibility. It’s no longer the exception. It’s the rule.”³⁹ Hopefully, this improved institutional attitude will continue to be backed by timely tangible changes to the physical space.

³³ Ronald Rosenberg, “T Approves Easier Access for Disabled,” *The Boston Globe* (Boston, MA, September 6, 1990); Peter J. Howe, “Disabled Group Says MBTA Access is Poor,” *The Boston Globe* (Boston, MA, October 1, 1988).

³⁴ Laura Brown, “T Green Line to add handicap-accessible cars,” *Boston Herald* (Boston, MA, February 9, 1995).

³⁵ Peter DeMarco, “Swing Low, T Chariots: After Failed First Try, Snazzy Low-Slung Cars Come to Carry you Home,” *The Boston Globe* (Boston, MA, March 30, 2003).

³⁶ Richard Weir, “\$72M Redesign fits Govt. Center to a T,” *Boston Herald* (Boston, MA, October 4, 2010).

³⁷ Mac Daniel, “Green Line Seeks Zippier Service with Upgrade Plan,” *The Boston Globe* (Boston, MA, December 17, 2005).

³⁸ Moskowitz, “MBTA given mixed grades on accessibility; Settlement review cites uneven gains.”

³⁹ Richard Weir, “T Moves the Right Way on Disabled Access,” *Boston Herald* (Boston, MA, July 27, 2010).

“Vehicular Sex Appeal”: Promoting the Image of Comfort and Luxury

Interestingly, though we consider accessibility to be a fundamental physical design concern today, long before it was an acknowledged concept, the managers of Boston’s subway system were concerned with seemingly far more incidental issues. When the American subway was a fresh idea—one that Bostonians took particular pride in—everyone had ideas on improvements to make the system more comfortable and appealing to potential riders. What’s more, because the subway was privately owned and managed by the Boston Elevated Railway Company, the firm had both the incentive to strive for innovative improvements and the financial wherewithal to make these improvements a reality. Even before the original subway cars became outdated, changes in car design were being explored to appeal to new riders who desired a certain standard of comfort. Did the unique physical attributes of subway spaces necessitate such changes, or were they driven more by institutional principles?

As early as 1919, a *Globe* article announced that “‘L’ Seating Capacity Increased 8 Percent” with the arrival of new cars, intended to be “modernized” and an improvement over the system’s original cars.⁴⁰ Because seating represents the point of greatest tangible connection between the rider and the subway car, and one of the primary determinants of a passenger’s level of comfort, a lot of effort went into determining ‘ideal’ seating configurations. Designers wondered how many seats there should be, and what their optimal spatial relationship to one another was; they studied how big they should be, and what materials were best suited to craft them from. Early on, wooden benches were used. They proved to be undesirable and uncomfortable because the flat surface did little to keep people in place as the trains lurched around.⁴¹

In 1948, the MTA introduced a new experimental test car for the green line trains, which presented a unique challenge in that they sometimes ran above ground, requiring that people enter the train through its front doors in order to pay their fare when there was no gated platform. These new cars featured all ‘longitudinal’ seats (along the walls) and no cross-wise seats, helping to solve the problem of crowding towards the front of the car as people were

⁴⁰ Bierman, “Striving to prevent suicide by train.”

⁴¹ “‘L’ Seating Capacity Increased 8 Percent,” *The Boston Globe* (Boston, MA, May 12, 1919).

now more willing to move down towards the back of the car.⁴² It is interesting that present day green line cars do not feature these lengthwise seats, even though the ‘move down’ issue continues to be a problem during peak hours.

When the MTA ordered a new fleet of cars for its orange line trains in 1957, it incorporated seats made from “a new type of virtually indestructible molded plastic” in its efforts to “thwart knife-wielding vandals who slashed nearly 6000 expensive seat cushions last year.” These seats, made of the same fire-resistant material as the subway cars’ window moldings, blunted knife and razor edges in preliminary tests—illustrating that such vandalism was a major problem at the time. The seats, running lengthwise in the cars, contained spring cushions and padded backs underneath the plastic. The MTA quickly assured riders, however, that “even though of hard surface, they are...comfortable because of their molded contour shape.”⁴³

Up until this point in time, these interior design changes and suggestions bore a rational relationship to the specific physical situation presented by the subway: namely, crowding among strangers within narrow, confined spaces. Additionally, possibly due to the novelty of the train technology and the uncertain potential dangers lurking within, design changes aimed at making the spaces more comfortable mostly focused on the subway car interiors, rather than the stations. This sent an interesting message: more investment would be put towards improving the passenger experience within the vehicle, which was the ‘main event’ of the subway. This reduced the stations to mere waiting places, secondary to the transit vehicle and unworthy of any serious upgrades.

This investment in and promotion of the train car as the most important subway space would soon reach an extreme. In the mid 1960s, the MTA proudly unveiled new vehicles for the red line with “plush” seats and “harmoniously colored interiors and exteriors.” The new cars were wider (thus changing the design confines themselves), had center floor-to-ceiling stanchions, “large picture windows,” and four doors each—rather than three—to assist

⁴² “‘Move Down in Car’ Problem of El, Solved by MET,” *The Boston Globe* (Boston, MA, February 11, 1948).

⁴³ A.S. Plotkin, “New Glamour Look for MTA Cars: Tangerine Red and Pastel Grey,” *The Boston Globe* (Boston, MA, March 9, 1957); A.S. Plotkin, “Seats That Blunt Knives To Be Tested by M.T.A.,” *The Boston Globe* (Boston, MA, June 4, 1957).

passengers in loading and unloading the trains more safely and comfortably.⁴⁴ But perhaps the most immediately noticeable and exciting element to passengers was the sophisticated new color scheme: “attractive blue, gold and white (colors of the commonwealth) exteriors” and “interiors of stainless steel and satin blue, multicolored vinyl floors, coral tone fiberglass seats and satin blue ceilings dotted with stars.”⁴⁵ In fact, to celebrate the new cars, the MTA promised to incentivize early risers who came out to ride the trains:

Pretty girls will pin corsages on the first 300 women who board the first new, four-car train as it rolls out of Harvard sq. at 6:20 am. Men, who are expected to be in the majority at that hour, will be given a free cigar as a memento of the first public trip of the new trains. The women may



display their corsages on the train, but the men will have to wait until they get off before lighting up.⁴⁶ This all sounds ridiculous today, but according to the *Globe's* longstanding transportation reporter, it was part of an emerging nationwide trend in which subway car designers felt “the urge to create a new aura, a sort of vehicular sex appeal for their own industry...with the right product properly run, riding rapid transit could even acquire a kind of social status.”⁴⁷ In this case, concern with public perception was everything.

The push for the creation of more “glamorous” subway vehicles was not strictly related to traditional transportation issues or

An image using the notion of “vehicular sex appeal” to promote the MTA’s new fleet of “plush” and “glamorous” subway cars. (*The Boston Globe*, April 25, 1963)

⁴⁴ “M.T.A. Unveils Plush Cars Planned for Ashmont Run,” *The Boston Globe* (Boston, MA, May 21, 1961).

⁴⁵ Robert B. Hanron, “MTA Shows Plush New Cars,” *The Boston Globe* (Boston, MA, April 25, 1963).

⁴⁶ Robert B. Hanron, “New MTA Trains Tomorrow,” *The Boston Globe* (Boston, MA, April 30, 1963).

⁴⁷ A.S. Plotkin, “Subway Car Of Future May Be Tested In Hub,” *The Boston Globe* (Boston, MA, June 10, 1962).

the physical aspects of the space, but rather institutional concern for the overall image and feel of the customer's experience while in transit. Said one equipment designer, "We'll try to make every rider have a feeling of actual enjoyment."⁴⁸ It was in this period that radically new and different designs were toyed with and tested. These designs were unveiled and marketed in such an extravagant manner that it became clear that the subway authorities were not only trying to draw more riders, but also to change public perception of subway spaces themselves. No longer were they operating from the perspective that subways were inherently dingy, depressing spaces; in fact, they were rebranding them as spaces to be celebrated and enjoyed.

In keeping with all these modern changes in car design, when the MBTA took over management of the subway system in 1964, the new agency immediately followed suit, announcing its plans to seek federal funding for a modernization program to upgrade the system's old stations in order to make them more "cheerful."⁴⁹ Finally, the management was concerned with the station spaces in addition to the vehicle interiors. In selling the early subway to wary Bostonians, the Boston Elevated Railway Company had assured people that "the interior of these little stations is as light as day. Directly overhead is suspended a large arc light that will make it nearly as bright a[t] night. The interior finish of white tiles adds to the bright and cheery aspect."⁵⁰ After that, however, very little attention was afforded these more permanent interiors, and as a result, by the 1960s, they were in dire need of repair. What was once pleasant and elegant had grown old and decrepit. MBTA planned improvements included new ceilings, fare collection facilities, wall tiling, signage, lighting, escalators, and a state-of-the-art public address system.⁵¹ And though most of the MBTA's efforts went to the stations, the agency also continued experimenting with car design by installing and testing "thick, sound-deadening carpets of pleasing soft hue" in a few cars to "help transform the quality of the ride."⁵²

The MBTA, like the MTA, continued to hold ceremonious unveilings boasting its completed projects, demonstrating that the agency took great pride in its work. Unsurprisingly,

⁴⁸ Ibid.

⁴⁹ "A More Cheerful Subway," *The Boston Globe* (Boston, MA, January 22, 1965).

⁵⁰ "Day is Not Yet Set," *The Boston Globe* (Boston, MA, August 7, 1897).

⁵¹ "Facelift Funds Asked by MBTA," *The Boston Globe* (Boston, MA, January 14, 1965).

⁵² "Subways Are for Pleasure," *The Boston Globe* (Boston, MA, April 16, 1966).

these celebrations had now shifted their focus from the vehicle to the station atmosphere. After the agency completed its first remodeling at Arlington Station, it threw a party for the public and local officials: "Pretty usherettes conducted admiring members of the subway-riding public on free tours, pointing out porcelain photo murals on the walls, glare-free fluorescent lighting and imported rubber tiling [from Italy], new benches and other innovations."⁵³ The MBTA utilized innovative station design as a springboard for conjuring excitement about subway spaces in the minds of the public, akin to the MTA's focus on vehicular interior "sex appeal." In a similar vein, when the agency finished its Airport Station remodeling the same year, it placed expensive ads boasting of the new designs in the *New York Times* and the *Washington Post*.⁵⁴ Such institutional image-crafting efforts paid off. The MBTA became highly regarded as one of the most progressive and innovative transit agencies in the country, and was expected to lead the nation in terms of new car and station design for subways.⁵⁵

A huge component of the MBTA's \$15 million modernization initiative in the late 1960s was its abandonment of the MTA's old signage and haphazard way-finding system. The MBTA hired experienced design consultants who proposed a bold systemwide graphic design overhaul intended to make the subway more attractive, and the experience of riding the T easier for all passengers. This initiative included simplifying station names and rebranding the lines into their present day color system.⁵⁶ These modernization efforts acknowledged the sometimes disorienting underground nature of the subway spaces, but also relied heavily on the desire for system legibility and recognition of institutional excellence.

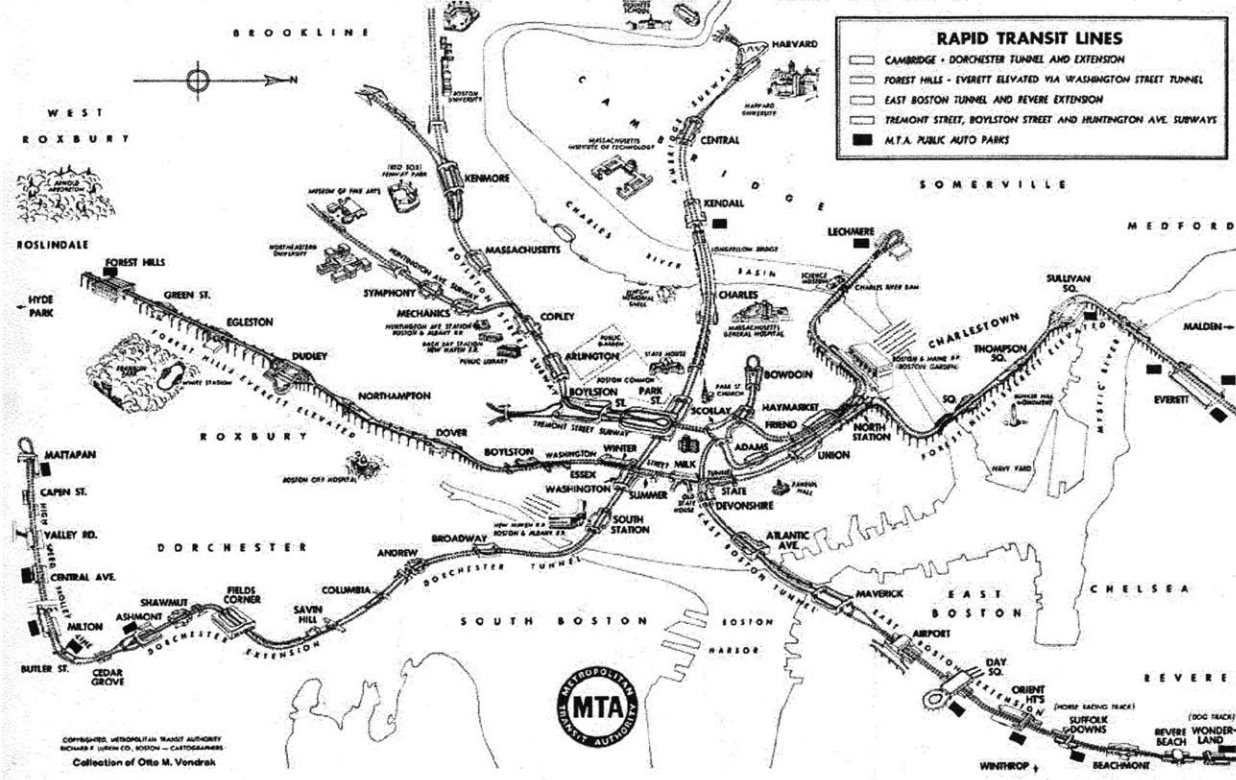
⁵³ "MBTA Throws a Party," *The Boston Globe* (Boston, MA, August 18, 1967).

⁵⁴ A.S. Plotkin, "MBTA, Union Stalled On New Station Cleaning," *The Boston Globe* (Boston, MA, December 19, 1967).

⁵⁵ A.S. Plotkin, "MBTA Calls U.S. Cities to Design New Car," *The Boston Globe* (Boston, MA, August 22, 1967); A.S. Plotkin, "MBTA's Facelifting Plans Praised by Magazines and Museums," *The Boston Globe* (Boston, MA, October 22, 1967).

⁵⁶ A.S. Plotkin, "Rumblings Underground," *The Boston Globe* (Boston, MA, July 9, 1967); A.S. Plotkin, "They'll tell you where to go," *The Boston Globe* (Boston, MA, October 26, 1969).

An old MTA map (circa 1964) depicts a bird's-eye view of the subway network and uses line-drawings of station shapes and local landmarks as a way-finding system. When the MBTA took over subway management, this map style was replaced with the new simplified system of color-coded lines. (MBTA Archives, State Transportation Library)



In 1971, the MBTA announced a joint effort with San Francisco, commissioning the “creation of a new generation of [green line] cars—quieter, faster and more comfortable than the vehicles they will replace.”⁵⁷ Two years later, full-size experimental subway car prototypes—described as “gleaming beauties” with “luxurious interiors” including carpeting, upholstered seats (some with attached tables), and wood-grain paneling—were displayed in front of City Hall Plaza.⁵⁸ While some puritanical Bostonians felt that the MBTA was “catering to extravagance,” planning and transit agencies around the country lauded the MBTA for demonstrating “that it is possible to make rapid transit more comfortable.”⁵⁹ The main impetus for selling this point to the public was the opportunity to wean commuters away from their growing reliance on private automobiles. Planners felt that in order to make public transit desirable to the emerging suburban middle-class, the subway cars needed to be comfortable

⁵⁷ A.S. Plotkin, “Boston-San Francisco pact to add new generation of trolleys,” *The Boston Globe* (Boston, MA, December 19, 1971); A.S. Plotkin, “No air-conditioning on new trolleys?,” *The Boston Globe* (Boston, MA, December 26, 1971).

⁵⁸ A.S. Plotkin, “Transpo to ease Hub commuters’ woe,” *The Boston Globe* (Boston, MA, May 27, 1972).

⁵⁹ “Let them ride cattle cars?,” *The Boston Globe* (Boston, MA, July 16, 1974).

and attractive.⁶⁰ However, much of the public response to the display cars revealed that the public cared more about “low fares, frequent service, and safety” than “carpeting and those fancy upholstered seats.”⁶¹ So, receiving these unenthusiastic responses, the MBTA eventually dropped its major initiatives to make cars more luxurious, instead returning its focus to continued station redevelopment and system maintenance.

In more recent years, the MBTA has occasionally returned to its role as vehicle experimenter on a much smaller scale, testing out several understated innovations in subway car interior design. In 1994, a fleet of 86 new red line cars were put into service, with new cloth seats rather than plastic so that passengers did not slide around. These new cars were considered very high tech at the time, with automated station announcements, a smoother ride, improved energy efficiency, intercoms to the train conductor for security purposes, and higher capacity.⁶² However, overall, the new trains were similar in level of comfort and amenities to their predecessors. Gone were the days of “luxurious” or “sexy” subway cars! The MBTA had refocused its efforts and limited funds on more practical improvements.

Perhaps the most radical change in recent years occurred in 2008, when the MBTA experimented with so-called special “Big Red” cars on the red line that had been stripped of all but two seats, in an effort to accommodate more people during rush hour. While Boston’s opinionated Mayor Menino thought they were the opposite of “glamorous”—calling them “cattle cars”—66 percent of 300 riders surveyed said they would take those cars again.⁶³ Still, these cars have made only rare appearances since their initial introduction, and due to floundering finances and higher priorities (such as expansions, accessibility upgrades, and service concerns), it is unlikely the T will propose any radical subway car design changes in the near future. It seems that the days of celebratory unveilings and innovations in subway car luxury are over.

⁶⁰ A.S. Plotkin, “Plush subway cars to be on display,” *The Boston Globe* (Boston, MA, May 27, 1974).

⁶¹ A.S. Plotkin, “Who needs fancy subway car? They ask,” *The Boston Globe* (Boston, MA, July 9, 1974).

⁶² Thomas C. Palmer, “No more Red Line blues: First of 86 high-tech subway cars enter service,” *The Boston Globe* (Boston, MA, May 5, 1994).

⁶³ Hillary Chabot, “Mayor beefs, but riders like ‘cattle cars,’” *Boston Herald* (Boston, MA, December 18, 2008).

It makes sense that basic transit safety has from the very beginning been a vital concern of Boston's subway authorities, one falling within their traditional technocratic purview, although surprisingly we have seen that for inexplicable reasons the MBTA and its predecessors have left unresolved some seemingly simple safety issues (such as the uncovered third rail or particularly narrow, unguarded platforms at key stations). More recently, since the passage of the Americans with Disabilities Act, the MBTA has focused—at times under threat of legal action—on remedying the historical inaccessibility of many of its physical spaces, a challenging task due to their specific design constraints. These efforts have represented both the desire to improve the physical spaces themselves and also to bolster the MBTA's image as a caring and welcoming public institution that listens to the varied needs of its users. Interestingly, the history of the agencies' actions show that in different time periods they seemed to pay just as much attention to much less crucial matters, such as experimenting with providing various amenities—and even luxuries—to make passengers more comfortable and to enhance the image and appeal of riding the subway. Part of this is undoubtedly connected to trying to mitigate the negative physical attributes of the subway, but part of it is also used to craft and spread a positive institutional image, one aimed at keeping this form of mass transit competitive in a world increasingly dominated by the private automobile.

CHAPTER 5: Making a Statement and Maintaining Order in the Physical Realm

Beyond physical changes relating to safety and accessibility and management decisions focusing on marketing comfort and status, the MBTA and its predecessors have also used art and advertising to tailor a specific environment and make certain statements (while attempting to bar others). Such institutional actions clearly extend beyond the typical practical role of transportation authorities and into the fuzzy realm of subjective questions and values regarding aesthetics and political or corporate messaging. Advertising on the subway has always stemmed from the heavy deficits that transit agencies tend to run. It seems to present an opportunity to earn ‘free’ money, just by appropriating portions of space already in existence—although as we will see, the MBTA’s decisions in advertising have been far from uncontested, and have ended up costing the agency a great deal both in image and in finances. Major drives to include art in the subway system began as simple reactions to combat the public perception of subways as dingy, dark, dismal spaces, but over time have metamorphosed into broader, less straightforward issues concerning institutional identity and image, some of which require the MBTA to take a subjective stance on the sometimes blurry line between art and vandalism.

Subway Aesthetics: From Commissioned Works to Community Art

Art is not a new phenomenon on the T, though in its early days it was perhaps more understated than it is now. Builders of the early stations used mosaic tiles to artfully spell out station names in older portions of the subway, such as at Arlington Station, constructed in 1920.¹ Several stations featured colored tile walls on each end of the platform in patterns—blue and green on one end (“cool” colors signaling the outbound rural direction) and red and orange (“hot” colors marking the inbound urban direction)—“part of the T’s way-finding signs, circa 1968.”² These creative and attractive methods were not as focused on the art itself,

¹ Mac Daniel and Barry Chin, “New find sheds light on an old T stop,” *The Boston Globe* (Boston, MA, February 18, 2007).

² Mac Daniel, “Mystery Tiles,” *The Boston Globe* (Boston, MA, February 11, 2007).

however, as on highlighting important signage for users of these potentially disorienting subterranean spaces.

The first clear and deliberate appearance of traditional art in the subway occurred in the form of a temporary art exhibition in 1960. It featured 60 framed color reproductions of famous works of art from around the world, lining the walls of the underground corridor linking what are now Park Street and Downtown Crossing Stations. The MTA sponsored the two-week exhibit “as a public service,” in cooperation with a major liquor corporation, whose director of special events thought up the novel idea of bringing fine art to the masses in an everyday setting. Anthony Pompeo, MTA Chairman, said the transit agency hoped the exhibit would “act as a stimulus for similar use of subway space in the furtherance of culture.”³ This is a steep departure from the simple rationale of wanting to make subway spaces more beautiful; in this case the MTA outright stated that it was acting as a civilizing institution, implying that it was exposing the unrefined urban public to higher cultural standards and morals. This line of reasoning harkens back to the days when designers of public parks professed their intentions to civilize lower classes by exposing them to opportunities for mixture with more refined people and ideas in a beautiful, bucolic setting.

As the MTA transferred authority of the subway over to the MBTA, the new agency took very seriously its role of providing art to the people, as it almost immediately began commissioning permanent sculptures and murals to decorate its new and newly renovated stations.⁴ At the time, it was a “radical notion. Not only would the transit authority continue to move people physically from point to point, it would try to move riders emotionally and spiritually as well.”⁵ Not everyone was moved in a good way, however. In one 1967 letter to the editor of the *Globe*, one Somerville resident wrote:

It is interesting to note that the M.B.T.A. seems to be attempting to compete with the Museum of Fine Arts in the placement of \$9000 murals in the Arlington st. subway. Many of us, however, shall still continue to go to the museum, when we wish to view murals. It is interesting to note that the taxpayers of the communities within the jurisdiction of the M.B.T.A. are taking this \$700,000 remodeling cost at Arlington st. with placidity. If this is the first in a series, what will

³ “Art Exhibition Arranged For Patrons of Subway,” *The Boston Globe* (Boston, MA, 1960).

⁴ Christine Temin, “Keeping art be kept fit to a T: Vandalism, funding, dirt pose problems for transit works,” *The Boston Globe* (Boston, MA, May 28, 1995).

⁵ Raphael Lewis, “Art on the MBTA: Yes, It’s Returning in \$1.2M Campaign to Install New Works,” *The Boston Globe* (Boston, MA, March 18, 2001).

the North Station cost? It is interesting to note that the attempts to beautify the subway station are already being defaced by vandals, even before the entire job has been completed.⁶ This rider's main objection was cost, but he also criticized the T for trying to bring art into the subways, where it did not belong. He felt beautification was an ineffective and inappropriate waste of money. Moreover, he felt it was far beyond the scope of the MBTA's state mandate to introduce public art to the stations, especially at public costs.

But others in the community believed that this concept of public art, of bringing art to spaces occupied by common people in their everyday lives, was an idea worth pursuing—and one that the MBTA could pursue particularly well as it hosted thousands of people in its spaces every day. The MBTA utilized these positive public sentiments to its advantage by involving the community in the art-making process early on. In 1970, the MBTA held a “competition for the design of murals for the Kenmore Square MBTA station open to artists, designers and photographers attending various art schools throughout the city.” The agency conceived of the project as a way for area art students “to contribute their ideas to the ‘establishment.’” More than 50 young artists submitted applications to be judged by a panel of local designers and architects, demonstrating that members of the community were enthusiastic about being included in the station renovation and beautification process.⁷ All of this enthusiasm amounted to good publicity for the MBTA.

The following year, another subway art competition—a collaboration between the MBTA and the Institute of Contemporary Art called “Design in Transit”—sparked even more interest. More than 300 entries flowed in, vying for the opportunity to be featured in a drab section of an underground pedestrian passageway at State Station.⁸ One art critic remarked how some of the less successful entries failed to take into account the physical particularities of the subway space: “did those who had created spooky shadow play or cavernous atmospheres really pause to consider the fears that play upon city dwellers in isolated dark places? Had [the] painter of a zesty sunrise ceiling and delightful farm scene complete with barnyard sounds really thought about the noise and chaos already within the trolleys[?]” The winning design,

⁶ Edward J. Sherry, “Those MBTA Murals,” *The Boston Globe* (Boston, MA, 1967).

⁷ Edgar Driscoll, “ART/painting walls, covering up the ugly,” *The Boston Globe* (Boston, MA, May 10, 1970).

⁸ Bill Fripp, “In the tunnel of art,” *The Boston Globe* (Boston, MA, March 16, 1972).

the critic noted, was not only sensitive to the underground space but emphasized its existing physical qualities and sought to enhance the user's subway experience:

[P]anels of color become more intense towards the tunnel's center and cover...fixed features in a unifying way. [The artist] also blends the painting with a flicker of timed lights. Their rhythmic blink down the tunnel matches the average pace of the viewer from panel to panel. You may grouch about this intruding visual Musak but the architect's sense of play and calculation of user need reflect a care that could well spread to all the artists and architects aiming to serve the highways and subways of society.⁹

Clearly, this critic thought that such designs should pervade in all major urban structures otherwise thought of as lifeless, boring systems designed only for efficiency. The MBTA as an institution was paving the way for such future endeavors, demonstrating that transit agencies could—and perhaps should—play an active role in ensuring that the physical conditions of the subway space were complemented and improved by the addition of art.

In this period of time, the MBTA experienced huge growth as it extended its lines, constructed new stations, and renovated existing ones. To accompany this physical expansion, the MBTA adopted a progressive policy setting aside funding—much of it from the federal Urban Mass Transit program—for artworks at many of the new subway terminals. The idea behind this, said the manager of station development, was “to create a sort of movable gallery” connected to the rest of the city.¹⁰ As the MBTA saw it, their task was to do more than make the stations and trains “clean, or bright, or pretty. They must also be ‘places’...The passenger must at all times be oriented. And then when all other parts of the system come together he may actually enjoy being there.”¹¹ This demonstrates the adoption of an institutional philosophy of physical space that actually extends beyond traditional transit-oriented physical concerns. The MBTA idealized itself as a creator of successful *places*, not just a system of disparate functional spaces.

Following the precedents set by previous design competitions, the MBTA emphasized the value of utilizing community involvement to celebrate the unique characteristics both of subway station spaces and their corresponding local environs, probably as part of emerging trends in the planning field that began to recognize the value of fostering local participation and

⁹ Jane Holtz Kay, “Architecture: The Shape of Things,” *The Boston Globe* (Boston, MA, July 11, 1971).

¹⁰ Bill Fripp, “Boston subway art comes aboveground,” *The Boston Globe* (Boston, MA, December 9, 1976).

¹¹ Plotkin, “Rumblings Underground.”; Anthony Yudis, “The New Boston Look May Go Underground,” *The Boston Globe* (Boston, MA, April 24, 1966).

feelings of community ownership over such projects and spaces. For example, Quincy Center Station, which opened in 1971, featured along its platforms a series of linear historical murals depicting scenes of Quincy from the 18th and 19th centuries. The idea was to “have the station assume an identity related to the neighborhood,” and to connect subway riders with their surroundings, linking the interior spaces to the world aboveground and making them unique reflections of place. Around this time the MBTA installed similar murals during the renovations of seven other stations on the blue and green lines.¹²

In addition to these MBTA-sponsored works, other more informal partnerships—initiated by local institutions and interested community participants—contributed to the growing subway art collection, without need for much funding. In 1974, students from a local school proposed to the MBTA the idea of a contemporary painted mural for the Boylston Station; later in the year they installed nine colorful panels in the station as part of the “continuing effort by the MBTA to brighten up its stations with paintings and designs.”¹³ The following year, another collaborative effort added more art to Boston’s subway collection at virtually no cost to taxpayers: the MBTA donated space, the sculptor donated his time and talent, his friend gave money for the materials, a local steel company provided transportation and installation, and the Institute of Contemporary Art oversaw the administrative aspects of the project. The result was “Constellation,” a 7 foot metal sculpture greeting subway riders as they entered the Hynes Convention Center Station.¹⁴ A few years later, students taking a class on business and art at the New England School of Art requested permission from the MBTA to create “a gallery on wheels,” a subway car to be temporarily filled with a variety of student works. The T’s director of community affairs approved the proposal, and its contracted advertising agency donated all the ad spaces on one “art car.”¹⁵ The latter represents a unique attempt to further place-making efforts by bringing art into the vehicles themselves. While this has not since taken off in Boston, a number of other cities worldwide have experimented with including various forms of temporary or permanent art inside their metro systems’ subway cars.

¹² “Terminal murals depict Quincy in 18th, 19th centuries,” *The Boston Globe* (Boston, MA, September 3, 1971).

¹³ Bill Fripp, “Greening of the ‘T,’” *The Boston Globe* (Boston, MA, May 7, 1974).

¹⁴ “Art on the MBTA,” *The Boston Globe* (Boston, MA, June 17, 1975).

¹⁵ Bill Fripp, “Subway Ar-T-istry,” *The Boston Globe* (Boston, MA, April 13, 1978).

In 1978, the MBTA, in collaboration with the Cambridge Arts Council, instituted a more formalized program—“Arts on the Line”—for incorporating art into its stations, especially as it began its northwest expansion of the red line into Cambridge.¹⁶ The program commissioned artworks from professional artists, the idea being that the visual arts could “belong to all the people” via placement in subway stations, following the establishment of a policy by the U.S. Department of Transportation encouraging more spending on public art. In light of this broader trend, the MBTA publicly promoted itself as “a national pioneer...in bringing contemporary, permanent works of art into subway settings” via “a scrupulously fair and democratic procedure” for art selection, which included various community-led committees.¹⁷ Speaking about the loftier goals of the whole program, the Cambridge Arts Council wrote in a report that “All of these works will cause citizens to address the meaning and purpose of public spaces, to interact with and be challenged by their environment rather than simply enduring it. Art serves here not as décor, but as a means of shaping consciousness.”¹⁸ This bold statement openly portrays the MBTA as a state-run institution not only in charge of running trains, but also choosing specific artworks to shape public consciousness and awareness of physical space.

The results of the Arts on the Line program and some of the MBTA’s other art-collecting endeavors encompassed a variety of works that speak to the subway spaces and subway-riding public in unique ways. In 1988, six stations along the orange and red lines received new public art pieces as part of a larger project in which the MBTA budgeted \$80 million to renovate ten major stations along these two lines. Many of the artworks are unique to the subway in that the artists used elements of the subway to work together with the art to create a more interactive experience for users. For example, at Chinatown Station, local artist Toshihiro Katayama walked into the station and “I instantly heard the voice of this station telling me...to relieve the darkness with a range of bright colors.” From this inspiration, he created “Colors on the Line,” a set of 44 colorful panels designed to give passing riders a “film-like” experience of moving color.¹⁹ A similar concept went into Gary Duehr’s North Station creation, an aluminum

¹⁶ Nancy Raine, *Arts on the Line: A Public Art Handbook* (Boston: Massachusetts Bay Transportation Authority, 1987).

¹⁷ Cambridge Arts Council, “Red Line Northwest Expansion”, 1985.

¹⁸ Cambridge Arts Council, “Collaboration at the Station: Art and Architecture for the MBTA”, 1984.

¹⁹ Peter J. Howe, “MBTA Hopes Riders will be Transported by Art,” *The Boston Globe* (Boston, MA, April 27, 1988).

mural made up of 120 photos that would become animated like a flip book when viewed from a passing train.²⁰ One artist took this idea of an interactive, personal experience with the underground space even beyond the visual. At Cambridge's Kendall Station, Paul Matisse installed three artful contraptions that created music powered by manual levers along the platform walls. His intention was "to make something that would encourage interaction," something "capable of bringing strangers together across the tracks."²¹

Another unusual form of subway art was explored in the late 1980s. Judith Chernaik, a former Tufts professor, instituted a very successful and popular program in London's Underground, whereby each of the system's 4,000 subway cars featured a snippet of poetry printed in a space traditionally reserved for advertisements. Chernaik argued that the T should adopt the program as well, and invited Bostonians to envision "breath[ing] the pure serene of a Keats sonnet" instead of "inhaling sweat in gaseous form" while riding the T. In response, MBTA spokesman Peter Dimond said that although "we are certainly interested in art and poetry as a way of humanizing the T," the costs due to loss of advertising revenue would be prohibitive.²²

But Jack Powers, member of the National Writers Union and a local poet, raised the idea again a few years later after hearing continued raves about the London poetry program. He was able to secure a few sponsors to pay for the advertising slots, received permission from the MBTA, and scouted out area poets to contribute pieces of their writing. He successfully launched the project in 1993, placing poetry placards in almost all of the subway cars on the orange line. He wanted to bring poetry out of the confines of academia and into people's everyday lives—and what better place to do so than the subway. One contributing poet, Sarah Jensen, summed up the other idea behind the project: "I hope that it will bring a brief moment of beauty in everybody's commute."²³ While the project was successful in getting off the ground, it only lasted as long as it had sponsorship to pay for the advertising space.

²⁰ Massachusetts Bay Transportation Authority, "Public Art in Transit: Over the Years", 2011, http://www.mbta.com/about_the_mbtta/art_collection/.

²¹ Eric Moskowitz, "Grace notes from the underground; MIT students restoring ingenious, outlandish Kendall T stop sound sculpture," *The Boston Globe* (Boston, MA, May 9, 2010).

²² Chris Reidy, "They hope poetry can get a foot in the T," *The Boston Globe* (Boston, MA, January 13, 1992).

²³ Leonard Greene, "T's Orange Line offers riders poetry in motion," *Boston Herald* (Boston, MA, February 3, 1993).

The MBTA's lack of willingness to promote this vehicle-based program in the long-term—understandably, due to perceived losses in much-needed advertising revenue—again demonstrates that the agency has chosen to draw a careful line between place-making in stations and the more functional use of subway cars as transit vehicles. Interestingly, though many people actually spend more time in subway cars than waiting in stations, the MBTA has remained true to a dichotomy between art-graced stations (*places*) and advertising-plastered train car interiors (*vehicles*).

A similar, more permanent version of subway poetry was born in 1984, and it indeed was more successful because it did not try to erode the management's place-space distinction between subway station and subway car. Sam Cornish, a literature instructor at Emerson College, drew up a proposal with a non-profit community arts agency, UrbanArts, to install "granite slabs inscribed with poetry and prose at the nine new T stops" along the orange line's Southwest Corridor. The project, "Boston Contemporary Writers," celebrated works of literature reflecting "the experience of living or working in an urban environment." Cornish said he was amazed to see the variety of books that Bostonian commuters were reading on the subway, and this inspired him to encourage more Boston residents to become interested in literature through this project. It was also a response to the advertising bombarding urban citizens—so often inside subway cars—and the plan was to contribute "words in the public environment that speak to us more deeply." Involving community members in the selection process—so that they could find works that they connected with—was a crucial component of this unique public artwork. The project leaders hoped that "when people came out of the subway they would find a sense of place."²⁴ In this way, the subway became both a physical and artistic way to connect people in different neighborhoods throughout the city.

About a decade later, though, a problem emerged as a result of many of these permanent art installations. By the mid-1990s, many of the MBTA's 58 works of art were broken, vandalized, or filthy—in dire need of maintenance after years of neglect and exposure to the elements and the public. The problem with maintenance was that it cost money—

²⁴ Sue Jung, "Literature Rides the T: Poetry, Prose to Grace Stops Along Orange Line," *The Boston Globe* (Boston, MA, August 9, 1987); Ellen Steinbaum and George Rizer, "Invisible in plain view, literature to a T," *The Boston Globe* (Boston, MA, October 8, 2006).

money the T did not have. Esther Maletz, the MBTA's assistant general counsel, tellingly spoke of the T's budgeting priorities: "What the MBTA is doing is running trains and busses...Way down the line somewhere is the obligation to do things that have nothing to do with transportation." Her statement provides an interesting contrast to the T's earlier messaging about the importance of creating meaningful places and connecting with communities.²⁵

Proponents of the art programs—including some of the artists themselves—argued that it was the MBTA's obligation to maintain the works of art that it now owned. Pallas Lombardi, director of the Arts on the Line program, assured that "the contract that Arts on the Line worked out between the T and the artists calls for the T to maintain the artwork." However, communication between the T and the artists was passive at best—often artists contacted the T about fixing their artwork, but never received a response. In the case of the Kendall Station musical sculpture, Matisse himself repaired it pro bono for nearly 20 years, working between the hours of 1:30 and 4:30am when the system was closed for the night.²⁶ However, eventually Matisse grew older, and stopped returning to repair his beloved masterpiece. In 2010, after the sculpture had lain silent for three years, a group of MIT students received MBTA permission, traveled to meet with Matisse, and ultimately banded together to repair the popular piece of art, which was reinstalled with an MBTA-sponsored public unveiling in early 2011, at which MBTA officials praised how the sculpture made the subway space more inviting and attractive, potentially encouraging more people to choose public transit over other modes of transportation.²⁷ Clearly the MBTA viewed its art collection as a great asset to its overall organizational image, despite the fact that the institution did not always take the lead in active maintenance of the pieces.

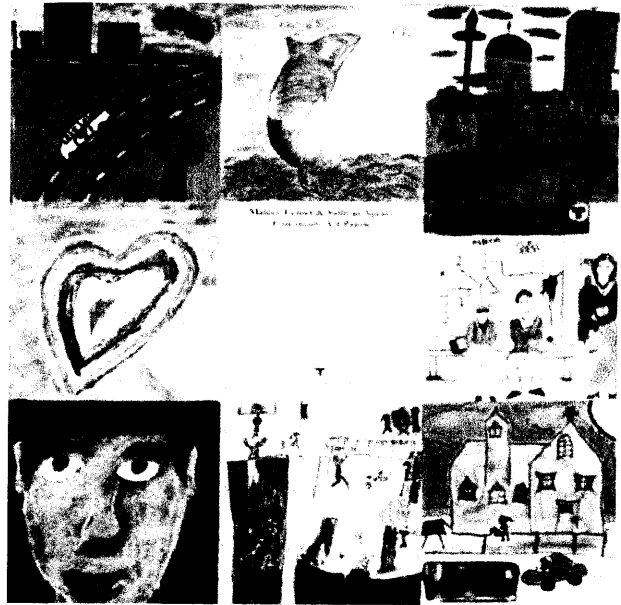
After several years' abandonment, the MBTA's Art Program picked back up again in 2001 as the T announced a five-year campaign to "bolster the authority's art collection and, in the process, restore the T's status as one of the region's preeminent patrons of public artwork." Backed by \$1.2 million in grant money, the initiative planned to add new original works to 10

²⁵ Temin, "Keeping art be kept fit to a T: Vandalism, funding, dirt pose problems for transit works."

²⁶ Ibid.

²⁷ Don Seiffert, "Kendall Square T station music installation back in working order," *The Cambridge Chronicle* (Cambridge, MA, May 2, 2011).

additional stations and restore the MBTA's existing 72 pieces. This time around, the management also brought community members into the art selection process, ensuring that area residents could have a say in the art adorning their local stations. Of course, the T's announcement to spend this money on art upset some people who felt the money could be better spent on other more basic components of the transit system. But others understood and embraced the drive. One appreciative Cambridge commuter said, "getting there is...only half the point. To do so in an environment that nourishes the eyes and soul...is just as important. I don't think they spend so much on it that it takes away from anything else...And look at what we get in return."²⁸



One of the MBTA's more recent permanent installations, on display at Sullivan Station, this was a community project in which area K-12 students designed tiles reflecting sentiments about their lives and local communities. (MBTA.com)

In recent years, the MBTA has expressed a renewed interest in community art. Though the agency does not currently have the money to actively commission professional artworks, the T embraces partnerships with local artists, non-profit organizations, and educational institutions that wish to contribute their resources towards making the city's subways more attractive. In 2006, the Downtown Crossing Station served as host to a temporary photography exhibit as part of "Cities in Transition," a public art initiative.²⁹ Newer permanent additions to the MBTA's art collection have also included local students' paintings and drawings, promoting anti-violence and pride in their communities.

Graffiti and Leafleting Challenge the Institution

While the MBTA has embraced grassroots community art—perhaps as part of an overall paradigm shift in planning encouraging more community participation in all aspects of place-

²⁸ Lewis, "Art on the MBTA: Yes, It's Returning in \$1.2M Campaign to Install New Works."

²⁹ Carol Beggy and Mark Shanaha, "Downtown T is Pretty as a Picture," *The Boston Globe* (Boston, MA, September 19, 2006).

making—it has characterized unauthorized individual or gang-related etchings and paintings as criminal vandalism. In 1985, the MBTA created the “Graffiti Police” when it realized it was spending \$1.4 million a year on cleaning up graffiti—about \$1 million of which went towards cleaning subway cars and stations, and the remainder to subway tunnels and retaining walls. The Graffiti Police—plainclothes Transit Police officers armed with guns and handcuffs—patrolled at night, charged with catching notorious graffiti artists in the act of defacing MBTA property. Within its first year of existence, the Graffiti Police squad made about 100 arrests. Those convicted were generally sentenced to up to 90 hours cleaning up their graffiti. Interestingly, the police themselves admitted that the majority of the offenders they caught spraying graffiti did not necessarily have malicious intent. One officer commented, “They take real pride in what they do. They take this as serious art. There are no obscenities, no racial stuff, nothing like that. They just make big murals around their [pseudonyms].” Still, the MBTA took the issue very seriously and enforced a strict zero-tolerance graffiti policy deeming it to be vandalism and not art; if officials found just one piece of graffiti on a subway car, the MBTA would do everything it could to avoid putting it in service until the graffiti had been erased, “on the theory that one piece of graffiti encourages more.” In order to take care of this as quickly as possible, MBTA officials could immediately call maintenance crews via a 24-hour hotline to wash graffiti from stations or cars as soon as it was discovered.³⁰

The abundance of graffiti has diminished since the late 1980s, and the MBTA has also since adopted a more lenient policy towards it. However, the very nature of graffiti is an ongoing and interesting dilemma, because it can represent both immature obscenities and poignant political statements; it is vandalism to one person and art to another. One Bostonian who studied nationwide railway car graffiti in the 1970s said that graffiti scribblers “write on sex, politics, religion and race, as well as their names and cities...these expressions are secret ballots cast between elections.”³¹ In 2006, a Newton art gallery featured an exhibit of “graffiti artists.” Some argue that graffiti is an underappreciated art form, others claim that it is “a

³⁰ Peter J. Howe, “Graffiti Police their Mission: To Help Clean Up at \$1.4 Million MBTA Problem,” *The Boston Globe* (Boston, MA, June 27, 1987).

³¹ Bud Collins, “‘The words of prophets are written on boxcar walls,’” *The Boston Globe* (Boston, MA, May 11, 1972).

relatively harmless outlet for aggressions that might otherwise be vented in a more violent manner,” and still others find the slightest bit of it offensive and damaging.³² It can be a symbol of urban decay, neglect, and crime. Graffiti can be funny, beautiful, thoughtful, shocking, or needlessly hurtful. Perhaps that is why the legitimacy of its existence is so contested; the messages that it portrays are so varied.

However, meaningful message or not, Boston’s subway authorities historically held the bright-line policy that any graffiti was bad graffiti. In 1975, the MBTA superintendent of equipment maintenance characterized the problem as “just ridiculous...We try and remove it immediately. Otherwise it encourages others.”³³ This attitude coincides with the “broken window” theory that the presence of even just one small offense will make it easier for others to commit similar—or worse—crimes, until eventually the whole system is a mess. From this perspective, the presence of graffiti represents a loss of MBTA control, potentially damaging to the organization’s public image.

Other political statements made in subway stations have been even more temporary than graffiti, but no less contested. As confluences of people come together in the small spaces provided by subway stations, they have proven to be major meeting points where people could visually, audibly, or even tangibly share their ideas. In the late 1960s, peaceful students passed out antiwar leaflets in subway stations.³⁴ Beginning in 1983, Jews for Jesus, a religious organization, started periodically distributing pamphlets within various Boston subway stations. Over the next few years, the group and the MBTA engaged in a number of disputes regarding this practice.³⁵

A lawsuit resulted in 1990, when Jews for Jesus sued the MBTA, alleging that the agency’s policy of requiring advance notification of leafleting activity inside all stations—and barring such activity altogether in certain areas of select stations—was an unconstitutional violation of free speech and constituted “discriminatory treatment” against them.³⁶ The MBTA,

³² Diane White, “The curse of graffiti,” *The Boston Globe* (Boston, MA, February 22, 1973).

³³ Mary Sweeten, “Boston Graffiti—1975 Edition,” *The Boston Globe* (Boston, MA, June 20, 1975).

³⁴ F.B. Taylor, “Sympathy surprises, pleases canvassers,” *The Boston Globe* (Boston, MA, November 14, 1969).

³⁵ *Jews for Jesus, et al. v. Massachusetts Bay Transportation Authority*, 783 F. Supp. 1500 (U.S. District Court, Massachusetts (Boston) 1991).

³⁶ Harvey Dickson, “T to appeal ruling allowing leafletting in station,” *Boston Herald* (Boston, MA, January 8, 1992).

in its defense, argued that leafleting contributed to litter (potentially posing a safety hazard if people slipped on discarded leaflets), disrupted flow of pedestrian traffic, and increased the risk of accidents during peak hours. In her decision, U.S. District Court Judge Rya Zobel distinguished between the free and paid areas of MBTA property, and pointed out that

within the paid area, several activities occur other than those directly related to the running of trains. The scope of expressive and commercial activity varies...some stations, such as Government Center and Park Street, have kiosks in the paid areas that sell food, drinks, newspapers and magazines...In a number of stations hawkers sell papers in the paid areas during rush hour. Non-commercial activities include musicians performing, with and without solicitation boxes, in the paid areas of many stations.³⁷

She found that given these circumstances, the T's guidelines for leafleting were

“unconstitutionally overbroad even in the context of a non-public forum” because they burdened “substantial speech unrelated to [the MBTA’s] legitimate public safety objectives.”

She acknowledged that the MBTA did have the right to temporarily stop leafleting in situations where it caused a specific public safety hazard, but ruled that generally no such risk existed with the practice at hand. And insofar as the litter argument, Judge Zobel brought up clear legal precedent from *Schneider v. State* (1939), in which the Supreme Court ruled that litterers, not leafletters, should be held accountable. She also found no legitimate reason for the MBTA to require advanced notification of leafleting.³⁸

The MBTA appealed the district court’s decision, asking the appellate court to consider their guidelines within the framework of the public forum question. The MBTA asserted that the “historical unavailability of the subway stations for public discourse renders them nonpublic fora and that the Guidelines are a reasonable regulation within this context.” However, the Court of Appeals found it unnecessary to determine whether or not subway stations constituted public or nonpublic forums, because this “traditionally has been important only when the government tries to restrict access according to the content of the message.” The court decided that the guidelines in question were “content neutral,” concerned only with “the mode of expression, not the message.” However, because of substantial legal precedents, it recognized that the MBTA had a heavy burden of proof in this case.

³⁷ *Jews for Jesus, et al. v. Massachusetts Bay Transportation Authority*.

³⁸ *Jews for Jesus, Inc., and Steven Silverstein v. Massachusetts Bay Transportation Authority*, 984 F.2d 1319 (United States Court of Appeals, First Circuit 1993).

Because the MBTA failed to prove a concrete connection between the act of leafleting and litter-induced hazards, the Court of Appeals upheld the District Court’s invalidation of the absolute ban on “noncommercial expressive activity” in certain areas. However, the Court did recognize that public safety “is a substantial government concern that can justify some incidental infringement of protected speech.” It acknowledged that in certain circumstances, leafleting had the potential to cause hazards—for example, if one area was exceedingly crowded with an overwhelming number of leafleters at once. For this reason, the court overturned the lower court’s invalidation of the MBTA’s guideline requiring advance notice and authorization.³⁹

The leafleting issue and the MBTA’s legal defense tactics are extremely interesting in light of the agency’s history of providing various non-transit oriented events and amenities underground. The MBTA and its predecessors had sponsored art exhibits, musical performances, and opening parties; they had solicited public input and community participation on a number of design and service issues—yet in the *Jews for Jesus* case the MBTA argued that its subway spaces did not constitute a public forum because they had not always existed. Since there was no proven connection between leafleting litter and safety hazards (the defense’s main argument), what could the MBTA have had to gain from limiting this type of activity within subway spaces? While this case was technically content-neutral, my hypothesis is that the agency did not want to be viewed as endorsing any kind of potentially controversial activities or opinions. This institutional fear of harboring controversial messages becomes especially clear when we look at the MBTA’s history of advertising policies.

Creating “Uncontroversial” Spaces: The MBTA, Advertising, and Limits on Free Speech

Advertising—in more permanent forms than leafleting—in the nation’s oldest subway is not just a recent phenomenon. During a recent Arlington Station renovation, workers uncovered original platform walls that featured a number of advertising panels throughout the station. The renovation project manager remarked that “they had even more advertising than they do now.” In the 1960s, design consultants hired by the MBTA to give the agency a new

³⁹ Ibid.

image even recommended including advertising as a practical and aesthetic component of the project, encouraging the placement of ads between tracks at stations both to occupy waiting commuters and to add bright colors to the space.⁴⁰

The main impetus for companies to advertise on the subway (and especially within subway cars) is that T riders constitute a “captive audience” that has little choice but to stare at wall ads on every single ride in attempts to avoid making eye contact with strangers.⁴¹ This concept is inextricably tied to the very specific elements of subway spaces: long, narrow areas confined on all sides by walls and darkness. Because of this layout, there is only a small amount of space into which crowds of people must cram, and there is a plethora of wall space begging to be viewed.

Many of these ads, akin to some of the station art projects, use elements specific to the subway to create snappy catchphrases. Sometimes such ads emphasized negative aspects of the T, or insulted the subway system, such as when Legal Sea Foods sponsored ‘fresh’ fish saying things such as “This conductor has a face like a halibut.”⁴² Recent provocative Axe Body Spray ads also utilized the unique aspects of the subway (“loosely posing as transit authority messages”) to make suggestive comments aimed at selling the product in a sexual way, such as “Throwing lingerie on tracks causes fire,” and “One passenger per seat.” While many Bostonians found them offensive, these were deemed to be acceptable according to current court-approved MBTA guidelines, one of which states that ads may not fall into the category of “prurient sexual suggestiveness” (i.e., material describing or depicting sexual activities).⁴³

The MBTA established its current guidelines as the result of a long series of debates—and lawsuits—concerning how much the T could constitutionally censor in its endeavor to eliminate controversial messages from subway spaces. Interestingly, while the MBTA found nothing wrong with featuring sexually suggestive body spray ads or depicting scenes from violent movies, the agency often refused to display ads sponsored by non-profit groups looking

⁴⁰ Plotkin, “Rumblings Underground.”

⁴¹ Chris Reidy, “College ads luring students,” *The Boston Globe* (Boston, MA, January 5, 1996).

⁴² Brian Steinberg, “Advertisers taking it to the streets; In move to market directly to people, some campaigns risk infuriating the public,” *The Boston Globe* (Boston, MA, September 13, 2008).

⁴³ Greg Gatlin, “Axe’s Ads Divide Sharply; Sexy? Offensive? Mystifying?,” *Boston Herald* (Boston, MA, March 21, 2005).

to spread public awareness on various controversial public policy or social issues. One of the MBTA's most notorious and controversial debates over advertising began in 1990 when the T—under the direction of Governor Dukakis—initially refused to allow an AIDS-prevention campaign promoting condom use.⁴⁴ A few weeks later, the state changed its mind and decided to allow the campaign, which featured subway posters urging condom use in English and Spanish.⁴⁵ This back-and-forth approach occurred repeatedly regarding the same ad series over the next few years. In early 1992, MBTA officials at first rejected two public awareness condom posters. After receiving heavy criticism from AIDS activists, the MBTA said there had been a mistake and allowed the advertisements.⁴⁶

Unsurprisingly, in 1993 the T prohibited the next series of the AIDS Action Committee public service advertisements, which it deemed to be “inappropriate.” By now, the non-profit group was fed up with what it said were the T's “arbitrary and inconsistent standards,” and filed a lawsuit claiming censorship. An attorney for the American Civil Liberties Union, backing the AIDS group's claim, argued that the MBTA had “created a public forum for speech and cannot censor ads unless there is ‘a compelling government interest.’” But General Manager John Haley insisted that the T did have a legitimate interest in running a “G-rated transit system.”⁴⁷ He further argued that the MBTA had not outright rejected the posters, but merely asked that some of the wording be modified so that the slogans would comply with its new (unwritten) advertising policy, adopted in January 1993, which supposedly sought to keep the T an uncontroversial and family-friendly place.⁴⁸

In December 1993, US District Judge Rya Zobel ruled that the MBTA had violated the AIDS Action Committee's First Amendment rights, and granted a permanent injunction prohibiting the MBTA from rejecting the ads. Part of her decision was based on the fact that “T officials are far more open-minded when it comes to sexually suggestive movie or underwear

⁴⁴ Renee Loth, “State Withholds Backing for Ad Campaign to Fight AIDS,” *The Boston Globe* (Boston, MA, July 11, 1990).

⁴⁵ Irene Sege, “State to Promote Condom Distribution,” *The Boston Globe* (Boston, MA, July 25, 1990).

⁴⁶ Andrew Blake, “T backs off from fight over ads; Accused of censorship, officials OK condom art,” *The Boston Globe* (Boston, MA, September 9, 1992); Laura Brown, “Reluctant T agrees to run ‘provocative’ condom ads,” *Boston Herald* (Boston, MA, September 9, 1992).

⁴⁷ Laura Brown, “T rejects condom ads again,” *Boston Herald* (Boston, MA, October 27, 1993).

⁴⁸ Dolores Kong, “MBTA rejects new condom campaign; Alleging censorship, AIDS group will sue,” *The Boston Globe* (Boston, MA, October 27, 1993).

ads.” She determined the space was indeed a public forum because the MBTA accepted a wide variety of material for display.⁴⁹ The MBTA appealed, but in November 1994 the US Court of Appeals upheld the District Court’s opinion. The court criticized the MBTA’s vague and “seriously flawed” advertising policy, saying it was “almost impossible to understand,” and suggesting that while it would be possible for the MBTA to “develop a lawful policy that prohibits all sexually explicit advertising,” the agency had not yet done so.⁵⁰ The court also accused the transit agency of rejecting the posters “not because they threaten to violate the policy but because they appear likely to generate controversy.”⁵¹ However, the MBTA neither reviewed nor revised its policy following the court’s ruling—an inaction that would cause the issue to resurface a few years in the future.

In 1998, Mayor Menino launched an anti-binge drinking awareness campaign aimed at area students. The ads showed graphic and disturbing images of binge-drinking college students vomiting on themselves, and were slated to be placed in subway cars and stations close to area colleges to serve as a warning to kids on their way to parties.⁵² However, the MBTA refused to run several of these ads, claiming they were too offensive.⁵³ Around the same time, however, the MBTA allowed liquor companies to wrap the outsides of green line cars (serving a large proportion of the area’s college students) with various alcohol advertisements.⁵⁴ This seeming discrepancy lent credence to the previous court rulings which had found the agency’s advertising policy to be arbitrary and inconsistent.

In 2006, a coalition called Massachusetts Banning Together Against Alcohol Advertising again tried to get the MBTA to ban lucrative liquor ads on the subway. The organization argued that even primary and secondary school students “are being bombarded with beer and whiskey ads on their way to and from school,” and criticized the T for not pulling the ads. This time, in

⁴⁹ “Protection on the T,” *The Boston Globe* (Boston, MA, October 7, 1994).

⁵⁰ Laura Brown, “Court rules MBA ban on condom ads unconstitutional,” *Boston Herald* (Boston, MA, November 10, 1994).

⁵¹ Thomas C. Palmer, “Appeals court strikes down MBTA ban on anti-AIDS ads,” *The Boston Globe* (Boston, MA, November 10, 1994).

⁵² Dan Scannell, “Ad blitz aims to blitz binge drinking,” *The Boston Globe* (Boston, MA, September 20, 1998).

⁵³ Shelley Murphy, “MBTA Under Fire for Rejecting Ads on Marijuana,” *The Boston Globe* (Boston, MA, May 19, 2000).

⁵⁴ Kevin Joy, “The Drinks Trolleys Raise Questions; Councilor Seeks Ban Due to Area Students,” *The Boston Globe* (Boston, MA, April 28, 2004); Thomas M. Keane, “T liquor ads won’t drive kids to drink,” *Boston Herald* (Boston, MA, April 30, 2004).

response, the T offered the group free advertising slots for it to “spread the word about the dangers of underage and binge drinking.”⁵⁵ While that same year the MBTA revised its policy to ban ads for violent video games rated “Mature” or “Adults Only” after community organizations protested the practice, the agency continues to allow alcohol ads as long as they feature noticeable warnings.⁵⁶ Once again, the agency’s visibly inconsistent attitudes towards specific advertising and public awareness campaigns eroded the image of the MBTA as a value-neutral body and suggest that it appears to want to have a high degree of control (perhaps even unconstitutionally so) over the messages that it displays in its spaces.

The MBTA faced another high-publicity censorship lawsuit in 2000 after it refused to display advertisements sponsored by Change The Climate, a group advocating for decriminalization and legalization of marijuana by arguing that policing resources would be better spent going after “real criminals.”⁵⁷ The suit, backed by the American Civil Liberties Union, accused the MBTA of violating the 1994 Court of Appeals’ ruling. The T, however, claimed that this marijuana ad violated its “strict policy regarding drug and alcohol advertising,” which had prohibited tobacco advertising altogether since 1986.⁵⁸ In August 2002, US District Judge Robert Keeton found in favor of the MBTA, although he did call out the agency’s advertising guidelines as “constitutionally flawed.” Interestingly, Keeton ruled in direct conflict with the findings of the court judges in the previous AIDS awareness lawsuit. Whereas in those cases the judges deemed that subway spaces constituted a public forum, Keeton argued that “It would be unacceptable to make the MBTA’s advertising space subject to the same standard as a public park, subjecting captive audiences of commuters, tourists, and schoolchildren to all sorts of graphic advertisements.”⁵⁹ Here, the concept of the captive audience that advertisers

⁵⁵ Thomas Caywood, “Booze ad foes off track with T,” *Boston Herald* (Boston, MA, May 11, 2006).

⁵⁶ Meen Ramakrishnan, “Boston University study urges MBTA to ban alcohol ads,” *Allston/Brighton TAB* (Allston-Brighton, MA, January 25, 2010); Daniel A. Grabauskas to Campaign for a Commercial-Free Childhood, December 11, 2006, <http://www.commercialfreechildhood.org/pressreleases/mbta.pdf>.

⁵⁷ Thanassis Cambanis, “MBTA Asks Court for Freedom to Disapprove Ads,” *The Boston Globe* (Boston, MA, February 2, 2002).

⁵⁸ Murphy, “MBTA Under Fire for Rejecting Ads on Marijuana.”; Anne Landman, “Push or be punished: tobacco industry documents reveal aggression against businesses that discourage tobacco use,” *Tobacco Control* 9, no. 3 (September 2000): 341.

⁵⁹ Thanassis Cambanis, “Judge Says T Can Say No to Ads on Marijuana Laws,” *The Boston Globe* (Boston, MA, August 2, 2002); Mac Daniel, “Defense of MBTA’s Ad Policy is Costly,” *The Boston Globe* (Boston, MA, June 11, 2003).

so depended on actually worked against them. Change The Climate and the ACLU filed to appeal Judge Keeton's ruling.

Pending the Court of Appeals' decision, in 2002 the MBTA announced it had decided to rewrite its outdated and inconsistent advertising policy, "considered among the most restrictive of any public transit agency in the nation" as it was depriving the agency of much-needed revenue. This news followed reports that the T had already spent more than half a million dollars on the marijuana lawsuit. Up to that point in time, there were no written standards; the so-called advertising policy consisted of a process by which the marketing department would simply review proposed ads and recommend or deny them based on whether they were "deemed obscene, violent, harmful to children, or denigrate[d] groups based on gender, religion, race or political affiliation." The T's General Manager Michael Mulhern acknowledged that the T would adopt clear written standards that would have to be permissive enough to have allowed some of the ads rejected in the past. However, he said, the MBTA would continue to fight against Change The Climate in its ongoing lawsuit, maintaining that advertisements promoting illegal drug use were inappropriate.

In 2004, the US Court of Appeals for the First Circuit issued its decision, overturning Judge Keeton's decision and once again barring the MBTA from restricting free speech. One of the T's main arguments had been that the marijuana ads would be seen by minors; however, the court dismissed this, saying that the T's "abundant liquor advertising is more influential on minors." Frustrated General Manager Michael Mulhern threatened that the agency would either take the case to the US Supreme Court or ban public service advertisements altogether.⁶⁰

Even after the T adopted its supposedly clear policies, controversies have continued. In 2007, advocates against domestic violence—along with Mayor Menino—blasted the T for having accepted a series of subway ads for an upcoming movie that included taglines such as "I Shot My Wife." An MBTA spokesman said that the ads did not violate the agency's advertising

⁶⁰ Anthony Flint, "Court Says T Can't Bar Ad by Pro-Marijuana Group," *The Boston Globe* (Boston, MA, December 1, 2004).

policy, which was court approved. Following the outcry, the T removed the ads, although it was because the month-long promotion was over.⁶¹

The strapped-for-cash transit agency also recently inaugurated new technology that would allow advertising to extend beyond the confines of subway cars and stations, and into the depths of otherwise dark and empty subway tunnels. Such advertisements—the first of which to debut in Boston was for Royal Caribbean cruises—were comprised of a series of 400 still pictures that lit up in sequence as a moving train passed, having the effect of a flip book and appearing animated like a silent movie.⁶² A Royal Caribbean spokesman remarked of the unusual choice in location, “We think this will catch people so totally by surprise that when they see it, they can’t help but watch it.”⁶³ In a world increasingly cluttered with digital media and advertising at every turn, this marketing strategy banked its success on the fact that it would inhabit an otherwise commercially untouched space. Indeed, the ads created the type of novel experience that generated both temporary interaction among strangers and increased word-of-mouth buzz for sponsors.

A similar argument emerged the following year when the MBTA announced it was exploring the idea of installing silent televisions in all subway cars to play cycles of news, service updates, and advertising. Critics opposed to the idea lamented that no spaces were safe from advertising anymore, and that people were being over-inundated with media. They also questioned, realizing how desperate the T was to make money, whether the televisions really would remain silent if sponsoring advertisers offered enough money: “One can’t help wondering whether there’s an ominous escalation in the sale of T space and whether, if advertisers offered a few more million for blaring audio, transit managers might find it impossible to say no.”⁶⁴ Some argued that “The blankness flying by the windows of a subway car can be soothing on the eye and spirit, providing meditative focus at the beginning or end of

⁶¹ Jessica Heslam, “Group rails against MBTA for movie poster,” *Boston Herald* (Boston, MA, April 10, 2007); Jessica Heslam, “Menino demands movie ads be dumped,” *Boston Herald* (Boston, MA, April 11, 2007).

⁶² Chris Reidy, “Tunneling for Cash: MBTA Eyes Plan to Let Firm Run Animated Ads on Transit System Walls,” *The Boston Globe* (Boston, MA, June 5, 2002); Casey Ross, “T projects big \$ from tunnel ads,” *Boston Herald* (Boston, MA, August 18, 2004).

⁶³ Naomi Aoki, “Next Stop, Ad Buzz; Wall of Subway Tunnel is Turned Into a Billboard for Cruise Line,” *The Boston Globe* (Boston, MA, August 18, 2004).

⁶⁴ “MBTV,” *The Boston Globe* (Boston, MA, April 8, 2005).

a day.” They felt that these advertisements somehow desecrated one of the last sacred spaces untouched by modern-day media-fueled consumerism.

In any case, whereas advertising on the T was borne out of specific opportunities for exposure afforded by the physical attributes of the subway space, the MBTA has clearly extended far beyond just regulating where advertisers can post their messages. The fact that they have been involved in a number of deeply contested battles regarding the content of the advertisements their sponsors display shows quite clearly heavily value-driven—even if those values often come in conflict with one another—institutional underpinnings at work.

In this chapter we have seen how the MBTA has chosen to take an especially active role in proscribing “appropriate” aesthetics and messages for its subway spaces by, at various points in history, attempting to control both the method and the actual content of underground art and advertising. What began as a genuine desire to improve user experience by mitigating some of the drab and monotonous physical elements of subway spaces soon evolved into a way for the institution to build upon its image and identity as a transit authority providing something enriching to the people and places it served. The proliferation of the MBTA’s art program soon became an end in itself, and to this day the agency prides itself on having one of the finest collections of public art in the nation. Additionally, shifting trends in the art and planning disciplines (along with more limited availability of funds) have changed the processes by which the MBTA has added to its collection, which we can see in its subtle shift from professional commissioned works to more collaborative and community-initiated projects.

While the MBTA has become more flexible and creative in its provisions of public art, the agency has simultaneously grown increasingly concerned with restricting the scope and content of political messaging within its walls—even when it has meant facing expensive and lengthy legal consequences. For a long time lacking a clear advertising policy, the agency made a series of seemingly arbitrary and inconsistent decisions about what constituted appropriate political messaging for its spaces and its publics. Though it argued that its mission mandated that it maintain public spaces free of controversy, its lax attitudes towards graphic and

suggestive commercial speech demonstrated that it valued financial security above preserving its image as a fair space of open dialogue, refuting the notion that the T could be considered a true public forum and thus inherently undermining its purported organizational image.

CHAPTER 6: Subway Musicians and the Underground Fight to Be Heard

As with advertising and art, the presence of music and live performances within the subway has been the subject of continuous debate between management officials and community members for decades. In fact, long before anyone had even conceived of the idea of constructing an underground train through Boston, the predecessors of subway musicians were already fighting to maintain a visible and audible presence in the streets of the city; as one *Globe* article noted, “Buskers, or street musicians, are part of an old and honorable tradition of wandering minstrels and have been around for thousands of years.”¹ In French, “busquer” means “to prowl,” as does “buscare” in Italian. Similarly, the Spanish word “buscar” means “to seek.”² Clearly, this is a time-honored profession that has long been present in many cultures.

It is difficult to find concrete mention of street performers in Boston, but enough evidence exists to suggest that they certainly were a part of everyday life in the early city. Benjamin Franklin wrote in his autobiography of the presence of street performers in Boston in 1718, singing “in the grub-street ballad style.”³ An 1869 feature article in *Folio* magazine depicted Boston as having a particularly lively street music scene: “The extent which street music attains in Boston excites the wonders of visitors, and it is often remarked that its ‘wandering minstrels’ would alone prove the musical superiority of the Hub!”⁴ These street performers were largely left alone by police until 1858, when the City of Boston passed the Itinerant Musicians License (Police Rule 75). It established a licensing system, required any women performers to be accompanied by men, and also forbade street musicians from performing after 10pm or for more than ten minutes in one place.⁵ While this placed some limits on street performance, the practice continued to flourish.

¹ Ray Murphy, “Summer brings out the buskers of Boston,” *The Boston Globe* (Boston, MA, June 23, 1974).

² Jordin Thomas Althaus, “Sound Tracks: In the Subways, Musicians Put Their Souls on the Lines for Love and Money,” *The Boston Globe* (Boston, MA, September 5, 2004).

³ Benjamin Franklin, *Benjamin Franklin 1706-1790: The Autobiography and Other Writings*, ed. Kenneth Silverman (New York: Penguin Books, 1986).

⁴ Effie Bailey, “Boston Street Music,” *Folio* (Boston, MA, July 1869).

⁵ *Ibid.*; Stephen Baird, “The History and Cultural Impact of Street Performing in America” (Street Arts & Buskers Advocates, 2009 2000), <http://www.buskersadvocates.org/saahistorysubway.html>.

When Boston's subway system opened in 1897, it seemed natural that sooner or later street performers would migrate underground to play for the masses below. Many performers preferred to play on the streets, but headed into subway stations in the winter or bad weather.⁶ Tracy Chapman, a Grammy-winning artist who began her rise to stardom by playing her way through Tufts at Harvard Square Station, said that in inclement weather, "subways become 'the winter streets,' the only public free space where it's comfortable for people to stop and listen."⁷ Additionally, today, street musicians are often harassed by local police, whereas in the subway they can legally play as long as they obtain permits.⁸ In any case, there has been a long and strong relationship between subway and street musicians, as over time they have faced similar battles over rights and regulations with city and subway authorities.

The Formalization of Boston's Subway Music Program

There is little media documentation or description of live subway performers prior to the 1970s, probably because they existed largely under the radar as their presence was technically illegal. Before then, however, subway authorities had begun to experiment with other musical programs intended to be for the public good. In 1962, the MTA started a program to softly play recorded music in subway stations, "designed to soothe the nerves of harried rush-hour commuters." Somewhat comically, on the first day of this new program, a mishap at Arlington St. Station resulted in "a disagreeable odor" rather than the calming recordings; when the switch was turned on, some electrical wiring burned out.⁹

Eventually, though, this program was effectively implemented, and actually seemed to have the desired effect on some riders. One commuter wrote in a letter to the editor:

My many trips in town have been brightened by the enchanting music in the subway stations. In past years I have been rushing, pushed and hauled into the first train I could get headed toward my home, but this year I have found myself walking leisurely and deliberately to get the next

⁶ Ellen O'Brien, "Subway's Musicians Offer a Tip: All Donations Appreciated," *The Boston Globe* (Boston, MA, June 28, 1990).

⁷ Michael S. Rosenwald, "To Chapman, Underground Scene is Pure Performance," *The Boston Globe* (Boston, MA, November 26, 2003).

⁸ Ira Kantor, "Street Performers' Rhythm All Tangled Up in Red Tape," *Boston Herald* (Boston, MA, August 17, 2008).

⁹ "They Didn't Play It Cool," *The Boston Globe* (Boston, MA, June 14, 1962).

train rather than the first. Many people with whom I have talked feel the same way I do. We agree that the music is sweet to the ears of a weary shopper.¹⁰ However, not all felt like this. One 1973 piece in the *Globe* agreed that subway stations should have music, but complained of the quality of the tunes being piped through the stations: “it usually isn’t music at all. It does not inspire or amuse; by design it is just there, softly buzzing and thumping on and on, an audible anesthetic. We think the MBTA, now that it has gone this far, could change all that by commissioning some special music for MBTA riding.” The author went on to suggest that a committee—led by the conductor of the Boston Pops—be formed to decide what sort of music would be appropriate on each of the lines and stations (even distinguishing between “suburban stations like Quincy Center and intown stations like Washington Street”). The article suggested holding contests or hiring currently unemployed composers to write special pieces appropriate to each station, thus effectively turning the T into “one, vast concert hall.”¹¹ Public reactions and community suggestions such as these were internalized by the MBTA, but rarely acted upon, presumably for lack of available resources.

In addition to playing music in subway stations, one “informal experiment designed to test the acceptability of concert commuting” was tried out in 1974, when the MBTA installed in one red line train a two-hour playlist of over 25 songs representing various musical styles: blues, opera, jazz, waltz, rock, classical, and folk. Ralph Dandrea, an MBTA official, said that in doing this, the T was “trying to utilize equipment we have in the system to benefit passengers,” but noted that unfortunately, the music was being “transmitted in a public address system design for voice paging, so it isn’t high fidelity listening.” He called for public feedback, adding that: “We’re trying to overcome the rigid, conservative thinking in the MBTA. Getting there fast is important; but getting there fast without sitting on orange crates, and getting there fast while enjoying good music—this is important too.”¹² This attitude displays the type of creative thinking that stretches beyond just planning for transportation efficiency, and into thinking in terms of quality of experience as well. It took into consideration potential opportunities afforded by subway-specific technologies and spaces—although sometimes it missed the mark.

¹⁰ “What People Talk About: Subway Music,” *The Boston Globe* (Boston, MA, December 24, 1947).

¹¹ “Music for MBTA riding,” *The Boston Globe* (Boston, MA, August 30, 1973).

¹² Lucinda Smith, “MBTA offering tunes to travel by,” *The Boston Globe* (Boston, MA, February 13, 1974).

Soon thereafter, a long and contentious debate regarding live subway musicians would arise. Musicians were arrested for playing in subway stations up until 1976, when the MBTA began to recruit them to entertain First Night riders.¹³ This represented the first sign of the management body looking to cooperate with talented local musicians who were willing to play free of charge in public spaces. Around this time, the MBTA also exhibited more leniency towards illegal subway musicians, meaning that they began to crop up occasionally at major stations. In early 1977, David Wilson wrote an article in the *Globe* describing an impromptu duet played by two young people in Park Street Station that he found to be quite delightful:

There was something deliciously absurd and pleasantly unauthorized about the concert...People exchanged covert grins. One professorial type rushed past, stopped suddenly, deliberately missed his train and returned to stand and listen, dropping a fistful of change into the open case.

A lot of people missed two and three trains, unable to tear themselves away from the music. He conceded that some subway patrons pretended to ignore it, unsettled by the unexpected and unauthorized nature of the music.¹⁴ But more, it seemed to him, were delighted by this music that uplifted strangers on a bleak winter's day, vastly improving the quality of an otherwise cold and slushy subway experience.

The MBTA, under the leadership of Governor Michael Dukakis, began its first official program to encourage live music within the subway in the summer of 1977, calling it "Music Under Boston." Dukakis was a regular Boston subway rider himself, and was quite enamored of the city's subway music. He remarked, "I love the music down there. The subway musicians make Boston a better place." He continued, "It humanizes the subways...It's good for the performers and good for the patrons. It just makes the place much more user friendly and fun."¹⁵ Here, a major state official—the ultimate overseer of the MBTA—publically praised subway musicians for bringing something to subway spaces that they otherwise lacked.

¹³ O'Brien, "Subway's Musicians Offer a Tip: All Donations Appreciated."

¹⁴ David B. Wilson, "An impromptu concert, a bit of warmth on a filthy winter day," *The Boston Globe* (Boston, MA, February 20, 1977).

¹⁵ Rosenwald, "To Chapman, Underground Scene is Pure Performance."



A poster advertising Boston's Music Under Boston program demonstrates that while it sought to formally introduce music into Boston's subway spaces, it did so cautiously by acting more like a series of underground concerts than spontaneous performances. (www.buskersadvocates.org)

The main idea behind the Music Under Boston program was to “give Boston area musicians a chance to play for a new public and the commuting public to hear more civilized sounds that the squeak of Green Line cars or the muffled roar of the Red Line trains.” The idea actually began with young musicians asking the MBTA for permission to play at stations, and evolved from there into essentially a series of regular mini underground concerts. The program was run by Articulture, a non-profit agency that was in charge of filling 240 slots a month during weekday morning and afternoon peak periods with volunteer musicians (who would receive special permits from the MBTA) to play in special bandstands set up at

Government Center, Park Street, and Harvard Square subway stations.¹⁶

The MBTA did not hold any auditions for the musicians, explaining that “we don’t pay you; all you get is what people drop in your case”—the implicit message being that musicians who lacked talent would not be given tips and would thus stop performing of their own accord.¹⁷ The MBTA’s initial attitude of nonchalance towards the content and quality of the music played, as well as lack of regulation on when and where musicians could perform, provides a stark contrast to the agency’s intense level of involvement in censoring subway advertisements. This was a draw for some musicians, for unlike the subways of Paris and New York, aspiring musicians who might not have made it through an audition had the chance to

¹⁶ Margo Miller, “Subway music opens 2d season,” *The Boston Globe* (Boston, MA, October 4, 1977); George McKinnon, “T concerts get green light,” *The Boston Globe* (Boston, MA, June 22, 1977); Stacy Holmes, “Plunking the blues away—in the subway,” *The Boston Globe* (Boston, MA, May 22, 1978).

¹⁷ Holmes, “Plunking the blues away—in the subway.”

play for a wide audience of people and receive feedback on their music—often measured in terms of tips received.¹⁸

In fact, while some of these musicians had ‘real’ jobs and played in the subways on the side, an overwhelming number of them relied on subway donations as their sole means of survival. “Most subway players...say that the living is day-to-day, with little guarantee that fans will keep paying.”¹⁹ It never was easy living for them, and is perhaps even more difficult today. Before the 2008 economic recession hit, subway performers reported an average annual income of less than \$20,000; now some of them are lucky to get half that. A 2009 *Globe* article confirmed that “these days, it’s getting harder to make a buck down here” due to general economic decline—many performers indicated that listeners told them they wished they could donate, but had nothing extra to give.²⁰

Participating musicians, however, have long insisted they were not doing it just for the money, but that they also enjoyed having impromptu encounters with strangers, brought together in a strange space through music. Stacy Holmes, a banjo blues player, remarked with surprise that “people apparently were in no great hurry to get to work. Some even let a car or two go by to hear the next number. Two Pine Street Inn [homeless shelter] types did a shuffle dance to amusement of audience.”²¹ The shared experience of music fostered temporary but memorable connections between strangers and encouraged people to take more notice in their surroundings. In fact, some musicians attributed their most successful gigs to shared subway experiences that erupted into comedy. Tom Bianchi, a bass guitarist, found he was not having much success playing in the subway until one day he began improvising musical warnings to passengers about a broken jar of sauce that had spilled on the platform. He noticed that this got people laughing, and both his tips and the interest of the crowds greatly increased, and he

¹⁸ Judith Gaines, “Tunnel Visions to Commuters, Boston’s Subway Tunnels are Just a Blur Through the Windows. To The People Who Work or Live There, the Underground is a World unto Itself,” *The Boston Globe* (Boston, MA, April 29, 2001).

¹⁹ O’Brien, “Subway’s Musicians Offer a Tip: All Donations Appreciated.”

²⁰ Erin Ailworth and John Bohn, “Underground, hard times resounding,” *The Boston Globe* (Boston, MA, January 4, 2009).

²¹ Holmes, “Plunking the blues away—in the subway.”

“credits the subway playing with his comic epiphany.”²² Other performers would learn to decipher the often garbled or inaudible public address system messages, and would “translate” them for riders by incorporating them into their songs: “The next train is an Ashmont train,” one performer would sing.²³ In addition, regular performers who remained in one spot for long periods of time provided additional eyes in the station—a sort of impromptu and unofficial arm of the agency’s security forces. In this way, the subway musicians and the MBTA enjoyed an innocent but effective sort of symbiotic relationship.

A Time of Uncertainty, Unification, and Negotiation

The Music Under Boston program ended in early 1986 due to a lack of funding to cover administrative fees; this was followed later that year by rising numbers of arrests of musicians now performing illegally on subway platforms.²⁴ Enforcement, however, was erratic and unfair—sometimes a Transit Police officer would throw a dollar in the tip jar, and sometimes he would throw the performer out of the station. It was a time of uncertainty and chaos for subway musicians, who banded together to negotiate through unclear regulations and limited “safe” performance venues.

Therefore, there were also negotiations over the use of subway space that did not involve the MBTA, but rather took place more informally between subway performers themselves. These most often included issues of location, due to the fact that “places to play were an important resource.”²⁵ One long-time Boston subway musician revealed that “We have a code between the performers that we respect each other by sharing space. Some people want to take over like it’s their own space. Those people don’t last very long.”²⁶ Generally, the unwritten rule expected that musicians would treat each other with mutual respect: those who arrived at a performance spot and found it occupied were either to ask to be next in line and agree upon a time to come back, or go elsewhere—either far enough away

²² Nick A. Zaino, “Music, Underground Jokes Make Good Mix,” *The Boston Globe* (Boston, MA, September 14, 2001).

²³ Rosenwald, “To Chapman, Underground Scene is Pure Performance.”

²⁴ Baird, “The History and Cultural Impact of Street Performing in America.”

²⁵ Starr, “Boston Subway Performances.”

²⁶ Ashlea Deahl, “Station to Station: The City’s Subways Provide a Platform for Musicians of All Kinds to Practice and Profit from Performing,” *The Boston Globe* (Boston, MA, August 18, 2003).

in the same station so as not to disrupt the current performance, or in another station. Sometimes, however, if there was overwhelming demand for a certain spot, the musicians turned to slightly more organized methods. For example, in the 1980s, a few musicians got together and started the tradition of the “Harvard flip” (which has lasted through to the present), a coin toss that took place every morning at 7am to determine which of the present musicians would be allowed to play in separate shifts throughout the day at the popular Harvard Square Station.²⁷

In early 1986, subway musicians unified even more when local performer Stephen Baird formed the Subway Artists Guild to attempt to work out a legal agreement with the MBTA to allow and regulate subway performances. Issues included debates over details such as volume and amplification, right to perform without auditions, locations, playing hours, and the right to sell their own music CDs and tapes.²⁸ The guild was also especially concerned with “the MBTA use of Muzak [recorded tunes], the bane of any musician who performs live.”²⁹ In fact, in November 1989, amidst these negotiation proceedings, the MBTA resumed the old practice of playing holiday music over its public address system.³⁰ After the Subway Artists Guild engaged in a vigorous letter writing campaign, the recorded music stopped in mid-December, and Governor Michael Dukakis sent the guild a personal letter of apology, promising that the T would cease playing pre-recorded music until a formal agreement had been reached.³¹ After extensive negotiations, this agreement came in 1990, allowing musicians to play within certain subway spaces, as long as they abided by a few reasonable MTBA rules.³²

Not long thereafter, in 1992, MBTA actions once again threatened the livelihoods of subway performers as it announced that it would begin to install 400 TVs on station platforms throughout the system, which would show “a 10-minute cycle of subway information, news and commercials.” The MBTA promised at first that there would only be audio clips announcing

²⁷ O'Brien, “Subway’s Musicians Offer a Tip: All Donations Appreciated.”

²⁸ Baird, “The History and Cultural Impact of Street Performing in America.”; Dennis Gaffney, “Suitable Entertainment,” *The Tab* (Boston, MA, May 5, 1987).

²⁹ O'Brien, “Subway’s Musicians Offer a Tip: All Donations Appreciated.”

³⁰ Baird, “The History and Cultural Impact of Street Performing in America.”

³¹ Michael Dukakis to Stephen Baird, December 1989,

<http://www.buskersadvocates.org/images/SAAHistoryPics/MBTADuke.jpg>.

³² Baird, “The History and Cultural Impact of Street Performing in America.”

train delays or emergencies. But this promise quickly eroded as corporate sponsors of the television systems made clear that they expected the TVs would also use continuous audio for advertising and entertainment purposes.³³ Upon initial outcries of protest from subway performers, MBTA spokesman Peter Dimond said, “We’re hopeful both TV and the musicians can coexist.”³⁴ But that was a thinly veiled message that the T valued advertising revenue over non-paying subway musicians.

Upon hearing news of this push towards favoring TV audio over live entertainment, one *Globe* journalist wrote an unusual eulogy of sorts for Boston subway performers:

The introduction of what is sure to be a hideous state-run version of MTV may flush a Boston tradition off the platforms: the street musician. Few cities have street musicians quite like Boston. I love them because they are so gutsy. They have to be gutsy because many of them are so horrible...But the real magic is that most of them are profoundly human...And you know what? These people succeed at something important. They give us comic relief...The move to monitors shows that the MBTA has no appreciation for treasure. It is inconceivable that it can put anything on a TV screen that can be as varied as this cornucopia of real music and camp. The good, the mediocre and the hopeless play and stand equally at peace, letting the commuter be the judge...To listen to street musicians is to be interactive. To fix one’s eyes on a TV monitor is one more subtle step in the march to a glazed-over society. The day the T turns the sound of the monitors on, a creative, wacky, completely human piece of Boston will begin to die.³⁵

His argument, that live performers fostered human interaction and a quality of experience that TV screens simply could not, was a powerful one—and he was not the only one who felt this way. Subway musicians themselves feared being tuned out by the clashing audio—or even physically forced out if the MBTA came to decide between performers or TV advertising.³⁶ The Subway Artists Guild held an extensive media and letter writing campaign that effectively resulted in the MBTA agreeing that it would not emit audio signals from the TVs. Anyway, by 1995, installation of the TVs had stalled after only about 40 had been completed. The sponsoring cable company, Metro Vision, soon went bankrupt and by 2001 all the TVs had been removed.³⁷ In 2005, the MBTA again broached the topic of T-TV, insisting that it needed to explore ways to increase revenue without raising fares. Though this never took off, it is

³³ Derrick Z. Jackson, “The loss when MBTA becomes MBTV,” *The Boston Globe* (Boston, MA, April 18, 1993); Harvey Dickson, “T subway riders will soon get their ‘T-TV,’” *Boston Herald* (Boston, MA, August 16, 1992).

³⁴ Barbara Donlon, “TV scheme is on the wrong track,” *Boston Herald* (Boston, MA, January 24, 1993).

³⁵ Jackson, “The loss when MBTA becomes MBTV.”

³⁶ Marjorie Howard, “‘Don’t give us your T-TV’: Subway players fear they’ll lose out,” *Boston Herald* (Boston, MA, January 3, 1993); Laura Brown, “T users aim to put the brakes on subway TV system,” *Boston Herald* (Boston, MA, September 17, 1993).

³⁷ Baird, “The History and Cultural Impact of Street Performing in America.”

interesting to note that the second time around, MBTA officials were quick to assure that the system would be silent, only using closed captioning to communicate their messages.³⁸

Continued Threats to Subway Musicians

Following the September 11, 2001 terrorist attacks in New York City, Boston stepped up its subway security measures, a drive that further threatened the continued presence of performers underground. As part of “new antiterrorism measures,” subway musicians were now subject to criminal background checks in order to retain their performance permits, and would have to pay a \$10 fee to cover the cost of these checks. While many musicians said they were “willing to undergo such checks if they help keep the T safe, they fear the focus on security may prompt officials to ban them from the platforms” altogether.³⁹ These heightened security measures were an understandable response to the perceived threat posed by the nature of the city’s confined underground subway spaces, which could instantly become death traps if targeted by terrorist actions. Luckily, however, the stricter measures did not outright ban subway performers.

After the imposition of these new post-September 11 rules, subway performers remained largely unbothered by the MBTA—that is, until 2003, when their entire existence was threatened yet again by a drastic change in official MBTA attitudes and policies towards subway musicians. Beginning December 1, 2003, the MBTA declared that non-acoustic music was hazardous in T stations because it drowned out the public address system’s important messages. This meant that the T would begin prohibiting electric instruments, microphones, and amps, as well as loud instruments such as trumpets, drums, saxophones, and horns of any kind. This new Subway Performers Program Policy would also require performers to be “neat in appearance” with “proper clothing” and a visible photo ID on display at all times. The policy also mandated the imposition of an annual \$25 permitting charge.⁴⁰

³⁸ Mac Daniel, “T May Install TV Network to Raise Funds,” *The Boston Globe* (Boston, MA, March 30, 2005); Casey Ross, “Boss: Boston wants its MBTA TV,” *Boston Herald* (Boston, MA, March 30, 2005).

³⁹ Christine MacDonald, “Subway Musicians Wary of Security Plan,” *The Boston Globe* (Boston, MA, December 23, 2001).

⁴⁰ Donovan Slack and Yuval Ben-Ami, “Subway Musicians, Unplugged: T Says Electric Equipment Can Drown Out PA System,” *The Boston Globe* (Boston, MA, November 17, 2003).

Joe Pesaturo, an MBTA spokesman, said that the ability of performers to play in the subway was “a privilege, not a right...A subway station is a transit center first, and a concert venue probably last.”⁴¹ His statement demonstrates a markedly changed official stance from the days when the T professed it was actively experimenting with methods of enhancing riders’ experiences through things such as piped-in music and underground concerts.

And while the T kept framing this new policy as a push towards safety within the public transit system, performers and riders who began to look more closely at the proposed policies questioned whether this was really the case. Andrew Conrad, a Harvard student involved in the subway musicians’ struggle, pointed out that “when push came to shove, things were as much dress code-oriented as they were volume-oriented...It seemed there was a difference between what the MBTA was saying and the motives behind it.”⁴² A similar requirement stipulated by the new policies—which, like the dress code for performers, is still in effect today—was that in order to receive a permit, subway musicians had to submit with their application a recent piece of mail, effectively surmounting to proof that the performers were not homeless.⁴³ Somewhat ironically, activists advocating for the subway argued that many of the new regulations would actually make these performers homeless by depriving them of their sole means of earning income.⁴⁴

This 2003 policy, originally decided upon behind closed doors by T officials and unceremoniously announced in a letter sent to previously licensed subway musicians, was viewed by the Subway Artists Guild and independent performers as another attempt to silence them and erode their First Amendment rights. The Subway Artists Guild responded to the MBTA’s actions by filing a complaint with the American Civil Liberties Union and embarking on another massive campaign through the media, political lobbying, the internet, and a petition drive which resulted in over 16,000 names in a little over a week. This collective public action was “an unusual uprising by riders [and] street performers...worried that the ban on amplified

⁴¹ Aiden Fitzgerald, “Hub buskers voice loud opposition to MBTA ban,” *Boston Herald* (Boston, MA, November 20, 2003); Slack and Ben-Ami, “Subway Musicians, Unplugged: T Says Electric Equipment Can Drown Out PA System.”

⁴² Nathan J. Heller, “Musicians Underground,” *The Harvard Crimson* (Cambridge, MA, December 12, 2003).

⁴³ Transit Realty Associates, “MBTA Subway Performers Program Application”, June 1, 2009, <http://www.mbta.com/uploadedFiles/documents/Subway%20Performers%20Application%20%20Rev%20June%201%202009.pdf>.

⁴⁴ Fitzgerald, “Hub buskers voice loud opposition to MBTA ban.”; Heller, “Musicians Underground.”

music would strip away something special about Boston.”⁴⁵ The campaign involved numerous meetings and complex negotiations between the MBTA and the Subway Artists Guild over every conceivable detail.⁴⁶

Finally, the negotiations resulted in a compromise, which ceded that artists could use amplification and play all instruments except for drums and trumpets—as long as the volume did not exceed 80 decibels at a distance of 25 feet.⁴⁷ This rule seems easily justifiable when one thinks of typical subway platforms as being extremely confined, yet simultaneously makes little sense with screeching trains pulling into stations at volumes of 90 decibels or more. Another stipulation of the compromise was that musicians would be limited to playing in specified authorized locations within each station—some of which are far from the typical spots that musicians preferred.⁴⁸ Still, Stephen Baird of the Subway Artists Guild said since the compromise rules went into play, almost everyone was happy with them and the relationship between the MBTA and performers remained amicable. Joe Pesaturo, the same MBTA official who had demeaned the importance of subway musicians in 2003, reported in September 2004 that implementation of the new policy was running very smoothly and that so far, the MBTA had issued more than 200 permits to musicians.⁴⁹

In 2007, another indirect attack came to subway performers, when the MBTA announced that it would be starting an experimental program called T-Radio, a new station—played over loudspeakers at specific subway stations—that would feature music, comedy, news, weather, gossip, trivia, and commercials.⁵⁰ The pilot program immediately received less-than-favorable reviews from riders. While some liked that it broke up the silent boredom of waiting, many others complained that it disturbed those who liked to read or said that they

⁴⁵ Mac Daniel, “Musicians, T in Sound Agreement: Amplifiers OK - to Measurable Limit,” *The Boston Globe* (Boston, MA, December 4, 2003).

⁴⁶ Baird, “The History and Cultural Impact of Street Performing in America.”

⁴⁷ Ibid.; Jessica Bal and Grant Beighley, “Underground, T musicians hear their calling,” *The Tufts Daily* (Medford, MA, October 2, 2008); Aiden Fitzgerald, “T musicians amped up over deal,” *Boston Herald* (Boston, MA, December 4, 2003).

⁴⁸ Daniel, “Musicians, T in Sound Agreement: Amplifiers OK - to Measurable Limit.”; Massachusetts Bay Transportation Authority, “MBTA Subway Performers Program: Designated Performance Areas by Subway Station”, June 1, 2009, http://www.mbta.com/business_center/subway_performers/.

⁴⁹ Jason Nielsen, “Musicians, T Singing Two-Part Harmony: Few Complaints About New Rules on Performing,” *The Boston Globe* (Boston, MA, September 5, 2004).

⁵⁰ Jason Millman, “Riders now can track down tunes while on T,” *Boston Herald* (Boston, MA, October 11, 2007).

would prefer to listen to their own music via headphones.⁵¹ And though programmers professed they were “considering enlisting the eclectic group of performers who already play at T station platforms to broadcast systemwide” over the radio, perhaps the most salient complaints came from these subway musicians themselves who felt that this was yet another underhanded attempt by the T to drown them out with state-sanctioned public service announcements and corporate advertising.⁵²

Due not only to actions spearheaded once again by the Subway Artists Guild (which collected 1200 online signatures) but also to the overwhelming volume of email complaints (over 1800) sent by members of the public to the MBTA, the T-radio pilot program ended after only two weeks.⁵³ While Stephen Baird appreciated that the pilot program had been stopped early due to public response, he was also wary of what the MBTA would try in the future: “We’ve been through these battles before and they keep happening,” he said.⁵⁴

More recently, there have been signs that things might be looking up for T performers. In early 2010, a young and energetic Richard Davey was appointed to the position of General Manager of the MBTA by Governor Deval Patrick. Davey, who has built a reputation as a lifelong T-commuter himself, continues to use the system regularly, and thus is perhaps more attuned to quality-of-experience and place-making issues than some of his predecessors.⁵⁵ Davey said that performers help “lighten the mood” for riders and “give the subway system character,” and has even shared some of his subway music preferences with riders, saying publicly that he especially likes a man who goes by the name “Mr. Bojangles” and “does some Sammy Davis Jr. stuff” and always gives him a smile.⁵⁶ Perhaps an MBTA manager who himself is an advocate for subway music will work harder to guarantee that the rights and livelihoods of subway performers are protected.

⁵¹ Noah Bierman, “T gives music a test run,” *The Boston Globe* (Boston, MA, October 11, 2007); “Letters To The Editor: Sour notes sounded over T’s music,” *The Boston Globe* (Boston, MA, October 12, 2007).

⁵² Bierman, “T gives music a test run.”

⁵³ Noah Bierman, “T Radio hits wrong note with riders; Program shelved amid a crush of complaints,” *The Boston Globe* (Boston, MA, October 26, 2007); Marie Szaniszló, “Riled riders derail T radio,” *Boston Herald* (Boston, MA, October 26, 2007).

⁵⁴ Bierman, “T Radio hits wrong note with riders; Program shelved amid a crush of complaints.”

⁵⁵ David Boeri, “The Oldest Subway System Gets Young Blood” (Boston, MA: 90.9 WBUR, March 24, 2010), <http://www.wbur.org/2010/03/24/mbta-chief>.

⁵⁶ Richard Weir, “On the T: Subway buskers are worth singing about,” *Boston Herald* (Boston, MA, August 9, 2010).

The MBTA's inconsistent treatment of subway musicians over the last several decades suggests that the regulatory mechanisms it has exerted over these performers have little to do with the physical aspects of the T, as the subway spaces themselves have not changed. So what has? Once again, I believe that the desire to maintain an attractive and marketable institutional image is what is really motivating these actions. A public agency such as the MBTA has an interest in maintaining an aura of being in control—even if the ways in which it chooses to manifest this control make little practical sense. Requiring subway performers to look neat in appearance, display photo ID tags, pay various nominal fees, produce recent pieces of mail, and perform only in pre-approved spaces all fall under the auspices of the institution's performative measures to maintain the appearance of being in control. By constantly imposing new regulations and limitations—even if they have little real effect on the system—the institution is continually exerting its dominance over the space and striving to sustain a public image of an organization that gets things done in an orderly fashion. To justify some of these ostensibly meaningless actions and regulations, the agency has additionally utilized powerful rhetoric that relies upon ongoing public perceptions of fear (of noise, disorder, even threats of terrorism) and uncertainty within underground spaces. In this way the MBTA has used all three of the motivating factors we have seen—space, institutional image, and public perceptions—to insert itself into every aspect of subway space use in order to maintain its ongoing relevance in the public eye.

CHAPTER 7: The Dreadful Legacy of “The Subway Microbe”

Constructing the nation’s first subway was a bold move, because what lay beneath the earth’s surface was uncharted, even frightening territory. The underground was popularly viewed as “the realm of moldering corpses and noxious vapors,” and the paranoia about the lack of ventilation and fresh air was understandable because at the turn of the century, pulmonary diseases posed a real and often lethal health threat to urban dwellers.¹ Some media outlets emphasized and sensationalized this public fear: around the time the subway opened, the *Boston Post* featured the headline, “Hideous Germs Lurk in Underground Air,” accompanied by an illustration of a tentacled, threatening monster called “The Subway Microbe.”² At the



An image published in the *Boston Post* a few days after Boston’s subway system first opened to the public, highlighting public fears at the time about deadly germs lurking in the underground realm. The original caption read, “The subway microbe as it appears under a magnifying glass enlarged 100,000 diameters.” (*Boston Post*, September 12 1897)

¹ Gaines, “Tunnel Visions to Commuters, Boston’s Subway Tunnels are Just a Blur Through the Windows. To The People Who Work or Live There, the Underground is a World Unto Itself.”; Cudahy, *Change at Park Street Under: The Story of Boston’s Subways*, 14.

² Charles Bahne, “The Social Significance of Boston’s Subway,” in *Tremont Street Subway: A Century of Public Service*, by Bradley H. Clarke and O.R. Cummings (Boston: Boston Street Railway Association, Inc., 1997), 31; “Hideous Germs Lurk in the Underground Air,” *Boston Post* (Boston, MA, September 12, 1897).

same time, other Boston publications conversely sought to reassure the public that in the subway “the air is good [and] the temperature is comfortable,” hoping to quell the popular fears and beliefs regarding potential health hazards of the subway.³

We now know that with proper construction and maintenance of the system—including provision of adequate ventilation—there is nothing inherently unhealthy about the subway space itself. Ironically, in fact, most of the pollutants and germs that cause health risks or unpleasant conditions in subways are tracked in by the people who use them, by way of spitting, smoking, littering, and urination in these confined, heavily trafficked areas. It is not subways themselves that pose the hazard, but certain behaviors within them that do, and control of behaviors calls for subway regulation.

Gendered Rhetoric and the Rise of Nuisance Regulation: Smoking and Spitting

Perhaps one of the most hazardous risks to public health in enclosed spaces, as we now know, is prolonged or heavy exposure to tobacco smoke. Just as there was a long and contested battle against smoking in indoor public places above ground, the same type of battle waged itself underground as well, by way of a complex string of complaints, lawsuits, and negotiations between the subway management, the legislators and courts, and the public. The establishment of smoking—and associated behaviors such as spitting—as a nuisance has a history as old as the subway itself.

In 1901, just four years after the first stretch of Boston’s subway system opened to the public, the management of the Boston Elevated Railway Company announced that it would begin running smoking cars on every train. A *Boston Globe* article publicizing the decision explained how the system would function: “The smoker will be the first car on each train. If it does not happen to be marked ‘smoker,’ do not hesitate to board it with your TD, briarwood, corncob or cigar going full blast.”⁴ At the turn of the century, the Boston Elevated Company afforded smokers the default right-of-way, reinforcing popular attitudes of the time that considered smoking to be a civilized action.

³ Cudahy, *Change at Park Street Under: The Story of Boston’s Subways*, 15.

⁴ “Elevated Road Will Run Smoking Cars,” *The Boston Globe* (Boston, MA, May 23, 1901).

The same year, a law was enacted in Boston upon recommendation of the Board of Health, to suppress spitting in public. Back then, spitting was inextricably linked to smoking, and had “become very pronounced by the users of the smoking cars of the elevated trains.” Interestingly, at this time the issue was not smoking itself but a byproduct of it—spitting—seen as “a dangerous and filthy habit,” a means by which contagious diseases were spread. C.E. Davis, secretary of the Board of Health, explained the understood science of the matter to the *Globe*:

While the sputum is moist it is perfectly harmless, but the moment it dries up the wind catches it and blows it about everywhere. Thus the danger of inhaling the germs is great. This is especially true of the subway, and persons expectorating against the walls of the subway place the lives of others in a constant menace. The smooth walls afford little opportunity for the germs to cling to them, and consequently the drafts of air which are continually moving about underneath the surface distribute the minute particles throughout the tunnel. There is little chance for the germs to escape to the upper world, and those daily passing through the subway are exposed to diseases.⁵

In his opinion, the subway was a place where people became especially vulnerable to dangerous epidemics. For this and other reasons of nuisance, the local law was passed prohibiting spitting in public.

In addition to being seen as a hazard in enclosed underground spaces, it was soon reported that spitting from subway cars on portions of surface or elevated track was causing a nuisance above ground as well: “Complaint after complaint has been made that men have spat out of the windows of the elevated cars and pedestrians were the ones to suffer.” Even more severe was the story of one woman who had to be treated for a severe burn that she sustained after being hit with the lighted stump of a cigar that was carelessly tossed from a subway train car.⁶ Clearly, there was legitimate rationale behind the legislation. The question was how effectively it could be enforced.

Around this time the occasional plainclothes Boston policeman rode the subways and kept a watchful eye at stations “for the purpose of catching men who expectorated on the floors or platforms.”⁷ In the beginning, enforcement of the law was taken quite seriously. Officers issued summonses or made arrests, men appeared in court, and judges sentenced

⁵ “Board of Health in Earnest,” *The Boston Globe* (Boston, MA, July 13, 1901).

⁶ “For Spitting in L Cars,” *The Boston Globe* (Boston, MA, September 18, 1901).

⁷ *Ibid.*

them to fines, usually ranging from \$3 to \$20.⁸ These reduced fines—only a fraction of the \$100 penalty the law called for—signaled that the courts were not enforcing the law as strictly as some had hoped.⁹ Judge Henry Bragg of the Charlestown Municipal Court admonished railway officials for “allowing an implied license in spitting” on the subway cars by not enforcing the law, which he deemed to be “a proper one.” However, he was also sympathetic to violators who claimed to be unaware of the new Board of Health regulation; in these cases Bragg would charge them only a partial fine because he felt the railway’s personnel should have been more active in educating the public about the new regulations before charging them with criminal offenses.¹⁰

This act of judges tending to side more against the rail management than potential offenders of the law soon emerged as a disturbing pattern. Judges often discharged spitters with lowered fines, warnings, or no punishment at all, instead putting the burden upon the railway company to “provide a sufficient number of cuspidors for the use and convenience of the cultured Bostonians who desire to expectorate in the cars.” This demonstrates that even within the courts, an attitude prevailed that spitting was a natural part of any gentleman’s day and that others should make provisions to work around him, rather than the other way around. One such example is in the case of a Bostonian “who was asked why he persisted in spitting on the floor of a street car, and replied that his regard for neatness and the comfort of fellow passengers restrained him from using the ceiling or other portions of the car.” Following this, the railroad officials made several respectful attempts to remind the courts of their duty to uphold the regulation rather than popular attitudes that were in direct conflict with the law, saying that all enforcement efforts would become futile if judges would merely dismiss all charges in court.¹¹

Other times, attempted enforcement was met with direct and even violent resistance. In November 1902, a station guard was riding in a subway car when he witnessed another passenger, Pearl Glavin, spit inside. The patrolman requested that Glavin not do so again; at

⁸ “Fined \$5 Each for Spitting,” *The Boston Globe* (Boston, MA, March 4, 1904).

⁹ “Should Furnish Spittoons,” *The Boston Globe* (Boston, MA, September 21, 1901).

¹⁰ “Spitting Fine Lower,” *The Boston Globe* (Boston, MA, September 22, 1901).

¹¹ “Nuisance of Elevated Cars,” *The Boston Globe* (Boston, MA, March 24, 1902).

the next stop, Glavin stood blocking a car door so as to impede other passengers from exiting the train. The guard asked the man to move, and in response Glavin physically assaulted him.¹²

It went both ways, however. In 1908, the *Globe* published an article describing in humorous detail how one guard (Chisholm) became “the hero of his fellow-employee[s]” by literally taking down a man (Walcott) who failed to comply with the no-smoking rule:

Walcott’s Waterloo followed a dispute over his right to violate the company’s rules by smoking on the platform. He boarded the car at Belmont [S]t. about 1:30, smoking a cigar, and stood on the rear platform. The conductor, Charles Luby, told him that he must stop smoking or leave the car. Walcott, it is claimed, said that he would do neither. Luby summoned the motorman and repeated his request. Walcott was obdurate and Chisholm, who is a powerful athlete, seized him by the arm. Walcott struggled to free himself, but Chisholm secured a half-nelson and forced him into the street.¹³

Here, the private company’s rules provided more leverage for allowable and swift action than a law whose enforcement might not be upheld in the courts. If the Boston Elevated Company adopted a “no spitting” company policy, it reserved the right to throw noncompliant patrons off of the property, whereby a police officer might not have proper recourse to arrest an offender. Still, in 1905, the United Improvement Associations—comprised of 26 citizens’ groups in Boston—appealed to the Boston Elevated, requesting that for public health purposes, the law be more rigorously enforced.¹⁴

The early spitting and smoking debates also brought up discussions about the nature of public space and what counted as public places. Boston Police Commissioner O’Meara issued a statement in 1906 regarding this matter: “It is a question whether or not public places, paved and used exclusively for foot passengers, but perhaps not technically sidewalks, come under the protection of the law [against spitting].” He went on to clarify that “Stairways of elevated or subway stations are to be treated as parts of stations in which the law forbids spitting.” However, the law was less clear in its treatment of the train cars themselves. Using his discretion to interpret the law, the Commissioner wrote, “the intent of the law is to permit spitting in smoking cars of the elevated railway. Moreover, some judges have decided heretofore that the regulation of the board of health which forbade spitting in those cars was

¹² “Ten For Spitting in a Car,” *The Boston Globe* (Boston, MA, November 9, 1902).

¹³ “Out in One Round,” *The Boston Globe* (Boston, MA, February 27, 1908).

¹⁴ “Law Against Spitting,” *The Boston Globe* (Boston, MA, April 10, 1905).

unreasonable so long as cuspidors or other proper receptacles were not provided.”¹⁵ This statement actually puts a burden on the subway management to provide outlets for disposal on smoking cars.

Commissioner O’Meara also alluded to the practical difficulties in enforcement, declaring that “the police in Boston have made a genuine attempt to enforce the law, but they have been handicapped by the fact that they have absolutely no law behind them, and what they have done has been wholly upon ‘bluff.’” What he meant was that the legislature had failed to provide sufficient means by which patrolmen could enforce the law. O’Meara testified that officers could not make arrests without warrant for a misdemeanor unless the statute specifically allowed for warrantless arrests (which this one did not), and asked legislators to reconsider the wording of the regulation so as to allow for proper enforcement.¹⁶ This issue was finally resolved in 1910, when the legislature granted O’Meara and his officers full power to arrest violators of the anti-spitting law on the spot. In addition, the maximum fine was raised to \$200.¹⁷

An interesting problem arose in 1908 regarding smoking cars, when the design of a line extension meant that rather than looping around at the end of the line, cars would just switch over to the inbound tracks, meaning that the front car would then become the back car. A *Globe* article highlights some of the potential challenges and solutions of this new system:

What will become of the smoking cars? They cannot be run at the head of the train because of the smoke drifting through the other cars. It would be too long an operation to shift them on each train, even if there were facilities. The management could, of course, run two smokers to each train, one on each end, and allow the forward one to be run blank on each trip, but it is not expected that any such thing will be done. Women would very naturally object to occupying the forward car which has been used as a smoker, or rear car, on the other trip. Will the road do away with the smoking cars altogether?¹⁸

Here we see that in popular rhetoric, smoking began to represent gender issues as well health concerns. In fact, Mary Holman, of the Evangelistic Association of New England, framed smoking as a gender issue linked to women’s rights, making the bold proclamation in 1921 that “We women are not enjoying the volumes of cigarette smoke we are obliged to breathe as we find a number of youths taking their last puff before they swing themselves into the subway

¹⁵ “Antispitting Crusade is On,” *The Boston Globe* (Boston, MA, October 24, 1906).

¹⁶ “Can’t Enforce Spitting Law,” *The Boston Globe* (Boston, MA, March 27, 1907).

¹⁷ “Antispitting Rule Tightens,” *The Boston Globe* (Boston, MA, December 8, 1910).

¹⁸ “Opening New Bore Delayed,” *The Boston Globe* (Boston, MA, September 4, 1908).

[car]...If women interfered with the public rights of men as some men interfere with the public rights of women, we would hear a great howl."¹⁹ Here, she declares it her public right as a woman to not have to be subjected to smoke (puffed by young men) in airless subway spaces.

The issue was thus often framed as an assault on the rights and sensibilities (or sensitivities) of women by thoughtless men and rude young boys. It was thought to be especially offensive to women—"the ashes and burning paper are a menace to women's light clothing"²⁰—and women spoke out again and again in hopes of getting relief from the series of lackluster or unenforceable policies. Another woman sharing this view complained about the application of a Boston Elevated policy allowing for smoking on side rear seats on 'semiconvertible' cars, meaning cars whose windows have been opened up. She described the discomfort of her experience: "a woman getting in the car has to pass through all that smoke...Saturday night I took a car at Sullivan [S]q. and had to stand in the rear. Around me were young boys and men, nine of whom were smoking cigarettes, two cigars, one a pipe. On the side seats were three clay pipes as black as night, the odor being very obnoxious." She noted that when her husband met her at her destination, he commented that she might as well have been sitting in the men's smoking car.²¹

The issue, however, had two sides. One man wrote in a letter to the editor his opinion of the women who were trying to deprive him of his morning smoke on his way to work, saying:

I sincerely hope that the people, especially some of those old women who are ever ready to kick at anything, will give us smokers at least this little privilege. Some of these women, who may later on kick, will come and crowd right in the smoker and then commence to turn up their nose and say, 'What horrid wretches these men are.' These kickers don't realize they have two cars out of the three, but they want the whole train, and us poor [men], if we want to indulge in a quiet smoke, will have to move off the earth. We don't ask too much; all we want is a little consideration and some justice.²²

He felt it was his right to enjoy a smoke, and that pesky women were trying to take over. Indeed, the 'right' of men to smoke on the trains, especially in designated smoking cars, was seen as a gendered retreat, a space and time where men could be free of women and their needs and botherations:

¹⁹ "Sultan Decreed that All Who Smoked Must Die," *The Boston Globe* (Boston, MA, January 16, 1921).

²⁰ "What People Talk About: Cigarette Smoking on Cars," *The Boston Globe* (Boston, MA, July 27, 1910).

²¹ "Smoking In Convertible Cars," *The Boston Globe* (Boston, MA, August 6, 1909).

²² "What People Talk About: Smoker's Thoughts on the Expectoration Habit and Its Regulation," *The Boston Globe* (Boston, MA, July 16, 1901).

It was a men's car, and the man who found a seat could hope to keep it, with never a stout shopper to blast him with her glances, never a pair of gigglers on one side or a lung-bursting baby on the other. The air might be bad, the floor might be filthy, but at its worst it was a retreat, a passing haven of rest for tired men.²³

It is interesting to note that while in more recent times other cities have experimented with female-only subway cars—places where women could be free from the prying eyes and invasive touches of unfamiliar men—Boston in the early 20th century was preserving a safe haven for men, from the sharp glances of disapproving women!

A new design solution—one that seemed to favor the smokers—was devised and attempted by management in 1912, when the new Cambridge (red) line first opened. An announcement describing features of the new subway line and its cars read: “The smoker will not have to dash for the first car, but need only look for the little sign over one door of each car indicating an entrance to the smoking room. Every car has a smoking compartment, reached by a separate entrance.”²⁴

All such smoking compartments and cars were short-lived, however. The Boston Elevated Company finally explicitly banned smoking from all subway and street cars in September 1918, when the Trustees of the Boston Elevated decreed “no smoking” on board trains and also ordered that enough windows be kept open in the train cars “to insure a free circulation of fresh air.”²⁵ Unlike spitting, there was no law against smoking, but the Elevated, as a private entity, reserved the right “to eject from its cars men who fail to observe the company’s regulations.”²⁶ The deciding factor in the implementation of this new, more sweeping regulation was an outbreak of the flu epidemic—“The smoking car meant spitting, spitting meant germs, germs meant influenza.” Still, reluctant to end the smokers’ era, the Boston Elevated briefly kept some ‘owl’ cars (smoking cars on trains operating between 1 and 6am, hours presumably only frequented by men) in service. By the close of the year, all owl smoking cars had been phased out.²⁷ However, smoking in stations was still permitted.²⁸

²³ “A Little Smoke That Dies,” *The Boston Globe* (Boston, MA, 1918).

²⁴ “New Cambridge Subway to Be Shown to Inspection Party This Morning,” *The Boston Globe* (Boston, MA, March 11, 1912).

²⁵ “No Smoking Rule in Effect on Elevated,” *The Boston Globe* (Boston, MA, September 30, 1918).

²⁶ “War On Smoking in Cars Begins Today,” *The Boston Globe* (Boston, MA, January 22, 1919).

²⁷ “A Little Smoke That Dies.”

²⁸ “Smoking Ban in Both Cigar Factories and Asbestos Plants,” *The Boston Globe* (Boston, MA, January 4, 1931).

In January 1919, the *Globe* noted that this new company policy was not being observed. The Boston Elevated decided to crack down on enforcement by having company employees issue cards to any men seen smoking on the cars, which read:

In the interest of public health and in accordance with wishes of a great majority of the public, smoking, spitting or the carrying of lighted cigars, cigarettes or pipes is not permitted on any cars of this railway at any time. Passengers are earnestly requested to cooperate by observing this necessary rule. It will be necessary to remove from the car such passengers as persist in violating this rule of the company.

If, after receiving this card, a passenger failed to stop smoking or spitting, he would receive one more verbal warning from the conductor before being removed from the train. Members of the Boston Police Department were assigned to ride the trains and assist Elevated employees in enforcing these policies and removing uncooperative passengers.²⁹

To aid in increasing public awareness of the new policies and their stricter enforcement, all cars in the system were outfitted with “NO SMOKING” signs that gave reasons for the edict: “Smoking means spitting. Spitting means a dirty car and disease. For your own sake and the sake of your neighbor, please comply with the regulations forbidding smoking and spitting. Spitting in cars and stations is punishable by arrest and fine of \$30.”³⁰ Because smoking was not yet illegal, however, there could be no punishment for that except for removal from train cars and Boston Elevated property. In addition, this wording portrays the message that smoking was seen to be a problem only in that it led to spitting—not that it was a health hazard in itself. Still, people were concerned with subway air quality, as was conveyed by accompanying signs displayed in train cars which read: “DO YOU WANT FRESH AIR? Fresh air cannot enter this car without open windows or ventilators. Windows or ventilators cannot be open without drafts. Dress against drafts, and cooperate with the management of the Boston Elevated Railway to see that all cars are properly ventilated.”³¹ The campaign strategies of the early subway management seemed to be based in simple cause and effect messages that passengers could understand as directly affecting the quality of their riding experience—and directly tied to the inherent physical properties of subway spaces—and that each rider had to comply in order to benefit the public good.

²⁹ “War On Smoking in Cars Begins Today.”

³⁰ *Ibid.*

³¹ *Ibid.*

Not long after smoking cars had been fully phased out, talk began of restoring them to service. In August 1919, 41 Bostonians (including one woman) gathered at a hearing held by Boston Elevated trustees who wished to learn of public opinion on the matter after receiving a petition started in favor of resuming smoking car service.³² This was one of the early actions of the subway authority spurred by public reaction to changing policies. Members from both sides of the matter were represented at the hearing, and all expressed strong opinions.

One major argument for restoring smoking cars was the hope that doing so would draw increased ridership. However, it quickly became apparent that the main idea behind returning smoking cars was inextricably linked to popular ideas of gender roles. About a dozen people “declared the absence of smoking cars a deprivation to working men and urged their prompt restoration.” One man pleaded that smoking cars be returned because he just wanted to sit after a long day’s work, yet “the chivalry in every male passenger impelled him to hop up at the sight of a woman and offer his seat when no others were vacant.” Another said that “it gave a man whose clothes were dirty” the ability to sit “where he would not create annoyance to women passengers.”³³

However, opponents of the smoking cars had a number of reasons supporting their case too. Of course, the major arguments for keeping cars smoke-free were related to health concerns and fire hazards, the original reasons for eliminating smoking cars in the first place. One man noted that Boston Elevated faced financial difficulties, and allowing smoking again would increase labor costs due to cleaning needs. A few men also made controversial allegations that to reinstate smoking cars would be unfairly favoring the cigar-making industry. Perhaps the most bizarre argument on this side, however, was that “if smoking cars are operated the women will demand that refreshment cars be placed in service for their breakfast convenience, which usually consists of soda, water, pickles and ice cream.” No decision was made at the end of the hearing, but Boston Elevated promised to take into consideration all that it had heard when rendering its verdict.³⁴

³² “Hearing Tuesday About Elevated Smoking Cars,” *The Boston Globe* (Boston, MA, August 17, 1919).

³³ L.D.G. Bentley, “Debate Restoring of Smoking Cars,” *The Boston Globe* (Boston, MA, August 20, 1919).

³⁴ *Ibid.*

The compromise that came out of this hearing was that Boston Elevated returned smoking cars to all trains during rush hours, “for the accommodation of men going to and from work.” Around this time, though, the image of smoking moved away from being one solely concerning men. Newspapers began to remark with surprise that public smoking among women—in Boston and other cities—was on the rise: “Women...may be seen puffing at cigarettes, in some Boston cafes. Recently, at one of the finest hotels in the city, a woman guest appeared in the lobby smoking. At night women may be seen smoking in their automobiles.”³⁵ They also mentioned businesses receiving rushes of orders for women’s pipes, set with jewels and gold filigrees. Smoking was becoming both more common and more high-class, and lighting up was no longer associated only with working class men. Perhaps because of this, rigorous enforcement of public smoking and spitting once again fell by the wayside.

But by 1920, the crusade against spitting in public places resurfaced after a lapse in strict enforcement and public awareness. On February 13 of that year, the day after the Municipal Court announced it would begin “a vigorous campaign” against spitting in public places, police charged and fined about 50 violators, many of whom were caught spitting in subway stations. One officer commented that “it is surprising how many men believe that they can expectorate in the roadbed and upon the tracks since the sawdust boxes have been taken out of the Subway stations. All signs against expectorating in the Subways have for a considerable time been removed.” Most violators were unaware that they were breaking the law, so the police enlisted the aid of local newspapers to help spread the word.³⁶

In 1930, the Trustees of the Boston Elevated Railway Company filed recommendations with the State Legislature for a bill giving police the power to penalize smoking in subway cars. The Trustees were tired of the “considerable annoyance to passengers on bus and trolley lines caused by other passengers smoking and persisting to do so although requested by the operator of the car or bus to desist.” Because as of yet there was no enforceable law banning smoking in these areas, train officials could not penalize offenders, who were thus likely to just break the rules again. They believed that “few prosecutions would be necessary if the act were

³⁵ “Smoking on the Increase--Women Puff Pipes in Public,” *The Boston Globe* (Boston, MA, January 16, 1921).

³⁶ “Antispitting Crusade is On,” *The Boston Globe* (Boston, MA, February 13, 1920).

passed because the knowledge that proceedings could be instituted against offenders would probably result in discontinuance of the practice.”³⁷

Calls for smoking bans not only concerned public health, but also basic public safety—and with good reason. In 1934, a man who refused to pay his fare was escorted out of the subway train by the motorman. As he left the car, he threw his cigarette toward an open car window. It fell through an opening in the window sill and started a small fire, forcing 25 passengers to flee the Boylston St. Station due to smoke.³⁸ On another occasion, a cigarette dropped by a patron in Broadway Station ignited some trash and sent eight passengers to the hospital with smoke inhalation.³⁹

In the 1940s, signs in subways prohibiting smoking continued to be ignored.⁴⁰ One area resident recalled a little boy who told his father upon entering a subway car, “Daddy, it says no smoking and you have a cigar.” The man turned to his son and said, “Huh! Nobody pays any attention to that sign.”⁴¹ A young woman from Somerville exclaimed, “I wish the guys who always seem to get next to me would stop smoking in a crowded car. Then the Metro would be perfect.”⁴² The problem was both lack of respect for the rules and lack of enforcement power. One letter to the editor in the *Globe* complained:

The motormen and bus operators never attempt to enforce the “no smoking” rule, perhaps because they feel that they are outnumbered. Many people suffer in silence rather than be subjected to the insults from smokers who would call them “cranks” and other uncomplimentary names. The subway trains and early morning cars are infested with this nuisance and I think I voice the opinion of many “timid souls” who are afraid to offend those who offend or even insult them.⁴³

However, polite requests—even by police—did not always mean that cigarettes would be extinguished; as one man commented, “It will take something more drastic than that.”⁴⁴

³⁷ “El Asks for Laws to Speed Up Service,” *The Boston Globe* (Boston, MA, December 4, 1930).

³⁸ “Smoke Forces 25 ‘L’ Patrons to Quit Car,” *The Boston Globe* (Boston, MA, December 21, 1934).

³⁹ John Robinson, “Cigarette starts fire in Broadway MBTA station; 35 flee,” *The Boston Globe* (Boston, MA, January 1, 1973).

⁴⁰ “Careless About Colds,” *The Boston Globe* (Boston, MA, December 31, 1943).

⁴¹ “Disdain for Rules and Blackout Problem,” *The Boston Globe* (Boston, MA, March 22, 1942).

⁴² George McKinnon, “El Customers Divided on Calling it ‘Metro’,” *The Boston Globe* (Boston, MA, August 27, 1947).

⁴³ “Smoking in ‘L’ Cars,” *The Boston Globe* (Boston, MA, April 24, 1943).

⁴⁴ Clarence E. Michels, “What People Talk About: Smoking in the Cars,” *The Boston Globe* (Boston, MA, July 6, 1944).

In 1947, all remaining rush hour smoking cars were removed from service, and smoking anywhere inside the subway trains was fully prohibited by the adoption of Chapter 272, Section 43A of Massachusetts General Laws.⁴⁵ However, enforcement remained a problem for decades to come, due to a continued combination of public disregard for rules, lackluster enforcement policies, and poor legislative wording.

By the 1960s and 70s, the subway had long since done away with smoking on the trains themselves, yet some still wanted to bring it back. In one letter to the editor, Peter Davison of West Gloucester (undoubtedly a smoker) alleged that the MBTA had no right to prohibit smoking as this was a health issue unrelated to the business of transporting people. Mockingly, he wrote

The whole enterprise is more silly than it is sinister, so let me make a few suggestions to raise even further the health standards of the MBTA. Everyone knows that a sedentary life leads to overweight [sic], which is dangerous to health. Why doesn't the MBTA make us stand up on all its trains? They could carry many more passengers that way. The third step would be to suspend all passenger service and make us walk to work for the exercise. That would make us the healthiest group of people since the Hitlerjugend was disbanded!⁴⁶

The way he saw it, the MBTA's ban on smoking represented an unfair invasion of privacy and amounted to suppression of a basic comfort. Of course, people on the other side of the issue believed in "the right of the non-smoker to enjoy unpolluted air in public places," and while they agreed with the smoking laws, often remarked at how few people obeyed them.⁴⁷

Many complained that no one heeded the no-smoking laws, making the experience "very unpleasant for non-smoking customers of public transit," and noted that "All too frequently vehicle operators themselves set a poor example" by smoking while operating the trains or collecting fares in stations. Taking the stance that enforcement was impossible, the author of one *Globe* article cited "innovative[e]" solutions from other countries—the long disbanded smoking cars—and suggesting that "non-smokers would ride in greater comfort and the chain-smokers, too impatient to wait out a short ride, would not have to look so sheepish" while smoking onboard.⁴⁸ While the thought of bringing back smoking cars might seem

⁴⁵ "Subway Smokers Puff On," *The Boston Globe* (Boston, MA, August 17, 1968).

⁴⁶ Peter Davison, "MBTA on smoking," *The Boston Globe* (Boston, MA, July 3, 1970).

⁴⁷ "Smokers on the 'L'," *The Boston Globe* (Boston, MA, 1946).

⁴⁸ "A Law Goes Up in Smoke," *The Boston Globe* (Boston, MA, September 19, 1966).

regressive, it also made some sense given the hopelessness of enforcement due to the way the laws were written.

Interestingly, while Section 43A, Chapter 272 of Massachusetts General Laws was aimed at curbing public smoking, its original wording provided a number of loopholes. The law stated, “Whoever, in or upon a rail carriage, steamboat, or other public conveyance, after being requested by the person in charge of such conveyance not to do so, smokes when a sign prohibiting such smoking is displayed therein, shall be punished by a fine of no more than \$5.”⁴⁹ This meant that before police could fine someone for public smoking, there both had to be a “no smoking” sign present, *and* a public official would have to ask them to stop smoking.

One astute Brookline resident, Robert Hopkins, noted this in comparison with the New York City Health Code #139.07, which succinctly and clearly stated that “no person shall smoke or carry an open flame or a lighted match, cigar, cigarette or pipe in or on a public transportation facility,” except in specially designated smoking areas. Additionally, punishments for infractions were considerably more severe: a \$25 fine, ten days in jail, or both. Hopkins pointed out that “there is no fooling about the New York law,” whereas in Massachusetts, the way the law is worded gives “an invitation to anyone who wants to defy the ‘No Smoking’ signs, as so many people do.” His suggestion was that Massachusetts adopt a law similar to that of New York.⁵⁰

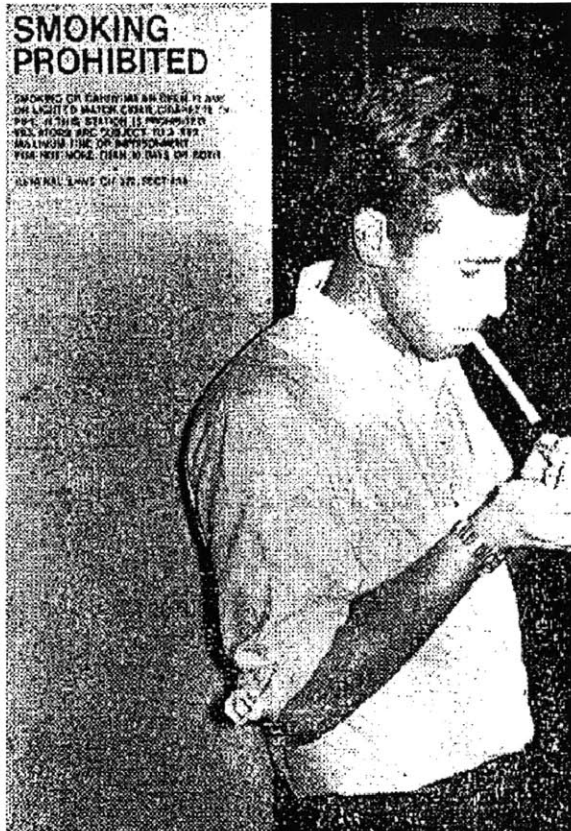
Though it could not change the state law, in 1968 the MBTA finally banned smoking in both its vehicles and stations, and imposed a stricter punishment of up to a \$50 fine or ten days’ imprisonment.⁵¹ And while newspapers were quick to lament that the ban was doing little to curb the problem, MBTA officials claimed that it would take some time before the public was fully aware of the regulatory change. However, there was still some flagrant disregard for the rules. David Wilson, an MIT professor and president of Group Against Smokers’ Pollution (GASP), recalled that in the 1970s he found himself in a subway car standing

⁴⁹ Ibid.

⁵⁰ Robert H. Hopkins, “Letters to the Editor: ‘Law Goes Up in Smoke’,” *The Boston Globe* (Boston, MA, September 23, 1966).

⁵¹ John Wood, “No Fuming Over MBTA Ban,” *The Boston Globe* (Boston, MA, August 3, 1968); “Subway Smokers Puff On.”; Robert B. Hanron, “Special M.B.T.A. Subway Police Go on Patrol by October 1st,” *The Boston Globe* (Boston, MA, August 15, 1965).

next to a policeman who was smoking a cigar.⁵² Like Wilson, who then felt too intimidated to ask the policeman to extinguish his cigar, there were similarly documented cases of subway employees not reprimanding certain smokers (such as “a group of homicidal 15-year-old punks”) for fear of violent retribution, the threat of which was all too often very real.⁵³



A 1968 photograph documenting the blatant disregard for no-smoking policies as a subway patron lights up directly in front of a sign clearly highlighting the section of Massachusetts General Law banning smoking. This is an example of the type of image used in GASP's 1978 lawsuit. (*The Boston Globe*, August 3 1968)

As the years went on and scientists became more and more aware of the numerous health problems caused by smoking, the bans made increasing sense to the general public. In 1975, an even more sweeping legislative ban on smoking in public establishments in Massachusetts was enacted, effectively “shift[ing] the balance of ‘rights’” and putting smokers “on the defensive.”⁵⁴ However, a major flaw in this legislation was once again its failure to prescribe any penalties against violators.⁵⁵

In 1978, GASP, sick of witnessing the everyday lack of enforcement of the anti-smoking laws and policies, sued the MBTA, seeking an injunction compelling the agency to actively enforce the regulations. Evidence submitted included numerous photos showing both passengers and MBTA employees smoking, as

well as affidavits outlining enforcement promises made by the MBTA that had gone unfulfilled. Upon questioning, a spokeswoman for the MBTA conceded that the no-smoking rules were not being strictly enforced because it was extremely difficult to do so.⁵⁶ In 1982, the court ruled

⁵² Ellen Goodman, “In defense of clean air,” *The Boston Globe* (Boston, MA, October 14, 1975).

⁵³ Jack Thomas, “Do smokers have rights?,” *The Boston Globe* (Boston, MA, November 24, 1976).

⁵⁴ Goodman, “In defense of clean air.”

⁵⁵ Lise Bang-Jensen, “Should state outlaw smoking in public?,” *The Boston Globe* (Boston, MA, October 3, 1977).

⁵⁶ Timothy Dwyer, “MBTA sued to enforce smoking ban,” *The Boston Globe* (Boston, MA, September 27, 1978).

against GASP, meaning that there would be no mandate for the T to enforce the anti-smoking ban.⁵⁷

Claims of inadequate enforcement continued into the 1980s and 1990s. Non-smoking commuters frequently complained that although the PA system in subway stations blared frequent messages reminding the public that smoking was prohibited, dozens of people still stood on platforms or in trains smoking—and MBTA employees were doing nothing about it.⁵⁸ Some MBTA employees themselves would show blatant disrespect for the law in front of the public, smoking on platforms or in train cabins, and sometimes even in cars with passengers. The *Herald* concluded, after receiving numerous similar complaints from other writers, that the “Massachusetts General Law Chapter 272, Section 43A, as it applies to the T, is a big joke.”⁵⁹ Similarly, a Jamaica Plain resident complained to the *Globe* in 1994 that “people stand under ‘No smoking’ signs and puff away. It’s a farce; an absolute joke.”⁶⁰ In 1998, rider Andrew Carter revealed having witnessed similar incidents, and that it was not just cigarettes that people were smoking: “I’m talking about cigars, pipes and marijuana,” he said. While possibly less bothersome to people, smoking on all MBTA property—including outdoor stations—is technically prohibited, although MBTA spokesman Joe Pesaturo pointed out that those situations are even harder to enforce than confined underground spaces. He revealed a strategy in which the MBTA had to choose its battles: “The priority for us is to stop people from smoking in the enclosed areas. Ideally, we’d like to stop it in the whole system, but we don’t live in a perfect world.”⁶¹

In my years of riding the T, I have witnessed only a few people smoking on MBTA property, and all but one were on outdoor platforms. It is not surprising that compliance with the laws has increased, given that overall awareness of the dangers of smoking have also increased in the past several decades. Other societal trends may also come into play here, including astronomically rising cigarette prices, chilled attitudes towards the image of smoking,

⁵⁷ Jack Keough, “Man wins T smoker assault case,” *GASP of Massachusetts: Newsletter* (September 1982): 1, 7.

⁵⁸ Peter J. Howe, “Red Line to Unveil 6-Car Trains Today,” *The Boston Globe* (Boston, MA, March 28, 1988).

⁵⁹ “Fire in eyes over smoking,” *Boston Herald* (Boston, MA, November 6, 1991).

⁶⁰ Thomas C. Palmer, “‘Every Commuter’ pins down the T: Frequent rider gets some answers,” *The Boston Globe* (Boston, MA, June 3, 1994).

⁶¹ Robin Washington, “Roads Scholar; Smoking remains out of line on T,” *Boston Herald* (Boston, MA, December 17, 1998).

and the pervasiveness of no-smoking legislation, which now has even been extended into private establishments such as restaurants and bars. However, judging from the number of cigarette butts visible on the tracks at indoor stations, the T is still not completely smoke-free. Spitting, no longer associated only with smoking, seems to have become more common in open-air spaces. I have witnessed quite a few people—mostly men—spitting onto the train tracks at various T stations (both indoor and outdoor). This demonstrates the prevailing attitude that the train tracks, since they are out of the public realm (i.e., the public would not walk or sit in that space), are still seen as receptacles for waste. Following this reasoning—and evidenced after one look into the track pit at any station—littering on the subway tracks, in both indoor and outdoor stations, remains common, and there is little that subway authorities can do to curb it entirely.

A Civic Problem: Littering and Cleanliness

Littering is not an issue isolated to subways; it has at various points in history been a citywide problem. A 1963 article by James Doyle lamented Boston's thwarted efforts to become a clean city after suffering from decades of litter-strewn streets and subways, and said the efforts were unsuccessful for two reasons: "lack of education and lack of enforcement." Much like the anti-spitting and anti-smoking campaigns, he argued—using New York's success story as an example—that subways and streets should be outfitted with anti-litter signage explaining why littering was detrimental to the city, ample numbers of receptacles for proper disposal, and an adequate police presence to ensure enforcement.⁶² However, not enough action was taken in Boston. Again in 1990, a *Globe* writer admonished careless citizens for trashing the city, but also blamed "tough times" for leaving citizens with a lack of civic pride. She too suggested that public education, combined with adequate enforcement, would be the most effective remedy.⁶³

⁶² James S. Doyle, "What Happened to the Cleanup?---IV: Simple: Enforce Laws or Boston Stays Dirty," *The Boston Globe* (Boston, MA, April 25, 1963).

⁶³ Otile McManus, "We're Trashing the State: Public Morale is Down, and Littering is Up," *The Boston Globe* (Boston, MA, October 9, 1990).

This technique of educating the public in order to enlist their help in preventing nuisances has continued through to the present, as littering remains a problem in subway cars and stations—especially with people throwing refuse onto the train tracks from the platform.⁶⁴ Much of this is in the form of free daily newspapers and food and drink remnants and packaging. In fact, “the T not only allows eating and drinking, it encourages it with vending



machines and kiosks that feed an underground economy,” with vendors like Dunkin Donuts that produce large amounts of revenue for the T.⁶⁵

In March 2011, the MBTA launched an anti-littering campaign (through media, systemwide public address announcements, and posters at key subway stations) warning the public that littering is not just an aesthetic problem, but a safety and

A 2011 anti-litter campaign utilized eye-catching posters with clever catchphrases to educate the public as to how it would directly benefit them not to litter and solicited their help in keeping operations running. These messages, displayed at all major stations, were reiterated by periodic recorded announcements played over the public address system on station platforms. (MBTA.com)

efficiency issue because it can cause track fires that disrupt service and endanger the public. MBTA General Manager Richard Davey informed the public that between ten and twenty of these trash-fueled track fires occur annually, costing riders both time and money in order for the authorities to respond. Brightly colored posters use clever phrases—“Litter and you’re playing with fire”—to catch people’s attention and remind them of the serious consequences associated with careless behaviors.⁶⁶

⁶⁴ Christina Pazzanese, “A need for cleanup at the Alewife T station,” *The Boston Globe* (Boston, MA, June 21, 2010).

⁶⁵ Monica Collins, “Gravy Train,” *The Boston Globe* (Boston, MA, August 14, 2005).

⁶⁶ Eric Moskowitz, “T campaign aims to stop fire-causing litter in its tracks,” *The Boston Globe* (Boston, MA, March 1, 2011).

But tackling the problem of litter did not always rely so heavily on public education and participation. In certain important stations, subway authorities historically spent a great deal of effort and expense to ensure that subway spaces remained clean. In one 1900 *Globe* article aptly headlined “White and Spotless,” the station master revealed the immense work that went into keeping just South Station clean: each night a crew of ten men emerged to sweep and mop until the station platforms and waiting areas literally shone. The foreman of the night cleaning crew revealed that the cleaning agent used to create the shine was “about 9 parts of hard work to 1 part soapy water...skilful mopping is an art.” He went on to say that certain men were more expert at cleaning subway cars, while others excelled at platforms; each kept to his own area of expertise. In places where germs were feared to be lurking, the men washed them with kerosene to kill all chances of spreading disease. Before the night crew could go home, all of their work was carefully inspected. One crew member employed during the day was in charge of continually sweeping the subway platforms; another scoured the tracks with a “trident,” picking up any litter that had been tossed out the windows.⁶⁷ It seems that as time went on and the novelty of these subway stations wore off, less time and energy was spent on ensuring they stayed spotless.

Another interesting issue in the matter of health and cleanliness rose in the early days of the subway system, when the question inevitably came up of which institution was responsible for cleaning the subway spaces in instances other than those where specific stations had assigned cleaning crews. It was a classic ‘he-said, she-said’ dilemma, with neither the Boston Board of Health nor the Public Service Commission taking responsibility for this, and each insisting that it was within the other’s purview. As chairman McLeod from the Public Service Commission reasoned in 1918, “As an expert body having charge of health matters in the city, it would seem as if the health authorities were responsible. They put up notices in the cars concerning spitting. Why are they not responsible in other ways?” When asked if he knew of the status of the subway’s cleanliness, he confessed that to his knowledge, the subway spaces had never “been cleaned up, or whitewashed or kalsomined since they were built, outside of

⁶⁷ “White and Spotless,” *The Boston Globe* (Boston, MA, January 14, 1900).

the platform sections.”⁶⁸ Eventually it was determined that the Health Department should have jurisdiction over these tasks, and it commenced its duties by inspecting 10,336 cars between January and May of 1918, assessing “cleanliness, ventilation and overcrowding.” Luckily, the results were promising: less than 100 cars failed to pass muster. Those that failed were immediately pulled from service.⁶⁹

Dealing with the litter and the dirt that inevitably accumulates in subway spaces afterward became a priority for the management authorities, and the Boston Elevated Railway Company made “persistent and determined efforts...to keep its equipment, subways, tunnel and stations sanitary and clean.” In 1928, while cleanliness was an issue, the impetus was not upon people to discard of their garbage in receptacles, but upon the management, for collecting whatever people had left after leaving the subway. In fact, the management even boasted that it received \$1200 a year by recycling peoples’ leftover papers, saying “When you discard your newspaper in the L train, car or bus, or drop it in the subway, the tunnel, or one of the stations you are making a small contribution, although you may not realize it, to the cost of maintenance.” Nightly, Elevated employees went through the subway spaces—even along the tracks, where men would be “armed with a long stick having a sharp point to it, with which they spear pieces of paper”—collecting all discarded papers. From there the papers were crushed into bales on special presses, and sold to the highest bidder.⁷⁰ In addition to cleaning up litter, each night employees also washed and polished tunnel and station walls, swept stations, and spread wet sawdust on station platforms to help minimize dust.⁷¹

Indeed, cleanliness of the subway has often been used as a measure for how well it was being managed or maintained at any given point in its history. For example, shortly after the MBTA inherited management of the system from the MTA, it announced it would be putting \$15 million into system upgrades and expansions. Yet after surveying the public for suggestions, it became clear that many of the riders’ grievances were simple issues related to

⁶⁸ “Boards Sidestep Tunnel Sanitation,” *The Boston Globe* (Boston, MA, September 27, 1918).

⁶⁹ “L’ Seating Capacity Increased 8 Percent.”

⁷⁰ “Elevated Gets \$1200 a Year from Old Papers,” *The Boston Globe* (Boston, MA, June 10, 1928).

⁷¹ *Ibid.*

lack of cleanliness.⁷² Because of these complaints, the MBTA revised its maintenance and cleaning policies to benefit all stations (although new stations got extra special treatment), promising to wash floors once a week and walls once a month, dusting in between.⁷³ Before this, passengers had described waiting rooms and platforms as “filthy,” with “a strange smell,” and suggested regular cleanings with soap and water. Many others complained about the horrors of the system’s bathrooms.⁷⁴

It may be a well-kept secret at present, but every subway station was constructed with at least one restroom. Originally open to the public, now most are locked and reserved for employees—although employees are supposed to make them available to anyone upon request.⁷⁵ Despite these facilities—or perhaps because they are hidden—there have been many reports of people using station platforms, elevators, and other subway spaces as bathrooms.⁷⁶ While not every passenger may have seen it firsthand, the occasional unmistakable lingering smell serves as a telltale sign that these behaviors continue to take place. In 1994, regular riders described the busy Downtown Crossing station as the “most disgusting station of all,” where the smell of urine was strong “enough to make one gag.” This impression alone led them to conclude that overall, the system was “dirty” and “dingy.”⁷⁷ Even back in the 1960s, a survey of regular riders concluded that Boston’s subway spaces “definitely do stink,” whether it be from “rainy weather when cars reek of the musty smell of wet wool” or “at certain stations habitually patronized by lovers of garlic.”⁷⁸

Smell is indeed one of the most obvious aspects used to judge the cleanliness of subway systems, as odor is often directly associated in people’s minds with lack of cleanliness. Sometimes, this is a legitimate concern—smells of gas, diesel, and cigarette smoke indeed can

⁷² Richard O’Donnell, “Riders Tell What the M.B.T.A. Really Needs,” *The Boston Globe* (Boston, MA, January 24, 1965).

⁷³ “‘T’ Stations Clean-Up Gets Rolling,” *The Boston Globe* (Boston, MA, April 30, 1968).

⁷⁴ O’Donnell, “Riders Tell What the M.B.T.A. Really Needs.”

⁷⁵ Sam Allis, “Highs, Lows on the T,” *The Boston Globe* (Boston, MA, June 6, 2004).

⁷⁶ Robin Washington, “Roads Scholar: Instead of going places, some on T are just going,” *Boston Herald* (Boston, MA, September 6, 1999).

⁷⁷ Palmer, “‘Every Commuter’ pins down the T: Frequent rider gets some answers.”

⁷⁸ Ken O. Botwright, “Eucalyptus for MBTA Turns Off Lilac Lovers,” *The Boston Globe* (Boston, MA, February 9, 1969).

pose a very real health hazard, especially if the enclosed space lacks ventilation.⁷⁹ In addition to these more identifiable olfactory sensations, people have long commented that subways inherently smelled bad—believed to be from a combination of the lack of proper ventilation and fresh air, and the crowding of people in cramped enclosed spaces. The smell has often been described as musty or stale, implying that the air is not optimal for breathing.⁸⁰ In 1920, a *Globe* article encouraged people to clean their oil heaters regularly in order to prevent it from “having the same odor as a subway car during rush hours.”⁸¹ The smell clearly had a strong effect in the overall perception of the subway in people’s minds.

In fact, in the 1960s, one *Globe* writer even suggested that the MBTA intervene in this matter by using eucalyptus-scented sprays to freshen the subway air. He felt that this would promote the image of the MBTA as being cleaner, and could help to improve commuters’ moods. Not surprisingly, the eucalyptus idea never took off, due to tight finances and more imminent priorities.⁸² While the whole thing might sound ridiculous, Paris had in fact set the precedent for such interventions in the 1940s. This idea had been borne out of the desire to stop the spread of contagion through the air, taking into account that “the French public [was] never satisfied with a non-smelling disinfectant because it never believed the air was disinfected.” So before World War II, Paris actually used automated dispensers to spray vaporized citronella—and while the smell was unpleasant, it was strong enough to assure passengers that the air had been treated.⁸³ In the 1950s, the city decided to move on to more pleasant scents, and for a time experimented with dispensing various perfumes (including carnation, lavender, jasmine, rose, and essence of pine) in subway stations in order to “camouflage city subway smells.”⁸⁴ While no such drastic measures were ever employed to perfume Boston’s subways, today most indoor stations are relatively well-maintained, enough so that they usually do not smell. In fact, after the MBTA recently established a Customer

⁷⁹ Thomas C. Palmer, “Petition Drive Puts Focus on Foul-Smelling T Station; Commuter Seeks to Clear the Air of Diesel Fumes,” *The Boston Globe* (Boston, MA, May 27, 2001).

⁸⁰ Daniel, “Mystery Tiles.”

⁸¹ “Hints on Oil Heaters that Will Be Helpful,” *The Boston Globe* (Boston, MA, October 24, 1920).

⁸² Botwright, “Eucalyptus for MBTA Turns Off Lilac Lovers.”

⁸³ Art Buchwald, “French, the First to Spray Subways With Perfume,” *The Boston Globe* (Boston, MA, October 4, 1959).

⁸⁴ “Paris Tries Out Carnation Perfume to Camouflage City Subway Smells,” *The Boston Globe* (Boston, MA, March 14, 1955).

Support Center to handle complaints, numbers for 2006 show that out of 331 million rides and 31,744 complaints, only 102 were about cleanliness.⁸⁵

Underground Underworld: The Ongoing Specter of Germs and Disease

Thanks to medical advances and the spread of scientific knowledge, the general public is probably less fearful now about health hazards in underground subway spaces. However, that same increased level of medical knowledge sometimes causes us particular worry about the specter of disease-causing germs—much like a modern-day reincarnation of the “Subway Microbe” monster from 1897. Such concerns are understandable: subways are enclosed spaces that thousands of people pass through daily, often crammed up against one another in much closer proximity than they ever would otherwise.

Robyn Gershon, a Columbia University researcher, decided in 2005 to examine the legitimacy of these popular beliefs, wishing to “separate fear from fact.” She discovered that we do not, in fact, actually know very much about the health risks posed by subways, in terms of concerns such as air quality and the spread of contagions among riders. The MBTA said the most common complaints it receives from its own employees is about air quality, “with concerns about air that’s damp or too cold or too hot.”⁸⁶ In fact, in 2004, a number of MBTA janitors complained that they were harmed by noxious fumes from chemicals—the very chemicals being used to disinfect subway cars and remove graffiti.⁸⁷

In 2009, when the combination of the swine flu outbreak and public panic about it amounted to an epidemic, the MBTA responded by paying increased attention to scrubbing railings, seats, and poles throughout its subway cars and stations, and cleaning all of its spaces with more frequency and with “powerful antiviral cleaning agents” (and made sure to advertise to riders that it was taking these extra precautions).⁸⁸ In addition to these measures, the

⁸⁵ Marie Szaniszlo, “T acts to speed up gripe resolutions,” *Boston Herald* (Boston, MA, March 1, 2007).

⁸⁶ Stephen Smith, “Subways: On the Right Track to Health?,” *The Boston Globe* (Boston, MA, E6).

⁸⁷ Anthony Flint, “T to Probe Abuse Complaint; Janitors Say They are Overworked, Harmed by Fumes,” *The Boston Globe* (Boston, MA, November 11, 2004).

⁸⁸ Beth Daley, “In high-traffic areas, officials scrub, educate,” *The Boston Globe* (Boston, MA, May 2, 2009).

agency regularly reminded riders over the public address system how to stop the spread of the disease.⁸⁹

Another even more recent incident highlighted persisting public fears about disease. In early 2011, a woman lost her 3-foot long pet snake, Penelope, on the red line. A month later, after Penelope was located, T officials reported that “customers wrote in with health concerns about the sanitary nature of the car” that the snake had spent a month occupying. The MBTA took action by scrubbing and disinfecting the car above and beyond normal cleaning procedures, in order to protect its patrons from potential exposure to salmonella or other germs.⁹⁰ In similar efforts to protect passengers from potential diseases spread by animals, exterminators are regularly employed to keep populations of rats to a minimum.⁹¹

For decades, subway maintenance crews relied on mops and scrapers to remove layers of grime and germs. But today, emerging technologies have allowed the MBTA to keep subways cleaner without huge amounts of manual labor. In September 2010, as part of a new “Cleanliness Campaign,” the agency bought 14 steam machines which disperse a “240-degree sanitizing mist,” making previously difficult tasks—like removing stuck-on gum and spilled drinks—practically effortless. In addition to simply polishing the trains and stations, the MBTA also explained that this new cleaning method “kills all bacteria. It kills influenza, H1N1 and HIV. And it’s very safe for the environment because it only uses freshwater. It doesn’t use any chemicals.”⁹² These statements, made to allay contemporary public health concerns, show two things: that the MBTA is attempting to market itself by finding environmentally friendly (i.e. creative and socially responsible) solutions; and that popular belief still holds that subways are dangerous spaces filled with mysterious germs and deadly diseases (despite the fact that there are no documented cases of anyone ever having contracted HIV from riding the subway!).

⁸⁹ Marie Szaniszlo et al., “Bay State flu ‘crisis’; Outbreak worse, and earlier, than expected,” *Boston Herald* (Boston, MA, November 20, 2009).

⁹⁰ Neal J. Riley, “Penelope’s ride on the Red Line proves costly,” *The Boston Globe* (Boston, MA, February 23, 2011).

⁹¹ Gaines, “Tunnel Visions to Commuters, Boston’s Subway Tunnels are Just a Blur Through the Windows. To The People Who Work or Live There, the Underground is a World Unto Itself.”

⁹² Richard Weir, “T’s Sticky Situations Solved,” *Boston Herald* (Boston, MA, September 13, 2010).

The lengthy battle over spitting and smoking in subway spaces is, unsurprisingly, reflective of a number of larger societal issues, many of which involved public perceptions of these behaviors that are linked to gender and class biases and beliefs. We can see how, in the early days of attempted regulations, the Boston Elevated Company, as a private entity with the authority to make and uphold its own policies independently of the government, was actually somewhat more effective at enforcement than the police or the legal system. At the same time, the Elevated Company catered to smokers—with amenities like special smoking cars—because overall, popular attitudes of the day necessitated that smoking be allowed in some capacity in order to appease the public and maintain a positive organizational image. Later on, the MBTA was aided in its endeavors to curb smoking by changes in public perceptions of smoking, increased awareness of the health hazards it posed, and broader legislative bans on the behavior. Today laws prohibiting smoking in enclosed public places have become so engrained in the public's collective consciousness that the MBTA needs to exert only minimal efforts to enforce the regulations posed by state and federal laws.

The MBTA's ongoing actions in dealing with other aspects of health and cleanliness in the subway, however, are less predictable and rely more heavily on popularized rhetoric—often grounded in the public fears that have long been associated with the physical nature of subway spaces—about germs and diseases lurking underground. The MBTA actively and continuously constructs and reconstructs a reassuring narrative to convince the public that it is investing in state-of-the-art technologies and streamlined techniques to eradicate germs to the greatest extent possible. By doing so, the agency seeks to reassert itself as an institution that is capable of maintaining order and control even in the face of unknown dangers.

CHAPTER 8: Protecting the Public from Fears of the Unknown

Perhaps one of the most central and unwavering concerns of Boston's subway authorities throughout their organizational histories has been tackling incidents of misbehavior and crime on the T. All public spaces are potential venues for criminal activity, but the subway is especially so—or at least is perceived as such in popular opinions and narratives—due to some of its unique physical characteristics. Dark, isolated, and confined spaces with limited exit routes and sometimes few “eyes on the street” can easily become places of fear of violence and victimization. In order to understand how the Boston Elevated, the MTA, and the MBTA have sought to combat both public fears and the behaviors that sustain them, we must look at the different types of crimes and injustices that have taken place within Boston's subway spaces, ranging from mild disturbances to senseless acts of violence.

Harmless Juvenile Disturbances versus Serious Youth-Led Crime

Boys and young men have long been subject to stereotypes associating them with mischief and mayhem; indeed these stereotypes followed them underground when Boston's subway system opened. A 1901 article reported that “Some boys cause[d] an accident of a not very harmful character” as they were riding the trains around for fun off of one fare. One of the boys revealed their strategy: “when they yell ‘Sullivan [S]q, all out,’ we mosey out one car, walk up or down the platform and go into another. A fellow could ride till he's dizzy and only be out five cents.”¹ While this was seen by passengers as a mostly harmless activity by curious train-loving young boys in an age of exciting new technologies, more serious incidents began to emerge soon after. In one 1906 incident, three young men were arrested on charges of drunkenness and assault and battery after they made themselves “decidedly obnoxious to the other passengers on an elevated train” by smashing people's hats and breaking their umbrellas for no apparent reason.² In 1907, a favorite pastime of young boys was to unscrew and steal

¹ “Sights From an L Train,” *The Boston Globe* (Boston, MA, June 12, 1901).

² “Three Swedes Locked Up,” *The Boston Globe* (Boston, MA, October 23, 1906).

light bulbs from the headlights of the train cars.³ What do these actions tell us about historical public perceptions of the subway, especially when we consider how the management responded to them?

Many of these youth-led vandalism streaks spiked in accordance with athletic games and other events popular among teenagers. In 1934, some youths were under high excitement as they returned from a series of interscholastic hockey games at the Boston Garden. A group of boys and girls from various area high schools stormed the cars of a train, evicting all non-student passengers, and proceeded to break windows, smash lights, and destroy advertisements.⁴ After another hockey game the following year, some rowdy boys from Arlington High School pulled the subway car's emergency cord three times—each time braking the car to a sudden stop and jolting passengers into alarm and chaos—after which they was arrested.⁵ But the problem did not end in the 1930s; rather it seemed to be an ongoing occurrence. In 1974, after a regional high school hockey tournament, a group of rowdy students tore seats loose, broke windows and doors, smashed fare boxes, and ripped holes in ceilings—causing \$30,000 in damage.⁶ As a result of such ongoing serious problems, in 1977 the MBTA threatened to halt service for high school hockey games at Boston Garden unless the vandalism stopped.⁷ This is an example of a very specific regulatory solution designed to combat a specific problem.

In 1954, the *Globe's* transportation writer, A.S. Plotkin, wrote a piece entitled “How to Control M.T.A. Hoodlums,” taking inspiration from policies and enforcement practices in New York and revealing that “It isn't the amount of the punishment they get that's important; it's the certainty of it.” Plotkin suggested that the problem in Boston was a serious lack of enforcement, stemming from the fact that the MTA lacked its own police force—meaning that punishments were doled out sporadically at best if a Boston Police officer happened to be nearby. However, the MTA's financial woes made it unlikely that a special police force would

³ “Boys Steal Light Bulbs,” *The Boston Globe* (Boston, MA, November 24, 1907).

⁴ “School Pupils Cause Disturbance in Cars,” *The Boston Globe* (Boston, MA, February 10, 1934).

⁵ “Schoolboy Arrested for Stopping L Car,” *The Boston Globe* (Boston, MA, February 23, 1935).

⁶ Benjamin Taylor, “Hockey fans do \$30,000 damage,” *The Boston Globe* (Boston, MA, March 1, 1974).

⁷ John Cullen and Ray Richard, “MBTA to shun games if vandalism continues,” *The Boston Globe* (Boston, MA, March 4, 1977).

be commissioned any time in the near future. Interestingly, this brought up complex issues about who should be responsible for policing: “The attitude of the Boston police seems to be that the MTA is private property, and hence their own responsibility is limited accordingly,” he wrote. “The MTA demurs. They say they are publicly owned and thus entitled to public protection to supplement their own men.”⁸

However, rather than blaming one another, Plotkin argued, the MTA and public institutions should increase collaboration through community policing strategies until such time as the subway would receive its own police force. He called for increased cooperation between local schools, the MTA, and the Boston Police. Dennis Haley, Boston schools superintendent, said that while the “legal responsibility” for curtailing such teen disturbances belonged to the police, “the moral responsibility is on the schools.”⁹ He and others hinted that part of the problem was a society-wide trend towards young people showing less respect for authority figures. This made it especially dangerous for MTA workers, who had no real authority and carried no weapons for personal protection against attacks.¹⁰ However, the MTA did little to actively further its relationship with Boston schools in order to use education to prevent vandalism sprees, despite the fact that this could have been a relatively cost effective method of combating youth crime in the subway.

This all changed in 1966, after the change in agency authorities, when officials of the MBTA and Boston schools joined forces to launch “a massive counterattack on subway vandalism which now costs the M.B.T.A. \$156,000 a year.” The campaign, which focused on proactive prevention of crime rather than reactive punishment for it, used local celebrities and authority figures to educate students about the harmful results of their actions.¹¹ Rather than treating youths like hardened criminals, the program aimed to raise awareness and guide students towards adopting appropriate behavior in public places like the subway. In addition, at certain locations where teenagers often seemed to linger and cause trouble, policies

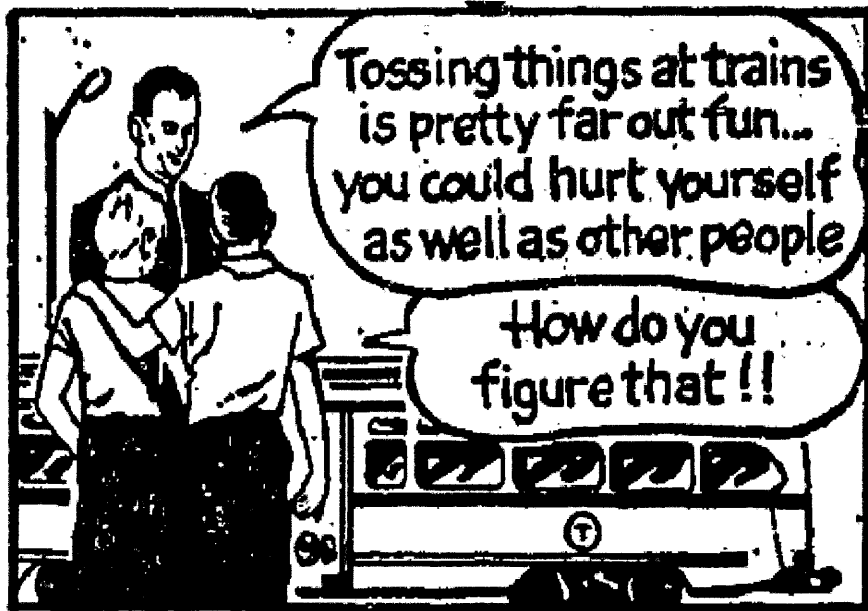
⁸ A.S. Plotkin, “How to Control M.T.A. Hoodlums,” *The Boston Globe* (Boston, MA, November 29, 1954).

⁹ *Ibid.*

¹⁰ A.S. Plotkin, “Why Boys Act Like Hoodlums,” *The Boston Globe* (Boston, MA, November 28, 1954).

¹¹ Bertram Waters, “M.B.T.A., Schools to Counterattack Vandalism,” *The Boston Globe* (Boston, MA, September 30, 1966).

prohibited youths from loitering inside stations, to erase any opportunities for them to commit



A PANEL of the cartoon in which Bob Cousy counsels against vandalism.

In 1966 the MBTA collaborated with Boston's public schools on a campaign to combat the costly problem of subway vandalism. The campaign utilized cartoons featuring local celebrities (like this Celtics player) in the hopes of reaching out to young boys, who were causing most of the damage. (*The Boston Globe*, September 30 1966)

their tracks, and vandalism.¹³ Another dangerous pastime of young boys was "train surfing" or "hooking" rides, whereby they would climb atop moving trains to jump between cars.¹⁴ Clearly, many of these behaviors were more harmful than not.

One letter to the editor faulted adult passengers for setting a poor example: "youngsters take the lead from adults whom they see throwing newspapers in the streets and smoking in the subways. How are children to grow up with the proper respect for orderliness and cleanliness if they see about them a city of irresponsible adults who do as little as possible to make Boston a decent place to live in?"¹⁵ Another letter expressed concern that increased littering and vandalism demonstrated a general lack of civic pride in the city's streets and

crimes.¹²

The "trouble" caused by youths included a myriad of offenses, from minor to severe: throwing bottles out subway car windows or in stations towards people, littering, shouting obscenities, openly displaying printed pornography, blocking other passengers from exiting trains, swinging moving cars sideways on

¹² "MTA to War on Teen Loiterers at Dudley St.," *The Boston Globe* (Boston, MA, March 25, 1955).

¹³ Plotkin, "How to Control M.T.A. Hoodlums.," Plotkin, "Why Boys Act Like Hoodlums.," Robin Washington, "T seeks harsher penalties to curtail 'subway surfing'," *Boston Herald* (Boston, MA, April 5, 2001).

¹⁴ Washington, "T seeks harsher penalties to curtail 'subway surfing'.," "Five Sentenced for Affray in M.T.A. Station," *The Boston Globe* (Boston, MA, November 7, 1954).

¹⁵ Jack Hirsh, "Unless Adults Set Example," *The Boston Globe* (Boston, MA, March 7, 1961).

subways.¹⁶ Yet another suggested that male youths were engaging in these delinquent—and sometimes fully criminal—behaviors to prove their masculinity because they lacked other more appropriate outlets by which to do so.¹⁷

Sometimes, this need to prove masculinity or assert social dominance led young people to escalate from delinquent behavior to serious and senseless violence. In 1955, a young man and two teenage girls beat another young woman simply because she was occupying a bench they wanted to sit on.¹⁸ In 1957, as a rock concert let out and hoards of rowdy young riders waited on the subway platforms at North Station, one group of youths ganged up on another, stabbing one of them before pushing him onto the tracks. He narrowly missed being hit both by the live third rail and an approaching train.¹⁹ This incident practically repeated itself more than a decade later, when at least 20 people were assaulted and robbed at different subway stations by groups of youths leaving a concert at Boston Garden.²⁰ The media often sensationalized such incidents, furthering public perceptions that subways were anything but safe places.

Even in recent years, “youth-on-youth” crime has remained prevalent, and represents the majority of current subway crimes. These incidents most often occur at specific T stations—mainly those located downtown and in poorer neighborhoods—which act as “magnets that draw boisterous teens after school and at night.”²¹ The Transit Police voiced concerns over the reality of the situation, and the specific challenges associated with incidents involving young people:

The problems presented by urban youth are not to be taken lightly, as evidenced by the fact that there have been several noted acts of youth violence associated with MBTA property [recently]...There is a tendency for youth to congregate in the transit environment. Often these youth, while not normally personally threatening, make it intimidating for other users of the transit system, especially seniors, disabled persons, and families with small children. Intervening

¹⁶ Gregory B. Wolfe, “What People Talk About: Government Official Indicts Boston for Litter, Lack of Civic Pride,” *The Boston Globe* (Boston, MA, November 22, 1961).

¹⁷ Paul Kneeland, “How youths can prove they’re men,” *The Boston Globe* (Boston, MA, June 12, 1973).

¹⁸ “MTA to War on Teen Loiterers at Dudley St.”

¹⁹ “Boy Stabbed, Nearly Killed in Rock ‘n’ Roll Aftermath,” *The Boston Globe* (Boston, MA, April 15, 1957).

²⁰ “20 beaten or robbed on MBTA,” *The Boston Globe* (Boston, MA, October 11, 1970).

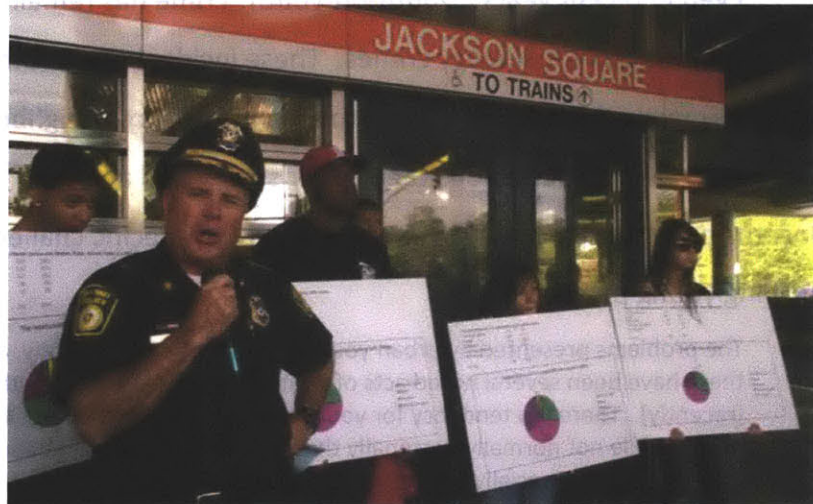
²¹ Michele McPhee and Marie Szaniszló, “Fear on the Rails: Mayor Urges Crackdown on T Violence,” *Boston Herald* (Boston, MA, March 21, 2007).

in these situations provides a major challenge for transit police officers and requires substantial de-escalation skills, as well as a thorough comprehension of youth behavior.²²

Even if these students were not engaging in criminal behavior, other riders felt vulnerable in their presence or threatened by their actions. Concerns were especially high following a marked upsurge in violent crime on the T between 2000 and 2003, despite falling rates elsewhere in the city.²³ The situation warranted a serious—yet creative—solution, one that could be effective without being draconian.

In an effort to find one, the MBTA and Boston Public School System collaborated in 2003 to form Stop Watch, a youth discipline program stipulating that “Boston students who misbehave [on the T] or intimidate riders can be punished, even if they don’t commit crimes, under the city school system’s Code of Discipline.”²⁴ But the initiative focused just as much on positive intervention and youth advocacy as punishment. The Transit Police demonstrated a “commitment to working effectively with youth...by using skillful, respectful interventions into situations of potential disorder, by officers in a manner that will maintain the confidence of the community and the respect of youth.”²⁵ The partnership between schools and the police

expanded to involve cooperation and communication with other collaborators, including community youth groups, private schools, and juvenile divisions of the legal system. The program’s establishment reflected a genuine attempt to recognize and address juvenile misbehavior before



Transit Police Chief Paul MacMillan speaks at a public meeting called for by a community youth group to address ongoing tensions between subway authorities and area youths. In the background, local students display results of surveys they conducted which revealed perceptions of mistreatment by MBTA police. (*Bay State Banner*, May 20 2010)

²² Massachusetts Bay Transportation Authority, *MBTA Transit Police: Stop Watch* (Boston, MA, 2005).

²³ Thanassis Cambanis, “Violent Crime Increases on MBTA: As Rates Fall Elsewhere, Subway Assaults Rise,” *The Boston Globe* (Boston, MA, July 13, 2003).

²⁴ Mac Daniel, “Students’ Code of Conduct Now Extends to T,” *The Boston Globe* (Boston, MA, September 4, 2003).

²⁵ Massachusetts Bay Transportation Authority, “MBTA Transit Police Divisions”, March 28, 2011, <http://www.mbta.com/transitpolice/divisions/default.asp?id=18979>.

it turned into criminal activity.

While Stop Watch did not eliminate all youth misbehavior in the subway, both statistics and public opinion have shown that it has been at least partially successful in its mission to address small problems in a constructive manner before they escalate to big ones requiring criminal punishment.²⁶ The arrest rate for teens on the MBTA showed marked improvement: 74 in 2009, down from 680 in 2001—a statistic that, the Transit Police argued, demonstrated that the program was working. Despite these numbers, however, community members cited an ongoing “chill” between the MBTA police force and T-riding teens. In May 2010, youth organizers from local community group, the Hyde Square Task Force, held a meeting with Transit Police and the press to address their ongoing concerns about MBTA police-youth relations, which included “general rudeness, racial epithets, and physical coercion.” The teens presented data—collected from a survey of 700 area youth—that lent credence to anecdotal evidence that they faced mistreatment by transit officials. Though MBTA Police Chief Paul MacMillan disagreed with continuing allegations that the transit police force continued to engage in discriminatory acts against local students, he did pledge to have “open and honest dialogue about the behavior of our police and the behavior of youth on the T.”²⁷

Racial Tensions, Discrimination, and Violence

Not all disturbances or incidents of violence on the T have involved young people; many have been sparked by racial motivations or involved racist reactions or fears from either subway authorities or the general public. Evidence of such altercations date back to the very first years the subway was in existence. A 1902 fight between two blacks aboard an Elevated train car “terrified the other passengers by the way they mauled each other and the violence of the language they used.”²⁸ In 1903, within a smoking car, Matthew Hunt (“colored”) was provoked by Thomas Sullivan (“white”) when “Sullivan took exception to the way in which Hunt had bestowed himself on one of the seats, spoke to him about it angrily and received a retort in

²⁶ Massachusetts Bay Transportation Authority, *MBTA Transit Police: Stop Watch*.

²⁷ Yawu Miller, “MBTA police promise to mend relationship with teens,” *Bay State Banner* (Boston, MA, May 20, 2010).

²⁸ “Negroes in a Fight,” *The Boston Globe* (Boston, MA, September 5, 1902).

kind, which speedily led to a fight.”²⁹ In 1915, a blatantly racist train conductor alleged that “two colored men were making themselves obnoxious” on board, and got into a violent fist fight with them, causing mass panic and hysteria among passengers in the packed train car.³⁰

The first murder in the subway stirred up more public fear about African Americans. Huge 1906 headlines read: “MURDER IN THE SUBWAY...Slayer and His Victim Colored.” Apparently Charles Queen, “a mulatto, with no permanent address” gunned down Henry Brown, “colored, well known by people of his race in this city,” in the Park St. Station. The incident was sparked by an ongoing argument between the two regarding Queen’s alleged inappropriate relationship with Brown’s wife, “an unusually pretty woman [who] in some lights appears not to be colored [as] her features are regular.” The crime occurred in the middle of the day, when the station platforms were crowded with hundreds of people—“half a dozen women fainted” out of panic in the chaos that ensued after the gunfire.³¹ Unfortunately, a similar incident happened several decades later on an elevator at Andrew Station, where black a man murdered the mother of his child and then turned the gun on himself. The shocking murder-suicide, much like the Queen murder, took place in the middle of a crowded station.³²

These violent altercations, caused by personal arguments, could have happened anywhere—it was just by chance that they took place within the subway. However, such occurrences began to lend credence to the idea that subterranean spaces could be considered dark, frightening places where people could die. These were some of the first of many crimes to occur in the subway, and the fact that sometimes those involved were black helped fuel racist associations with urban crime. The media’s widespread publicity about the racial component in the early crimes both reflected and reinforced fears towards the unfamiliar and the unknown.

Decades later, similarly violent racial conflicts continued within subway spaces. These were indicative of larger social issues developing in the city at the time. In the 1970s, Boston experienced surprisingly elevated levels of racial tension—and outright demonstrations of

²⁹ “Black and White: Hunt and Sullivan Cannot Get Along in Same Car,” *The Boston Globe* (Boston, MA, July 28, 1903).

³⁰ “Fight in Subway Car Causes Panic,” *The Boston Globe* (Boston, MA, December 31, 1915).

³¹ “Murder in the Subway,” *The Boston Globe* (Boston, MA, October 3, 1906).

³² “Murder, Suicide Shock Crowd at Subway Station,” *The Boston Globe* (Boston, MA, May 11, 1945).

racism—brought out by a highly controversial school busing policy. The experimental initiative, seeking to curb segregation in local high schools, mandated that students from especially segregated neighborhoods (like Irish Americans in South Boston and Charlestown, Italian Americans in the North End, and African Americans in Roxbury and Dorchester), attend schools in other neighborhoods with students of difference races. Rather than remedying the segregation, the court-mandated busing program resulted in violent crimes in areas where youths of different races and ethnicities came together.³³

Many of these outbreaks of racial violence were committed by and against teenagers traveling between school and home on the subway. In 1974, a group of teen white boys armed with baseball bats and metal pipes descended upon a group of younger teenage black boys at the Fields Corner Station.³⁴ In 1975, Charles Cooper, a 55 year-old black man who worked in South Boston, was brutally attacked inside the Broadway Station by white teens on two separate occasions. In the earlier attack, a group of “eight white youths, shouting racial epithets and wielding bottles and pipes” surrounded and stabbed him in the chest, puncturing a lung. Less than two months later, two white youths shoved Cooper onto the tracks in front of an approaching train. Miraculously, Cooper avoided the third rail and the train motorman was able to stop the vehicle in time to save him.³⁵ The same year, a South Boston youth repeatedly beat a black college student with a board at Andrew Station. A similar “racial thing” (MBTA police wording) happened in 1979, when two white youths attacked several black high school students at the Columbia Station.³⁶ Early the following year, a white teenager was killed by “a gang of white punks” after he told them to stop bothering a black man on a subway platform.³⁷

After the initial attacks by white youths on black students, the latter group reciprocated the violence. In 1978, a crowd of 40 to 50 black youths gathered around three Irish boys in the Mattapan Station, taunting them. One student in the crowd stabbed one of the whites in the face. Upon seeing the violence, three black adults in the station ran to aid the victim and ward

³³ “September: the violence intensifies,” *The Boston Globe* (Boston, MA, May 25, 1975).

³⁴ Bob Sales, “Boston pupils jumped by gang,” *The Boston Globe* (Boston, MA, May 9, 1974).

³⁵ Bob Sales, “3 brutal attacks...yet he has no fear,” *The Boston Globe* (Boston, MA, March 23, 1975); “Brutality in Boston,” *The Boston Globe* (Boston, MA, March 18, 1975); Robert Rosenthal, “Man assaulted at MBTA station for second time in seven months,” *The Boston Globe* (Boston, MA, 1975).

³⁶ “White, black youths fight at Columbia MBTA station,” *The Boston Globe* (Boston, MA, August 17, 1979).

³⁷ Alan Lupo, “A memory that should not die,” *The Boston Globe* (Boston, MA, December 13, 1992).

off further attack from the angry mob.³⁸ The following year, six white riders on an orange line train “were beaten and robbed...by a band of [75 male and female] black youths who terrorized riders for two stops before the disturbance was quelled by transit officers.”³⁹

Adults—including MBTA police—also had a part in the racially motivated violence. In late 1969, police arrested six Black Panthers in the Dudley Square Station, and each side accused the other of assault. The Panthers were passing out pamphlets and picketing on the station platform when police approached them and an unprovoked “pushing affair” soon broke out.⁴⁰ In fact, incidents like these—involving alleged police abuse—were a frequent occurrence in subway spaces, so much so that the director of Mayor White’s Office of Human Rights scheduled a meeting that year with MBTA General Manager Leo Cusick “to improve the preparedness and racial sensitivity of the largely white MBTA police force.”⁴¹ Little progress was made at this meeting, and this would not be the last allegation of racism within the MBTA.

Even more recently, there have been numerous complaints of MBTA employees—especially Transit Police—exhibiting racist attitudes and actions towards subway patrons.⁴² Prior to the Stop Watch program, the MBTA police adopted a ‘zero-tolerance’ policy that “unfairly targeted black, Hispanic, and Asian youth and has bred widespread mistrust and hostility in minority communities.” Evidence of the failings of such a system, exposed in 2002 in an independent report, led to the 2003 adoption of the community policing approach, in which Stop Watch played a central role.⁴³ While this policy is no doubt an improvement over the previous one, a recent survey revealed that 35% of respondents “had witnessed a transit police officer using insults with racially-charged words.”⁴⁴

In addition to allegations against Transit Police abusing subway patrons, there is also a long and troubling history of alleged systematic, institutional racism within the entire MBTA workforce. In the first few decades of attempts to combat this, the agency focused its efforts on adopting so-called nondiscriminatory hiring practices, first announced in a 1966 *Globe* article

³⁸ “Mattapan youth held in schoolmate attack,” *The Boston Globe* (Boston, MA, April 16, 1978).

³⁹ Eileen McNamara, “6 beaten on Orange Line,” *The Boston Globe* (Boston, MA, October 25, 1979).

⁴⁰ “6 Panthers Arrested,” *The Boston Globe* (Boston, MA, September 4, 1969).

⁴¹ F.B. Taylor, “Blacks Plan Warning for MBTA,” *The Boston Globe* (Boston, MA, May 21, 1969).

⁴² Jason B. Johnson, “Busted students: T cops racist,” *Boston Herald* (Boston, MA, March 21, 1995).

⁴³ Mac Daniel, “Report Says T Crime Policy Hurts Minorities,” *The Boston Globe* (Boston, MA, March 14, 2002).

⁴⁴ Miller, “MBTA police promise to mend relationship with teens.”

titled, "MBTA Looking for Negro Operators."⁴⁵ In 1969, the Massachusetts Commission Against Discrimination charged the T with discriminatory hiring procedures which had led to the "virtual exclusion of minority group persons" on the workforce. Under court order, the T implemented a lottery system for new hires, which alternated between a pool of white male applicants and a pool of women and minorities. In 1975, however, the NAACP admonished the agency for still having a workforce that was 92% white and male. Over the following two decades, the MBTA implemented a variety of incremental affirmative action programs to improve equality in its hiring and promotion procedures.⁴⁶

However, better hiring practices addressed only the tip of a much larger underlying iceberg. Increases in minorities joining the MBTA were matched with increases in demonstrated discrimination and violent acts against those employees. One 1993 example of such on-the-job racism was described by the *Globe*:

A flier entitled, "Application for Employment to Jesse Jackson's Staff," was posted on a billboard and put in a truck used by a black worker. It asked applicants the length of their last jail term, how quickly they strip cars, how many children they have by their sisters and their neighbors' wives, and what the applicant desires most, "other than a white woman."

Another black employee revealed a co-worker attacked him with a shovel while telling him to "dig like [your] people on the plantation." One man, whose bosses referred to him as "a colored boy," remembered receiving an 'apology' for the fact that employees disobeyed and disrespected him because "the guys are not used to taking orders from a black guy."⁴⁷ Even Robert Prince, the MBTA's first black General Manager, admitted that backwater racism was alive and well within the agency in the mid- to late-1990s.⁴⁸ Still worse, when employees came forward to complain about the harassment, high-level management would land them on "the T

⁴⁵ Robert B. Hanron, "MBTA Looking for Negro Operators," *The Boston Globe* (Boston, MA, December 8, 1966).

⁴⁶ Thomas C. Palmer and Zachary R. Dowdy, "Racism fight: MBTA's unfinished business," *The Boston Globe* (Boston, MA, February 24, 1997); Thomas C. Palmer, "Hiring at T overhauled to fight bias; Top officials pledge fairness for minorities and women," *The Boston Globe* (Boston, MA, June 6, 1997).

⁴⁷ Zachary R. Dowdy, "MBTA workers fight racial slurs; Suit demands more action from officials," *The Boston Globe* (Boston, MA, September 7, 1995).

⁴⁸ Patricia Smith, "Racism thrives at the MBTA," *The Boston Globe* (Boston, MA, April 15, 1996); "T boss vows to cure 'cancer' of racism," *Boston Herald* (Boston, MA, January 5, 1998); Thomas Farragher, "Running the T - and taking the heat despite a busload of critics, Prince keeps things moving," *The Boston Globe* (Boston, MA, February 1, 1998).

employee hit list,” rendering them even more prone to vindictive attacks like work suspensions or threatening phone calls at home.⁴⁹

Outraged by the numerous complaints of unacknowledged and unresolved racist—as well as sexist—acts occurring within the agency, Massachusetts Attorney General Scott Harshbarger threatened in 1996 to file a civil rights suit unless MBTA officials agreed to a settlement to include court supervision to oversee investigation of discriminatory allegations.⁵⁰ General Manager Patrick Moynihan fought this request, claiming that the MBTA already had affirmative action, zero-tolerance policies, and diversity seminars—though clearly these either were not being implemented effectively, or simply did not work.⁵¹ After a 16-month investigation, an agreement was struck in early 1997, although ensuing incidents have provided reason to question whether even that solution was effective.⁵²

A 2002 report conducted by a national expert on workplace diversity found that “despite some noteworthy progress, including an affirmative action program and a more systematic approach to handling civil rights complaints, the Massachusetts Bay Transportation Authority is still saddled with racial and gender woes.” He gave the agency an overall grade of C-plus on the issue, citing evidence he found of pay inequality, differential discipline, bias in the promotion process, and lack of discipline towards employees engaged in discriminatory acts.⁵³ Unfortunately, incidents of hate crimes among employees have continued as well. In 2007, a black MBTA trainman found a noose hanging in the cab of his train.⁵⁴

Sadly, racial discrimination and violence among subways riders also far outlived Boston’s failed busing experiment. In 1996, black teens were arrested for attacking young whites on different station platforms, after yelling “Let’s get this white boy” and “Let’s beat the crap out of the white Irish boys.” Three of the victims were so traumatized as a result of this that they

⁴⁹ Patricia Smith, “T stands for torment,” *The Boston Globe* (Boston, MA, May 6, 1996); Leonard Greene, “Agencies can’t be trusted to fight racism on their own,” *Boston Herald* (Boston, MA, September 20, 1996).

⁵⁰ Laura Brown, “Feds probing racism charges at T and Amtrak,” *Boston Herald* (Boston, MA, October 17, 1996); Palmer and Dowdy, “Racism fight: MBTA’s unfinished business.”

⁵¹ Patricia Smith, “Back-of-the-bus MBTA mentality,” *The Boston Globe* (Boston, MA, October 18, 1996).

⁵² Farragher, “Running the T - and taking the heat despite a busload of critics, Prince keeps things moving.”; Sacha Pfeiffer, “Black T employee wins \$5.5m in bias suit,” *The Boston Globe* (Boston, MA, September 18, 1999).

⁵³ Mac Daniel, “Report Say Bias at T Still Troubling,” *The Boston Globe* (Boston, MA, February 20, 2002); Doug Hanchett, “Report: T not doing enough to battle racism, sexism,” *Boston Herald* (Boston, MA, February 20, 2002).

⁵⁴ Philip Dray, “Noose - The true history of a resurgent symbol of hate,” *The Boston Globe* (Boston, MA, December 2, 2007).

stopped using the T out of fear.⁵⁵ In 2002, a skinhead hopped the turnstiles into Park St. Station and then attacked two black teenage girls with a metal baton while a group of his friends surrounded them, shouting racial slurs.⁵⁶

And recently, even as society has generally become more socially inclusive, hate crimes in the subway have expanded beyond the historical black-white race divide. In the past decade, there have been numerous cases of violence perpetrated against those believed to be gay.⁵⁷ Anti-ethnic acts have also increased against Asian Americans, Latinos, and Muslims.⁵⁸

The Rise of Sexually Motivated Crime and the Formation of the Transit Police

Sexual assaults against girls and women in the subway are also common, and, as with other types of crimes, have existed for as long as the subway has. In 1904, Boston's first subway sexual assault case relied on allegations made by three young girls that a young man "boarded a train on the elevated road, and that between the Dover-st and Beach-st stations he conducted himself improperly towards the girls. He got off the train at Beach st, and the girls were so confused that they didn't think to have him arrested until it was too late." There was not enough evidence for the judge to charge him with indecent assault, but he did find him guilty of assault and battery and delivered this warning:

The male masher, and the nudger of women on our elevated trains and street cars ought to be suppressed. Our women need protection. I had it in mind to send to an institution the first man convicted of invading the rights of women on street cars...Men who do things such as he did deserve something more severe than a pat on the back and a warning not to do it again.

Judge Burke set a clear precedent for local enforcement: violence against women on the subway would not be tolerated. Due to lack of evidence Burke could not jail the offender; however, he fined him \$50 (equivalent to over \$1000 today).⁵⁹ In another case, a victim alleged that her assailant fondled her, leaving paint from his hands on her clothing. A judge fined the man "\$25 for smearing paint on the dress of a woman in a subway car and \$5 for

⁵⁵ John R. Ellement, "AG moves against 3 accused of T assault," *The Boston Globe* (Boston, MA, March 26, 1996).

⁵⁶ John R. Ellement, "Prosecutor Says Racism Fueled Attack on Teen Girls at T Stop," *The Boston Globe* (Boston, MA, June 15, 2006).

⁵⁷ Francie Latour, "Harassment Preceded Attack on T," *The Boston Globe* (Boston, MA, April 25, 2000); Jonathan Saltzman, "Coakley presses rights orders; Hate crimes cases surge since '07," *The Boston Globe* (Boston, MA, August 31, 2010); Francie Latour, "S. End man allegedly assaults blind man on T," *The Boston Globe* (Boston, MA, July 26, 1997).

⁵⁸ Renee Loth, "MBTA Worker Enjoined for Alleged Racism," *The Boston Globe* (Boston, MA, April 22, 1989).

⁵⁹ "Fined \$50," *The Boston Globe* (Boston, MA, February 14, 1904).

drunkenness.”⁶⁰ While the judge at least fined the man, his characterizations of the crimes did little to combat the real problem of violence against women.

In 1926, an 18 year-old man “was responsible for a brutal assault...upon Mrs. Margaret Carlson, 18...in the women’s room at the upper level of the Sullivan-sq Terminal Station.” The assailant claimed that “an irresistible impulse” overcame him and he followed the victim into the restroom, where he attacked her “hip, abdomen and lower part of her body.” The woman put up a fight, biting his thumb and screaming so loudly that other passengers heard and came running to save her.⁶¹ This would not be the last attack to occur in subway restrooms—and not all of these crimes would be committed by men. Three years later, one well-dressed woman lured another into a restroom at the Harvard Square Station, claiming to be sick and in need of assistance. Once inside, the woman—who was actually a narcotics addict looking for a fix—assaulted the victim, took her money, and then threatened her if she created any kind of disturbance upon exiting. The addict had a male accomplice who stalked the victim through the subway for several stations to ensure she did not squeal.⁶² Even men were not immune from violent blitz attacks in subway station restrooms, as evidenced by an assault and robbery in 1934 and a murder in 1954.⁶³ The rising rates of incidents such as these contributed to the subway management’s eventual decision to close off restrooms to the general public.⁶⁴

During World War II, numerous women stepped up into MTA positions traditionally reserved for men to fill the vacancies caused by the draft. They served as conductors, starters, guards, and fare collectors on trains and in stations.⁶⁵ During this period of time, a number of thieves saw this as an opportunity to make some easy money by overpowering the women who were now running the subway. Several female fare collectors at various stations were held up by gun-wielding assailants, although some of these women managed to ward off the attackers

⁶⁰ “Fined for Smearing Paint on Woman’s Dress in Car,” *The Boston Globe* (Boston, MA, June 2, 1934).

⁶¹ “Boy Attacks Girl, 18 at Elevated Station,” *The Boston Globe* (Boston, MA, March 19, 1926).

⁶² “Attacked, Robbed by Woman in Tunnel,” *The Boston Globe* (Boston, MA, April 13, 1929).

⁶³ “Robbed of \$50 in Harvard-Sq Station,” *The Boston Globe* (Boston, MA, April 22, 1934); “Hebrew Teacher Found Shot Dead in MTA Subway,” *The Boston Globe* (Boston, MA, March 16, 1954).

⁶⁴ “Advertising Charlie on the MBTA,” *Boston Herald* (Boston, MA, September 4, 1991).

⁶⁵ “El to Have Women as Guards on Trains,” *The Boston Globe* (Boston, MA, October 1, 1943).

before they got any cash or hurt anyone.⁶⁶ At one point in time one of the trustees of the MTA suggested installing bullet-proof fare booths with phones, but the General Manager did not think the security issue was bad enough so as to warrant such measures.⁶⁷ This was also a time when women who fell victim to other types of crimes—such as assault or theft—began to boldly fight off their attackers.⁶⁸ This was apparently a nationwide trend, as one *Globe* article explained that “A survey of department stores shows that the rise in New York city’s subway crimes has been accompanied by an increase in the sale of hatpins as long as five inches. Apparently women are preparing for self-defense.”⁶⁹ Because the management authorities were doing little to curb these crimes, women had to arm themselves.

The assaults against women, many of them sexually motivated, continued as the Boston Elevated Railway Company transferred management of the subway to the MTA and even still when the MBTA took charge. In 1954, a 19 year-old woman noticed a man intently staring at her at the Haymarket Station. He followed her as she took a train to Park Street, and again when she got off to transfer to the red line. As she entered the red line train, the man stabbed her in the back.⁷⁰ In 1965, a man beat, raped, and robbed a woman in the Arlington St. Station; just a few days later he molested and robbed another woman in the underground passage linking Park St. and Downtown Crossing Stations.⁷¹ Similar assaults took place throughout the beginning of the year; the subterranean world was popularly described in the media as a crime-ridden “jungle.”⁷² Rightfully so, fearful rhetoric had gripped public opinion regarding Boston’s violent underground underworld.

Clearly, management officials were not doing enough to deter criminals from committing violent acts against women in the subway, especially in downtown stations. Following another assault and robbery on a woman—this time at the Symphony Station—the Women’s City Club of Boston presented to Mayor Collins a petition with over 150 signatures,

⁶⁶ “Holdup in Tunnel Foiled by Woman,” *The Boston Globe* (Boston, MA, March 24, 1937); “Gunmen Crash Subway Booth, Rob Woman Cashier of \$35,” *The Boston Globe* (Boston, MA, September 3, 1941).

⁶⁷ “Bullet-Proof Collection Booths For the Birds, Says McLernon,” *The Boston Globe* (Boston, MA, December 5, 1962).

⁶⁸ “Woman Breaks Arm Beating Off Subway Assailant,” *The Boston Globe* (Boston, MA, February 11, 1941).

⁶⁹ “Women Arming,” *The Boston Globe* (Boston, MA, November 29, 1964).

⁷⁰ “Subway Slasher Knives Coed at Park Station,” *The Boston Globe* (Boston, MA, April 9, 1954).

⁷¹ “Another Subway Assault,” *The Boston Globe* (Boston, MA, August 10, 1965).

⁷² Robert B. Carr, “MBTA Police Force Hinging on Carmen,” *The Boston Globe* (Boston, MA, September 19, 1965).

demanding that the MBTA increase security in the subway system. At this point in time the MBTA did not yet have its own police force, so Boston Police were assigned the task of patrolling underground as well as above.⁷³ Others also began to speak out against the unnecessarily high levels of crime plaguing the subways. One MBTA employee voiced his opinion that these crimes would continue “until a well trained and organized police force is established by the system.” Insisting that the nearly 500 people already employed by the MBTA already had too much on their hands in simply keeping the trains running, he felt they could not effectively enforce the law as well. To make matters worse, he said, management officials had recently done away with posting cashiers at stations on evenings and weekends, meaning fewer deterrents to potential lawbreakers.⁷⁴

Around this time, the MBTA received a \$4.5 million federal grant to be used for the installation of security cameras in stations (which were not actually installed until over a decade later), better lighting, and improved alarm signals. But it was no secret that the public would not feel safe until it had a police force dedicated to patrolling the subterranean system.⁷⁵ While statisticians and politicians insisted there was no “wave of terrorism” plaguing the subway system, they did acknowledge that the numbers of reported subway crimes showed an “alarming upward trend” over the past few years. A breakdown of crimes reported between 1961 and 1963 is rather telling: 8 collector holdups, 24 bomb threats, 97 physical assaults, 108 break-ins, 263 robberies, 267 sexual assaults, 416 instances of vandalism, 419 “teen-age problems,” 1022 cases of public inebriation, and 1465 “incidents of rock and snowball throwing at trains and trolleys.” Boston Police estimated that the number of unreported crimes was probably just as high as those counted.⁷⁶ Out of the total of 5083 reported crimes, it is evident that most were fairly minor and most likely the work of juvenile delinquents. But numbers of more serious, violent crimes were certainly high enough to warrant a dedicated subway police force.

⁷³ Robert B. Carr, “Boston Police Told To Guard Subways,” *The Boston Globe* (Boston, MA, February 17, 1965).

⁷⁴ Robert B. Carr, “Employee Urges MBTA Police Force,” *The Boston Globe* (Boston, MA, February 21, 1965); Robert B. Carr, “Lone MBTA Cashier Held Up,” *The Boston Globe* (Boston, MA, February 22, 1965).

⁷⁵ “Protection in the Subways,” *The Boston Globe* (Boston, MA, February 16, 1965); Robert B. Carr, “MBTA may use electronics to cut crime,” *The Boston Globe* (Boston, MA, August 14, 1975).

⁷⁶ “In 3 Years—5083 MBTA Crimes,” *The Boston Globe* (Boston, MA, February 16, 1965).

Finally, in May 1965 the MBTA approved the decision to assemble such a force, to be comprised of 40 “husky” men who would have to pass a written exam, a rigorous physical test and then a four-week training course at the Boston Police Academy. The newly appointed chief for the force assured the public, “They will look like police, and act like police—and they will be police.” The MBTA announced that in order for this to happen, time and care needed to be put into the selection and training process. The Transit Police would go into active service on October 1.⁷⁷ In the meantime, the MBTA promised “to hire additional male collectors to make certain someone is in attendance during all operating hours” at stations plagued with security issues. The agency said this would help to reassure its patrons, because they “will know that at all times a man is on hand with telephone connections to make instant reports of any trouble.”⁷⁸ Fare collectors still fell victim to crime, though. One was brutally bludgeoned to death with a sledgehammer by an unknown assailant who took off with \$280 from the fare booth.⁷⁹ Today, though fare collection is automatically handled by vending machines, all MBTA revenue agents—those who collect money from the machines at subway stations—are armed with firearms and trained to use them by Transit Police.⁸⁰

Even after the Transit Police force was established, crime continued, albeit mostly with less frequency and less severity. The majority of crimes now were perpetrated by angry or rowdy groups of teenagers, known especially for pick-pocketing and robbery—although these acts were sometimes accompanied by assault—by fist or knife.⁸¹ Subway pick-pockets became so good at their trade—which became a whole subculture in itself—that the authorities felt they needed to warn passengers. They posted signs throughout the system reminding people, “Don’t let your handbag be a grab bag.”⁸² In addition, they posted plenty of plainclothes

⁷⁷ Hanron, “Special M.B.T.A. Subway Police Go on Patrol by October 1st.”

⁷⁸ Robert B. Hanron, “Safety in Subways Bolstered,” *The Boston Globe* (Boston, MA, October 6, 1965); Robert B. Carr, “MBTA Will Get Police After Study,” *The Boston Globe* (Boston, MA, February 25, 1965).

⁷⁹ “Reward posted for subway killer,” *The Boston Globe* (Boston, MA, December 7, 1972).

⁸⁰ Maria Cramer, “Teenager is accused of trying to snatch gun from MBTA revenue agent,” *The Boston Globe* (Boston, MA, December 29, 2007).

⁸¹ “Boy, 15, Slashed In Subway Car,” *The Boston Globe* (Boston, MA, December 14, 1966); “3 Sailors Stabbed On Subway Train,” *The Boston Globe* (Boston, MA, December 19, 1966); Ken O. Botwright, “An Ever Growing Menace: Violent Handbag Thieves,” *The Boston Globe* (Boston, MA, June 25, 1967); Gerard O’Neill, “3 1/2 Seconds—and Your Wallet Has Vanished,” *The Boston Globe* (Boston, MA, February 10, 1968).

⁸² Al Larkin, “Unseen eye watches subway ripper-offers,” *The Boston Globe* (Boston, MA, December 6, 1973).

officers to watch for the thieves in action.⁸³ These patrolmen, along with MBTA employees, came to recognize known offenders, and would warn passengers over the public address system, “Be careful of your pocketbooks and wallets. There is a pickpocket aboard this vehicle.”⁸⁴ Without a larger police force, the MBTA’s crime-fighting attempts had to rely largely on these appeals to the public to be vigilant.

Before 1997, the MBTA had only 18 transit police assigned to the subway (the rest patrolled buses, commuter rails, and other facilities), and no undercover unit. As part of a new anti-crime initiative launched in 1998, a revamped policing policy called for 96 additional Transit Police officers to patrol stations and subway cars. The majority would be uniformed, but the MBTA also started deploying an official undercover unit at this time—their presence proved to be crucial, as they were responsible for one third of all arrests within the first two weeks of the program.⁸⁵ Since then, the undercover crew has expanded its number of plainclothes officers, who pretend to be various characters one might find in Boston’s subway spaces—everything ranging from construction workers to homeless junkies. In recent years the unit has been responsible for roughly half of the MBTA’s arrests.⁸⁶

As part of this new crime-fighting strategy, in early 2008, the MBTA Transit Police started a “grope patrol,” plainclothes officers—including female officers posing as bait—who rode the T undercover to try to catch sexual predators at work.⁸⁷ New evidence gathered from a survey of subway commuters in New York revealed alarming statistics: 63% of the 1,800 survey respondents had been sexually harassed on the subway—and only 4% of this group had reported the incident to authorities.⁸⁸ In response, the MBTA and the Boston Area Rape Crisis Center collaborated to sponsor a public awareness campaign against sexual assault of all kinds (peeping, exposure, and groping) on Boston’s subway, encouraging victims to come forward.

⁸³ Bob Sales, “He’s young, thrifty and good at his profession: picking pockets,” *The Boston Globe* (Boston, MA, December 24, 1974).

⁸⁴ Robert B. Carr, “MBTA tries anticrime teams,” *The Boston Globe* (Boston, MA, September 20, 1979).

⁸⁵ Laura Brown, “Arrests up, crime down with new MBTA policing,” *Boston Herald* (Boston, MA, April 3, 1998).

⁸⁶ Beth Daley, “MBTA’s Police Buildup Gets Nod: Union OK’s Plan to Add 96 Officers,” *The Boston Globe* (Boston, MA, March 2, 1998).

⁸⁷ Jessica Van Sack, “T’s ‘grope patrol’ has pervs on the run,” *Boston Herald* (Boston, MA, October 6, 2008); Jessica Van Sack, “Cops: Men get groped on T, too,” *Boston Herald* (Boston, MA, October 7, 2008).

⁸⁸ “Fear on the tracks,” *The Boston Globe* (Boston, MA, December 17, 2007).

The drive, which educated the public about recognizing sexual harassment and assault, has since increased both rates of incident reports (by 32%) and ensuing arrests (by 40%).⁸⁹

Transit Police have also recently begun using “Wanted” posters and notices online asking riders to help them identify and catch top offenders, a list which currently includes criminals accused of assault and battery, fraud, theft, and indecency, among others.⁹⁰ This method of using the public to aid in crime-fighting was taken to a whole new level with the added role of new technology and social media. In August 2010, a subway passenger who spotted a “brazen subway perv” snapped a picture of the offender on his cell phone and immediately posted it to Twitter with a text alert, “turning the popular social networking site into a crime-busting tool the transit agency is now embracing.” When Richard Davey, the MBTA’s young General Manager, saw the post, he applauded the tipster and decided to create a “systemwide T police account and home page on Twitter...so riders can send real-time tips and photos of miscreants caught in the act.” Davey already regularly used Twitter himself to communicate with the public about various customer service issues, and embraced the trend towards making available more “nontraditional” communication methods to help people come forward in ways they felt comfortable doing so. This meant that the T was expanding its ongoing “See Something, Say Something” campaign to include Twitter and text messages sent to the Transit Police as acceptable methods of speaking up in helping authorities combat crime.⁹¹

However, new technologies—such as cell phone cameras—also stirred up new questions regarding the gray area and fine line between rudeness and lewd criminal acts. Such a debate arose following a 2010 incident where a man snapped a cell phone picture of a

⁸⁹ Van Sack, “T’s ‘grope patrol’ has pervs on the run.”; Van Sack, “Cops: Men get groped on T, too.”; Jessica Heslam, “Fear and Loathing on the Red Line; Shocking tales of pervert attacks,” *Boston Herald* (Boston, MA, January 29, 2008); Matt Rocheleau, “MBTA reports rise in crimes; Red Line had highest number of serious cases,” *The Boston Globe* (Boston, MA, February 5, 2011); Maria Cramer, “Crime down across MBTA; System credits its safety push,” *The Boston Globe* (Boston, MA, January 26, 2010); Caitlin Castello, “T publicity targets sexual harassment,” *The Boston Globe* (Boston, MA, November 2, 2009).

⁹⁰ Richard Weir, “‘Put them Behind Bars’; Wanted: MBTA’s Dirty Dozen; T cops aim to collar vicious thugs,” *Boston Herald* (Boston, MA, August 18, 2010).

⁹¹ Richard Weir, “Tweet Tip of the Iceberg; T rider uses Twitter to alert cops to perv,” *Boston Herald* (Boston, MA, August 7, 2010); Richard Weir, “Tweet brings the heat; After Herald tip, MBTA turns to social media to help fight crime on the T,” *Boston Herald* (Boston, MA, August 8, 2010); Christopher Girard, “MBTA aided by rider reports in arrests of two passengers,” *The Boston Globe* (Boston, MA, August 8, 2010).

woman's exposed cleavage as she bent down to pick something up in a subway car. The Transit Police and District Attorney, along with victims' rights advocates, believed that under a 2009 Massachusetts law rendering it illegal to "secretly take pictures of body parts commonly thought of as private and covered by clothing," the man had engaged in a criminal act, violating the woman's "reasonable expectation of privacy beneath...her own clothing." However, civil rights lawyers disagreed, arguing that the DA had misinterpreted the law—the intent of which was to bar secret cameras in private places such as bathrooms or employee dressing rooms—since "you don't have an expectation of privacy on an MBTA train."⁹² Here, once again, the question arises as to how public and how private MBTA property really is—and how much protection individuals should be granted under the law on this property.

Other security measures—such as video cameras placed in subway stations (and some in subway cars themselves), viewable in real time by Transit Police—have brought up additional right-to-privacy questions. Groups such as the ACLU of Massachusetts have voiced concerns about "where the data would be stored or what it would be used for," as well as the level of resolution that could be attained. But MBTA officials contend that these closed-circuit surveillance cameras are a valuable and necessary tool, saying that video footage obtained by them has already aided police in more than 500 criminal investigations. One detective hoped that "the word will get out that these cameras are in place and people will reconsider their actions before committing crimes on the MBTA." And members of the public seemed to agree, noting that without the cameras watching them, criminals would be more likely to offend.⁹³

In addition to cameras, "grope patrols," and community policing, there is currently an undercover unit that rides the lines and patrols stations ticketing fare evaders, although as of late 2010, the fine was a mere \$15 for a first offense; measly compared to New York City's fare-dodger penalty of \$100.⁹⁴ (By comparison, however, an old law enacted in 1932 allowed Boston

⁹² Richard Weir, "Not All Aboard on T Perv; Debate arises over whether snapping pic of woman was crime," *Boston Herald* (Boston, MA, August 2, 2010); Richard Weir, "Readers vote on T perv pics," *Boston Herald* (Boston, MA, August 3, 2010); Richard Weir, "T Cops Track Perv Who Took Lewd Cell Pics," *Boston Herald* (Boston, MA, July 22, 2010).

⁹³ Meghan E. Irons, "Security cameras come to trolleys; Green Line starts safety initiative," *The Boston Globe* (Boston, MA, October 17, 2009); Mac Daniel and Suzanne Smalley, "Antiterror cameras capturing crime on T; Images aid police by nailing details," *The Boston Globe* (Boston, MA, January 29, 2007).

⁹⁴ Richard Weir, "Tricky T Riders Fail to Cough Up the Green," *Boston Herald* (Boston, MA, October 11, 2010).

courts to sentence fare evaders with 30 days in jail, \$100—the equivalent of more than \$1500 today—or both.)⁹⁵ Today, increased penalties of \$100 and \$250 are imposed upon second- and third-time offenders. Additionally, in 2009, police began reporting to the Registry of Motor Vehicles those people who failed to pay these fines. The idea was “to add a hassle factor” by withholding the driver’s licenses of these offenders—a process that could take about 15 months and more than \$200 in additional fines to correct. However, this additional penalty does little to deter many of those fare-evaders who do not drive.⁹⁶

The idea—that if you catch the criminals as they enter the subway, they cannot commit more serious crimes—is not new. In 1937, four youths jumped through a turnstile at the Government Center Station after only one paid his fare. A Boston Elevated employee stopped them, and the men assaulted him, knocking him to the ground with a concussion.⁹⁷ But transit police nationwide only really caught on to—and began implementing—this tactic in the late 1980s.⁹⁸ Catching fare evaders has become even more of a priority in recent years, after the management realized that it was a fairly simple and effective strategy in curbing both petty and more violent crimes.⁹⁹

Terrorist Threats and Ongoing Fears

After the September 11 attacks in New York and 2004 bombings of commuter trains in Madrid, the perception of the subway as a place of crime and danger soared as both officials and members of the public feared possible terrorist attacks on the nation’s oldest subway system. It was not inconceivable to imagine something like this happening; in fact, even a century earlier, people had feared similar large-scale attacks.

In 1899, the *Globe* reported the shocking news that a man had thrown a bomb towards a subway train in Park St. Station; it was by mere chance that it did not explode as it hit the platform on its non-explosive end. The paper commented, “There is no doubt that the man

⁹⁵ “Four in Court on ‘L’s’ Complaint,” *The Boston Globe* (Boston, MA, May 28, 1932).

⁹⁶ Maria Sacchetti, “Transit police cracking down on subway fare jumpers; Riders must pay tickets to renew driver’s licenses,” *The Boston Globe* (Boston, MA, July 4, 2009).

⁹⁷ “Charged with Assaulting Starter and Evading Fare,” *The Boston Globe* (Boston, MA, April 9, 1937); “‘El’ Starter Beaten by Four Youths in Scollay-Sq Station,” *The Boston Globe* (Boston, MA, April 8, 1937).

⁹⁸ “Fare-evasion evasion,” *The Boston Globe* (Boston, MA, May 28, 2008).

⁹⁹ Paul Ohmer, “Jumping the Gate on the T,” *The Boston Globe* (Boston, MA, May 28, 2008).

who dropped the package is a lunatic, for had the thing exploded he certainly would have been hurled into eternity with the rest of the passengers on the car and the many others who were in the station.”¹⁰⁰ While a supposed expert had affirmed the device was, in fact, an explosive—the following day, further investigation revealed that it was only “the storage end of a new-fangled ‘pocket electric light.’”¹⁰¹ Still, the incident highlights the particular fears and wary attitudes that people held towards new potential dangers lurking inside the unfamiliar underground spaces of the infant subway system.

That bout of paranoia was soon followed up with a much more real threat. In 1912, courts charged two men with “conspiracy to blow up the tracks of the Elevated Company in Commonwealth av.” Police had found the two men in possession of ten sticks of stolen dynamite, attempting to blow up the tracks.¹⁰² Luckily, they were apprehended before they could do any damage.

Given the history of fear-spreading incidents such as these, it is easy to see how fears of similar events were sparked following the New York City World Trade Center attacks. The MBTA felt it was a very real threat, and took action in 2004 by instituting a policy of random bag checks at selected stations; anyone who declined consent to a search would not be permitted to enter the station. The MBTA was the first transit system in the nation to implement such a policy. The MBTA used the fear generated by the subway and September 11 to try to sell the policy to the public, insisting that this was the only way to ensure that subway spaces would remain safe against possible terrorist attacks. The MBTA promised “to implement the policy in a fair and respectful manner, and in a way that complies with an individual’s constitutional rights,” while appealing to the public to “consider the safety and security interests that are foremost on the minds of MBTA officials.”¹⁰³

Unsurprisingly, the initiative met tough and immediate resistance from civil liberties groups. Even before the bag inspections began, protesters gathered during rush hours in the Park Street and Downtown Crossing stations “to condemn the MBTA’s upcoming random bag-

¹⁰⁰ “Bomb, May Be!,” *The Boston Globe* (Boston, MA, March 20, 1899).

¹⁰¹ “No Destructive Elements In It,” *The Boston Globe* (Boston, MA, March 21, 1899).

¹⁰² “Held in Dynamite Case,” *The Boston Globe* (Boston, MA, June 21, 1912).

¹⁰³ Anthony Flint, “Suit Calls for Halt to Random Searches,” *The Boston Globe* (Boston, MA, June 29, 2004).

check policy, handing out leaflets, singing songs, and urging riders to resist what they say is an incursion on constitutional rights.” They argued that this new policy was a violation of Fourth Amendment protections against unwarranted search and seizure, and that Transit Police would unfairly target riders who appeared to be of Middle Eastern descent. After such an overwhelmingly negative public reaction, the T suspended the searches pending further consideration.¹⁰⁴

In October 2006, T officials reinstated the policy after federal court rulings upheld a similar program in New York’s subway system. The following month, the ACLU launched a subway ad campaign that, somewhat ironically, asked subway riders to share stories of being searched.¹⁰⁵ The periodic checks at busy subway stations continue today, and their presence elicits public reactions that fall somewhere between a heightened sense of security and an unsettling reinforcement of pervasive societal fears.

This chapter has explored how the MBTA and its predecessors have sought not only to prevent actual crimes within the T, but also to combat negative stereotypes and popularized images of subway spaces as places of potential violence and victimization. We have seen how various types of crimes or disturbances have necessitated different kinds of regulatory actions—for example, community policing tactics to deal with youth delinquency and crime, institutional policy reforms to fight discriminatory practices within the MBTA itself, and the creation and deployment of undercover units to focus on catching specific classes of criminals in action. Additionally, the MBTA has recently begun utilizing new technologies and social media outlets to sustain enhanced communications and productive dialogue with its patrons to help dispel some of the lingering fears. All of these actions paint a picture of the MBTA working

¹⁰⁴ Anthony Flint and Kathryn Nelson, “Protest at Park Street Hits T’s Bag-Search Policy: Random Checks Called Intrusive; Riders Unfazed,” *The Boston Globe* (Boston, MA, July 2, 2004); Carol Rose and John Reinstein, “Civil Liberties and the MBTA,” *The Boston Globe* (Boston, MA, June 7, 2004); Flint, “Suit Calls for Halt to Random Searches.”

¹⁰⁵ Casey Ross, “ACLU launches campaign against random searches,” *Boston Herald* (Boston, MA, November 21, 2006).

to shape public perceptions and its own organizational image in order to overcome some of the inherent physical limitations of subway spaces.

CHAPTER 9: The Subway in the Past, the Present, and the Future

The five broad regulatory topics that I have explored throughout the course of this thesis—physical design, aesthetics and advertising, entertainment, cleanliness and health concerns, and crime prevention—showcase examples of how the Boston Elevated Railway Company, the Metropolitan Transit Authority, and the Massachusetts Bay Transportation Authority have each approached their state-sanctioned mandates as regulatory bodies over some of the nation’s oldest subway spaces. To reiterate, the three major recurrent themes that appear to have had the greatest impact on these authorities’ decision-making processes and actions are the specific physical characteristics and requirements of underground subway spaces, shifting values embedded within the organizations, and concerns over public perceptions, media portrayal, and overall institutional image. These factors often influence one another in complex and continuous dialectical processes, and therefore Boston’s subway authorities’ regulatory actions are often inseparable from all three. More specifically, what can we learn from each of these elements?

First, space matters within the subway. Even though we rarely think of subways themselves as places, they are nonetheless comprised of specific physical attributes that influence how we encounter one another and conduct ourselves in these unusual spaces, experience moving through the underground realm, and perceive Boston’s subway as both an overall transit system and as pockets of public urban space. Because of these unique design characteristics, sensations of light, sound, smell, motion, and crowding are all amplified within subway spaces. At the same time that these spaces might seem to fade into the background of our everyday lives and commuting routines, these increased intensities of emotion and sensation within the subway mean that these spaces continually incite strong public feelings and perceptions, giving them distinct identities and calling for specific regulatory mechanisms. Functioning within this dialectic process, the physical aspects of subway spaces both shape public perceptions and influence institutional actions and beliefs over how best to govern them.

Second, the institutions that have governed the T have, throughout their histories, taken on varied roles and identities. These have been due to their own structuring, larger societal trends, and sometimes just confluence of specific circumstances. The apparent inconsistencies in the formation and application of their policies indicate that these institutions' values are not static but rather constantly change and evolve as society does. Broadly speaking, the Boston Elevated Railway Company derived much of its institutional image from its status as a private entity that enjoyed a monopoly over Boston's innovative transit system yet still had to abide by the oversight of various public commissions and restrictions. It enjoyed some freedoms that its public successors have not, such as the ability to more effectively enforce its own company policies and the resources to provide certain amenities to a discerning public. Institutional values shifted with the formation of the Metropolitan Transit Authority, a public agency that had to simultaneously contend with demands for expanded service, financial limitations, and competition from other modes of transit. As such, the MTA fought to sustain its relevance and presence within Boston by seeking to enhance riders' experiences through novel and luxurious amenities and the so-called civilizing influences of events, art, and music. When the Massachusetts Bay Transportation Authority took over, it immediately tried to set itself apart from its predecessor by revisiting some of the basics that had gotten lost amidst star-spangled ceilings and celebratory unveilings—things like accessibility, crime prevention, and much-needed expansions in service. As the MBTA began to address those needs, it subsequently took on a number of more complex and varied roles, revealing that it believed itself to be responsible for much more than just basic transit concerns. Over time, the agency has adopted more comprehensive and lofty goals (to bring art to the people, to make quality places and involve communities in doing so, to create and maintain uncontroversial spaces), perhaps at times paralleling paradigm shifts in broader planning trends along the way.

Third, well more than a century after their first appearance in Boston, subway spaces still popularly maintain an aura of mystery and uncertainty, and as such elicit and embody lingering cultural fears. Throughout the decades, these persistent perceptions have continuously helped to shape and reshape how the city's subway authorities have conceived of, defined, and marketed themselves to the public. The agencies have sought to combat certain

public perceptions—such as that of the T as some kind of crime-ridden inferno—while reinforcing others or at least utilizing them to promulgate a specific institutional image—for example, the MBTA playing up popular associations of the subway inherently being filled with disease in order to promote the idea that the agency is going above and beyond with its germ-zapping technologies to keep its passengers safe and healthy. These public perceptions both react to and directly influence the organization’s actions and ideals, again demonstrating how each of these elements is intricately intertwined with and inseparable from the others.

The MBTA, Looking Ahead

Why does all of this matter and what does this mean for planners going forward? How can and should we incorporate these findings and ideas into concrete actions to enact positive changes? Part of my goal in this thesis was simply to illuminate these issues and power dynamics because in doing so, we re-acknowledge that these spaces and the cultural and institutional values embedded within them matter and that their continued existence has real consequences for multiple publics and planning institutions. More specifically, by exposing some of the histories behind seemingly insignificant regulations, we realize that they are neither natural nor value-neutral, but rather represent a complex and ongoing set of negotiations.

There is nothing inherently wrong with an institution (even a publicly run one) taking a position on an issue; the problem lies in its failure to disclose its assumptions, its decision-making process, or its attempt to pass itself off as objective when it is in actuality value-driven. Part of this is enveloped in larger issues of operational transparency in public institutions and communication with constituents, something which the MBTA has made significant strides in even over the past few years—especially as it embraces new forms of communication and social media to spread its message and engage the public in productive dialogue concerning regulation of space. I think the greatest challenge the MBTA currently faces—aside from budget difficulties, which will undoubtedly always persist—is maintaining and enhancing this level of openness regarding its regulations of the spaces it controls, spaces which are crucial physical pieces of Bostonians’ everyday lives.

Given the MBTA's recent efforts in this arena, I am optimistic in looking towards the future. In the year since Richard Davey was appointed as General Manager, the agency has made great strides in five areas that Davey has identified as his top priorities: transit safety (this was the main reason Davey's predecessor was forced to step down, so this is clearly a top priority),¹ customer service, an inclusive and supportive work environment for employees, fiscal responsibility, and innovation.² Overall, these initiatives are less concerned with the physical spaces of the system and more about the level of service and the institution's image. However, it is also a wise policy in fiscally uncertain times to work effectively within the physical framework of spaces already in existence.

Of course, the institutional structure that mandates that the General Manager position is one appointed by the Governor is both a blessing and a curse. It means increased institutional transparency and accountability, but also increased potential for initiatives to get lost in the red tape of bureaucracy and for high rates of institutional turnover in politically uncertain times.

However, despite some of these limitations, Davey and his team have managed to build upon the MBTA's long tradition of marketing itself and its image, but have been doing so productively by actually trying a myriad of new programs and initiatives and thereby producing results that members of the public can recognize and take a stake in. Davey himself has done more on the ground—riding trains and buses, speaking firsthand with riders in person and through social media—than many of his predecessors. The mere fact that he rides the T to and from work every day means that he has more of an opportunity to interact with the people he serves and experience subway spaces from their point of view, something that is sometimes overlooked in highly institutionalized managerial decision-making processes.

Under Davey's leadership, the MBTA has utilized marketing strategies to run a number of public awareness and education campaigns aimed at building credibility and encouraging open communication, user participation, public feedback, and institutional transparency utilizing innovative tools and technologies. In a time when the MBTA and other public agencies

¹ "MBTA General Manager Agrees to Resign After Dispute" (Boston, MA: 90.9 WBUR, August 6, 2009).

² Massachusetts Bay Transportation Authority, "Leadership: Richard A. Davey," http://mbta.com/about_the_mbta/leadership/RichardDavey/.

are struggling to maintain existing operations given extreme financial constraints, the agency has found a way to begin to make use of the richest assets of the Commonwealth—its people—to develop a body of collective knowledge and effort towards making the subway a better service and collective experience for all Bostonians. Now, more than ever before, the MBTA is uniquely accountable to the people that it serves, because of new technologies, increased ridership and reliance on public transit, and growing interest in community participatory processes.

Whatever the future brings, we have seen how the Boston Elevated Company, MTA, and MBTA have acted, throughout different historical periods, as art critics and collectors, crime fighters, etiquette teachers, community collaborators, advertising censors, and health commissioners, among other roles. This long and varied history of these agencies acting in a variety of capacities that have extended beyond basic transit concerns highlights the fact that there are a number of forces at play within the subway that must be contended with, among them specific spatial capacities, questions of appropriate institutional image and mandate, and concerns with public opinion and fear. Running a metropolitan subway system involves much more than operating trains; it involves regulating a series of unusual and highly trafficked public spaces. Therefore, all the traditional public space questions and concerns regarding privacy, safety, quality of experience, design amenities, inclusiveness, and democratic ideals combine with transit logistics to necessitate that the institutional regulator of the system must act in an unusual variety of capacities. While this challenges institutions and agencies such as the MBTA and its predecessors to the point where subway spaces will always be host to processes of negotiation and contestation, it also demonstrates the opportunities inherent within them as rich and incredibly varied public spaces that play a crucial and enduring role in our everyday lived experiences of the urban environment.

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