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# Examining the Right to Bicycle: Synergies and Tensions Between Human Rights, Civil Rights, and Planning for Cycling

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**Examining the right to bicycle:  
Synergies and tensions between human  
rights, civil rights, and planning for cycling**

**NITC Friday Transportation Seminar  
October 30th, 2015**

**Aaron Golub**

Associate Professor

Toulan School of Urban Studies & Planning

Portland State University

# Transportation justice and the bicycle?



*Forthcoming:*

**Biking for All: Bicycle Justice and Urban  
Transformation**

Routledge Justice, Equity and Sustainable City Series

Editors: Aaron Golub, Melody Lynn Hoffmann,  
Adonia E. Lugo, Gerardo Sandoval

## Basic Research Questions:

*Is “bicycle justice” a concern of the broader transportation justice movement?*

*Where do the two frames synergize? Conflict?*

# Plan

- Review basic concepts, clarify research questions
- Case study: the social context of bicycle justice in Phoenix, AZ
- Explore bicycle justice as a socio-technical system
- Return to discussion of research questions

# Methods

- Combine concepts and data from:
  - Critical / human geography /anthropology / sociology
  - Critical race theory
  - Transportation planning and engineering practice
  - Public history of the United States
- Examine bicycle justice within the US transportation justice context

# Bicycle Justice – Access to Street Space





Streets were public before they were privatized



source: thepalacehotel.org

San Francisco, 1880s

Streets were public before they were privatized

Transportation Justice – Fair distribution of benefits and burdens of transportation investments and access to planning process



Start with basic rights definitions

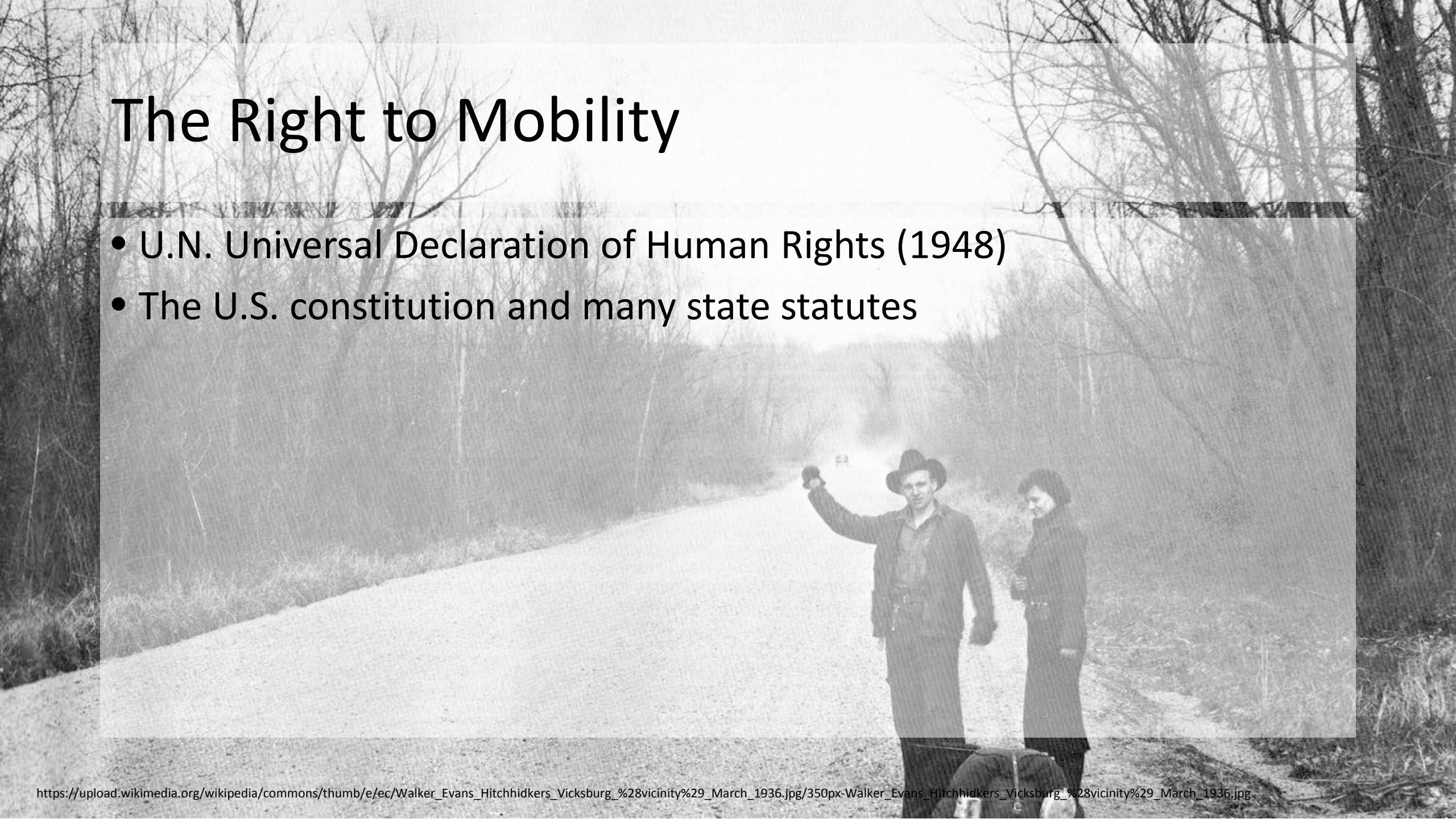
# The Right to Use a Bicycle

- Ownership governed by laws protecting private property
- Bicycles are considered road vehicles in most state traffic codes
- Bicyclists have certain duties which differ from other vehicles
- Other vehicle users have duties of care for cyclists



# The Right to Mobility

- U.N. Universal Declaration of Human Rights (1948)
- The U.S. constitution and many state statutes



# The Social Context of Rights

- Citizenship <-> Rights

# Civil rights

A black and white photograph of a busy street scene. In the foreground, a school bus is visible with the words "SCHOOL BUS" on its side. Several people are walking on the sidewalk, and a person is pushing a stroller. The background shows a street with cars and buildings. The image is used as a background for a slide about civil rights.

- Defined in US constitution and amendments
- Civil Rights Act of 1964 (CRA)
- CRA governs DOT agencies and subrecipients (MPOs, State DOTs..)
- Subrecipients do manage bicycle infrastructure and fair access to this infrastructure is covered under CRA



# Citizenship

- Citizenship required to claim rights/protections
- Citizenship varies de facto
  - “Shadow” citizenship given to certain groups
  - Certain types of travels also “shadow”
- CRA was passed to correct “separate but equal” (Jim Crow) doctrines
  - Minorities are protected classes under Civil Rights Act



Return to our research questions:

*Is “bicycle justice” a broader transportation justice concern?*

*Where do the two frames synergize? Conflict?*

Basic Human Rights

Human Right to Mobility

Transportation Justice

Basic Human Rights

Human Right to Mobility

Transportation Justice

Bicycle  
Justice?

Objectives of justice struggles reflect “social meaning”

# Degrees of “Social Meaning”

Degree of Meaning



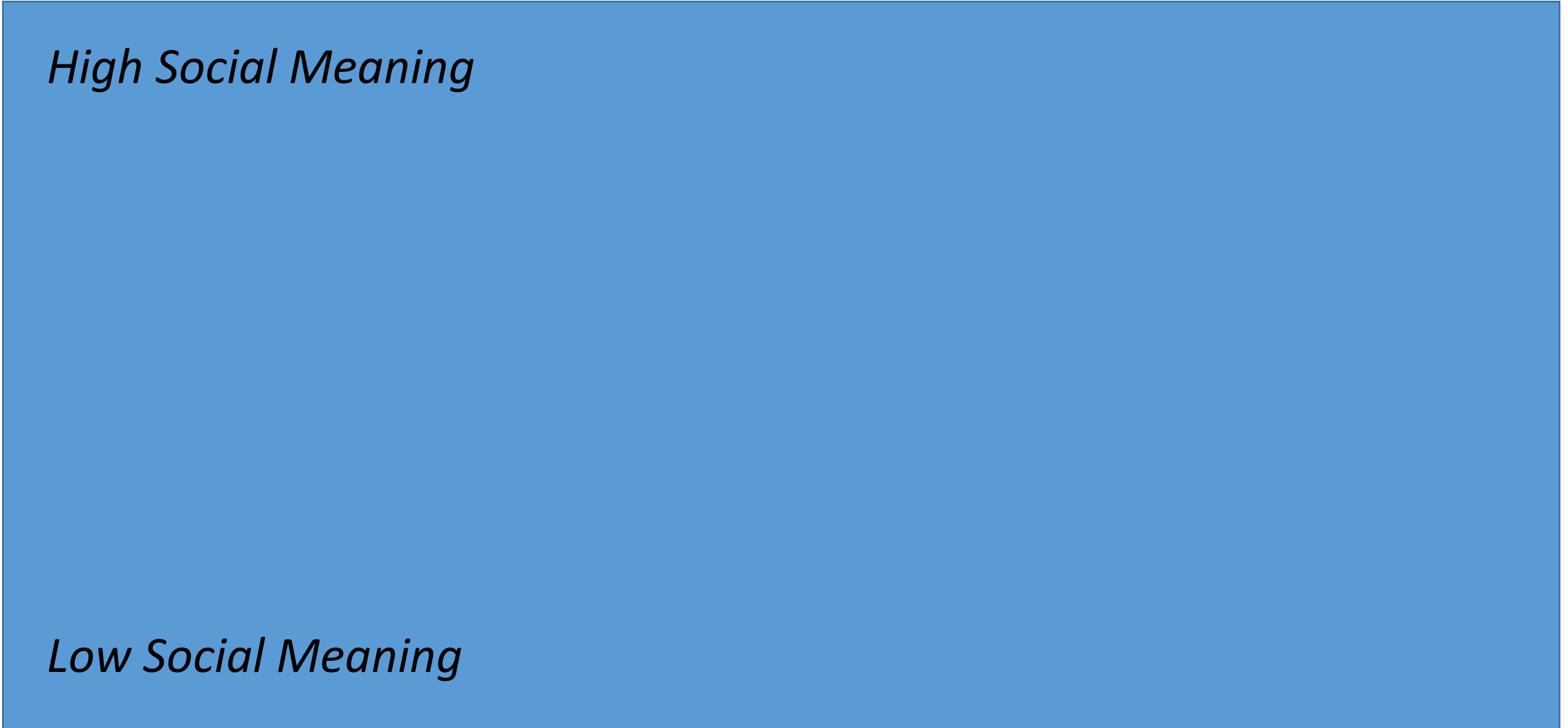
Public concern over its prevision or distribution

# Degrees of “Social Meaning”

Degree of Meaning

*High Social Meaning*

*Low Social Meaning*



# Degrees of “Social Meaning”



*Low: Pure Market Provision*

*High: Guaranteed  
Universal Access*

Public concern over its provision or distribution



# Degrees of “Social Meaning”

Degree of Meaning

Luxury Goods

Public concern over its provision or distribution

# Degrees of “Social Meaning”

Degree of Meaning

Luxury Goods

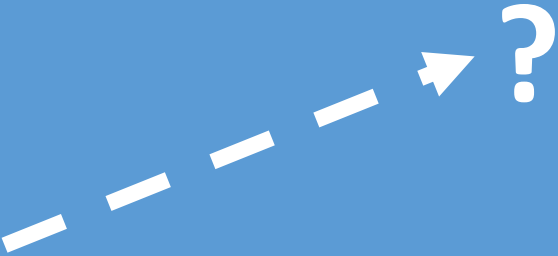
Public Concerns:  
Housing (Shelter)  
Education  
Food  
Healthcare (?)

Public concern over its provision or distribution

# Degrees of "Social Meaning"

Degree of Meaning

Bicycle Justice




Public concern over its prevision or distribution

# Growth in calls for Bicycle Justice

- Emerging (fourth) wave of national interest in cycling
- ISTEA provisions of CMAQ, TE etc. to fund bicycling from federal transportation spending (on top of local spending)
- Explosion of cycling in many large cities across the country
- Yet “transportation justice” remains a doubt among bicycle advocates

# BEYOND THE BACKLASH:

## EQUITY AND PARTICIPATION IN BICYCLE PLANNING.

Executive Summary | May 2011 | 

### THE NEW MAJORITY

PEDALING TOWARDS EQUITY



PRESENTED BY  

## The Path to Complete Streets in Underserved Communities

Lessons from U.S. Case Studies



By:  
Dr. Kelly Clifton  
Associate Professor of Civil and Environmental Engineering  
Portland State University

Sarah Bronstein  
Research Assistant  
Portland State University

# Exploring “Bicycle Justice”

- All rights are promulgated and enforced in social contexts
- “Bicycle Justice” is situated in a complex socio-technical system
  - Practices
  - Norms
  - Infrastructures
  - Resources
- Thus “Bicycle Justice” is metered by social processes which shapes how it synergizes or conflicts with broader transportation justice goals

# Example – Bicycle Connectivity Study in Phoenix, AZ

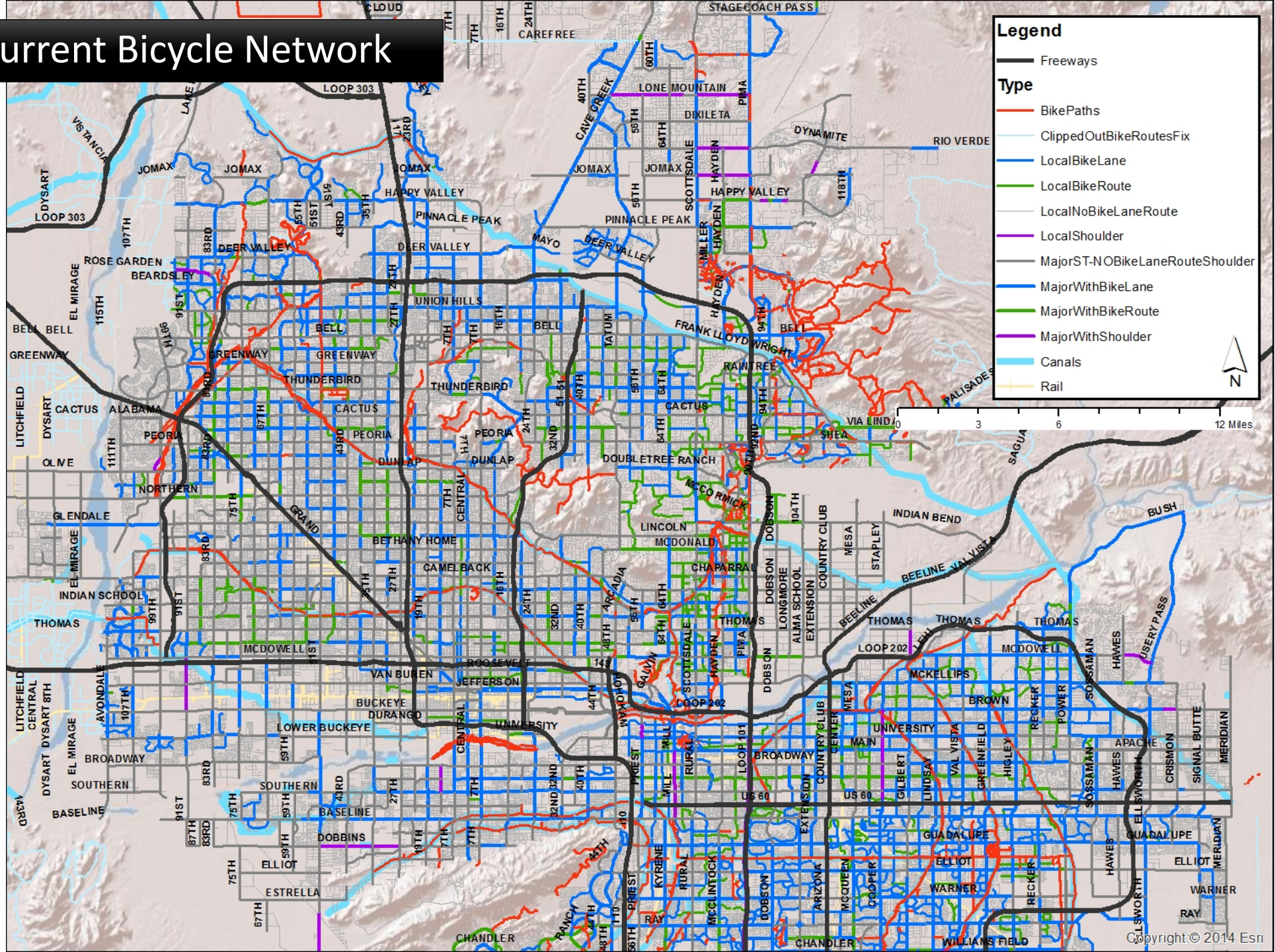
*With*

Dr. Michael Kuby

Shawn Monk and Matthew Messina, Research Assistants

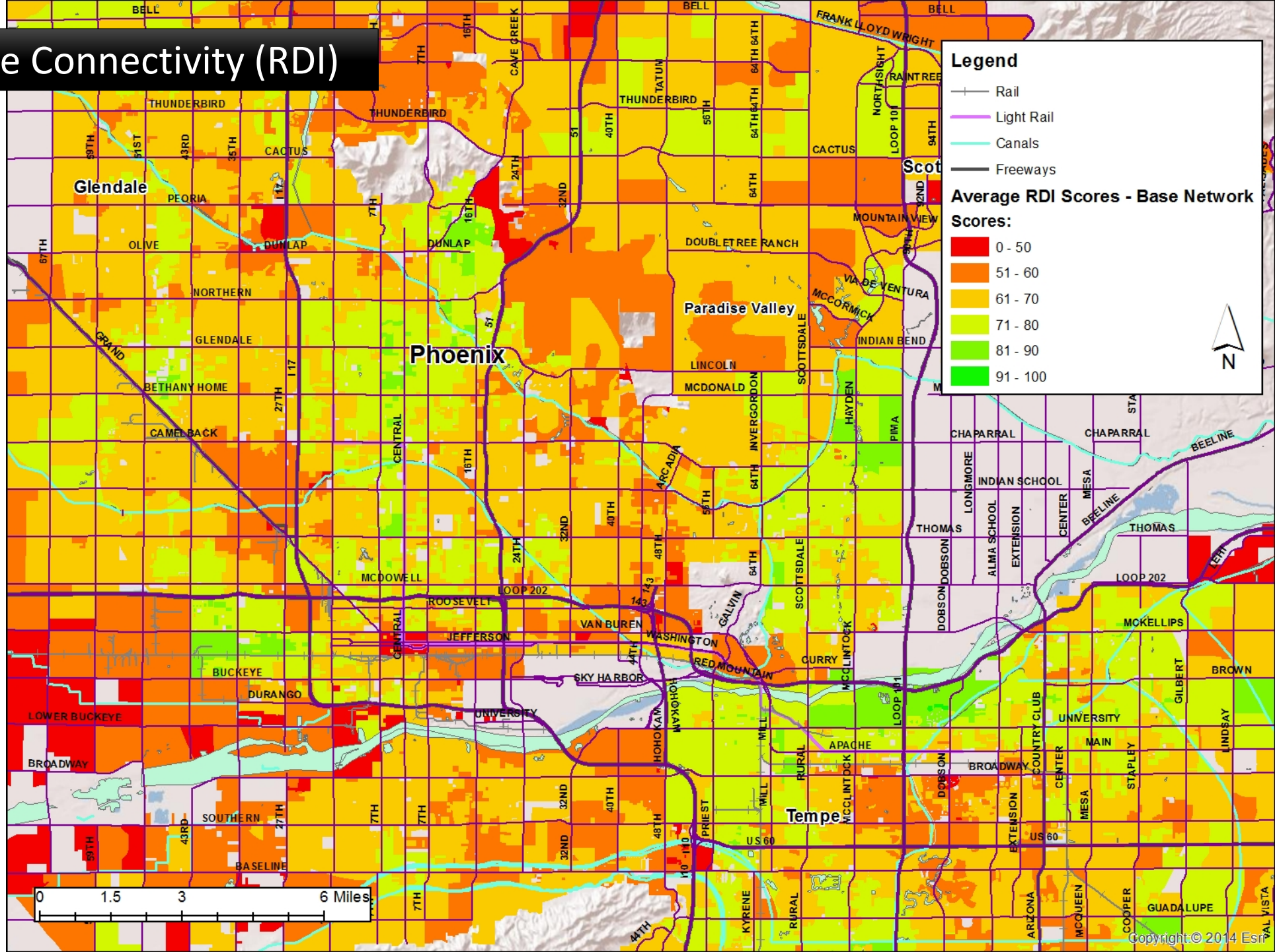
Arizona State University

# The Current Bicycle Network

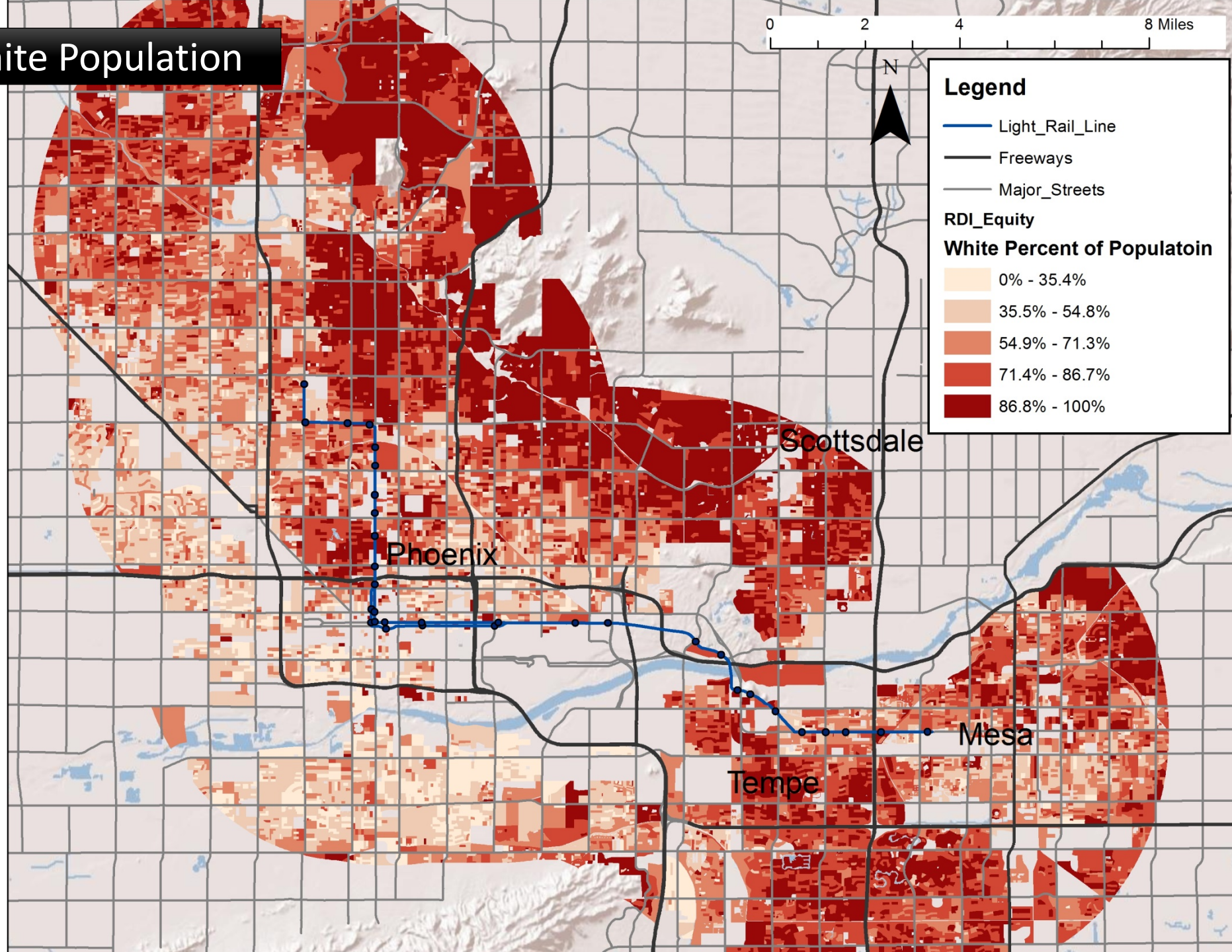




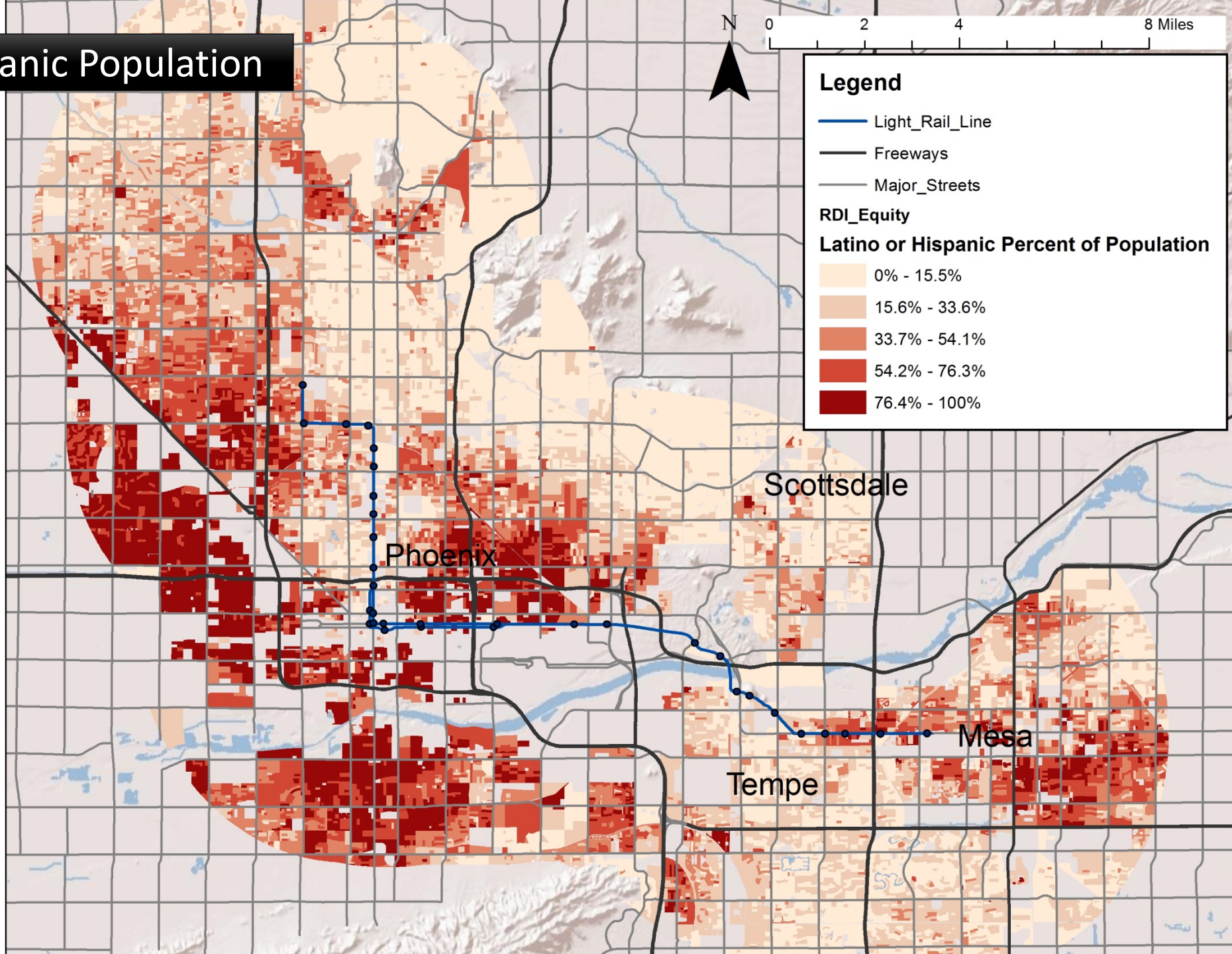
# Average Connectivity (RDI)



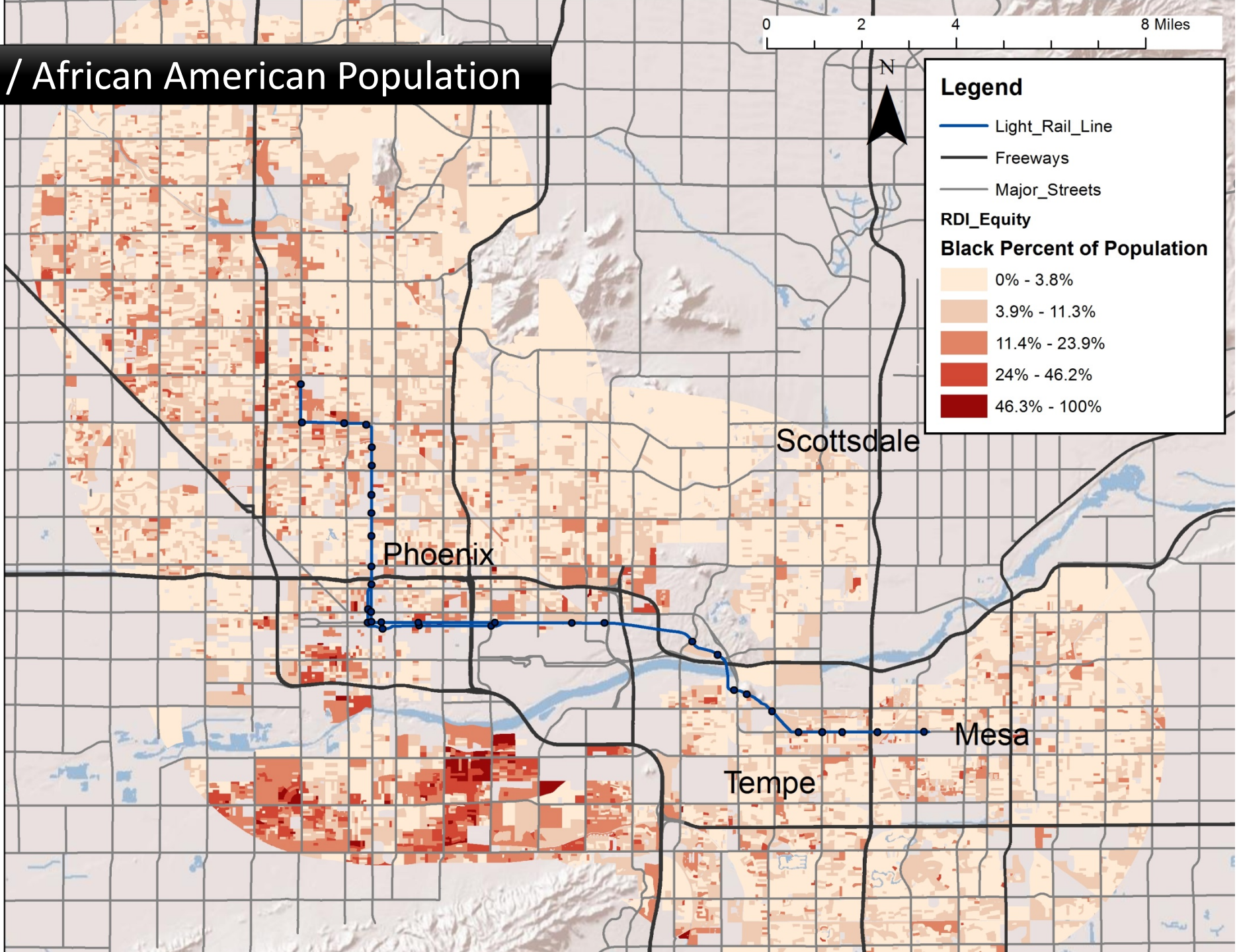
# The White Population



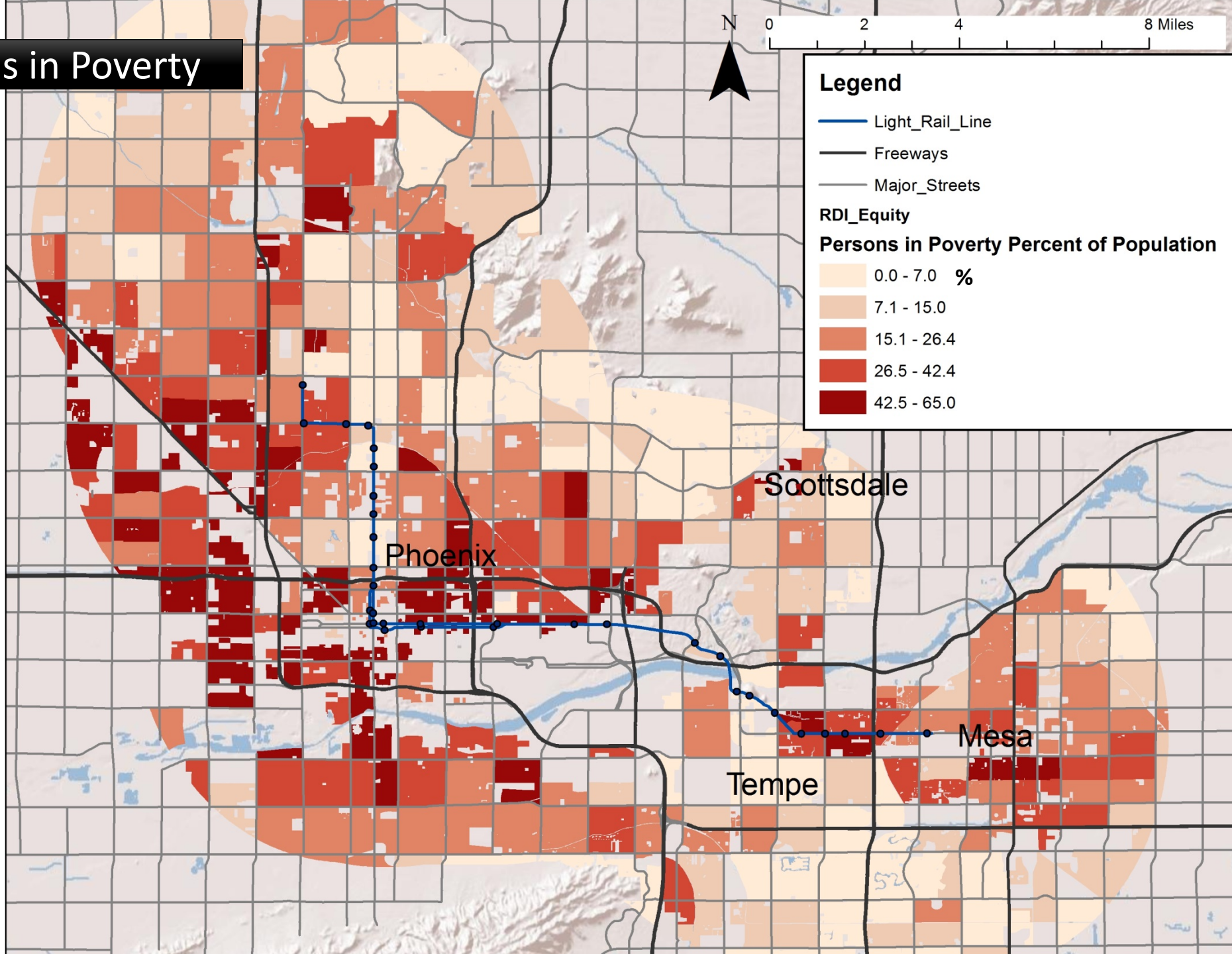
# The Hispanic Population



# The Black / African American Population



# Persons in Poverty



Differences in Average RDI (Degree of  
Connectivity) Among Populations

# Population Weighted Average RDI

	Sub-Populations' Number of Std Errors Difference from Population Mean				
	Black/ African- American	Hispanic	Poverty	White	“Bike Commuters”
Average of Seven Destination Types	-22.6	-2.6	-2	3.1	9.1
Employment Centers	-15.2	-1.1	-3	2.5	3.1
Light Rail Stations	-19.7	-3.8	-10.9	2.6	2.3

# Population Weighted Average RDI

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Light Rail Stations	<b>-19.7</b>	<b>-3.8</b>	<b>-10.9</b>	2.6	2.3



# Socio-Technical dimensions of Bicycle Justice to consider for our research questions

- Planning Practices
- Social Norms
- Infrastructures
- Personal Resources

# Bicycle Justice – Planning Practices

- Prioritizing bike commuters over non-commuters
- Responding to vocal communities requesting infrastructure
- Predicting real-estate market demands to attract investment
- General lack of data on all bicycle users



# Bicycle Justice – Social Norms



- Cycling generally seen as “second-class” mode
- First wave (1880 to 1900) bicycle use was racially exclusive
- Recent wave not openly inclusive other than isolated shops/community centers/rides
- Counterpoint - census data shows similar bike ridership for whites and minorities

# Bicycle Justice – Infrastructures

- Bike infrastructure shown to be significant for encouraging cycling
- Bikes impact a very small number of corridors in the entire US
- ISTEA introduced (systematic) federal funding for bicycle infrastructure
- Pattern of using bicycle investments for real-estate market facilitation
- Streets and public places are threats to communities of color





# Bicycle Justice – Personal Resources

- Bicycles are relatively cheap
- The physical demands of cycling is a barrier to many (i.e. mobility challenges)
- Requires placing body in public spaces
- Who has resources/time to participate in planning processes?

Some conclusions

# Synergies between Bicycle Justice and Transportation Justice

- Bikes part of public infrastructure
  - Covered by civil rights law concerning distribution of benefits of DOT programs
- Bicycles may ease travel budgets
  - Inexpensive to operate
  - May offer higher LOS in certain corridors
- Status of bicycling may be rising
- “Invisible” cyclist and community based cycling programs shows latent importance as affordable mode

# Conflicts between Bicycle Justice and Transportation Justice

- Variations in de-facto citizenship status for minorities
- Mirrored by lowered status of the bicycle itself
  - Issues of status important as dimension of political freedom (Gilroy)
- Bicycling places the body in harm's way
  - Protecting the body is integral to current human rights discourse in the US (Black Lives Matter)
- Bicycling infrastructure connected to real-estate investment and displacement and gentrification
- Bicycle advocacy is heavily white/middle class
  - Creating “shadow” advocates, missing voices and perspectives



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Thanks!