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# We Just Need to Pee: Bathroom Bills and the Intersection of Human Rights, Gender, and Race

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# The Social Practice of Human Rights: Charting the Frontiers of Research and Advocacy

2017 Conference of the University of Dayton Human Rights Center

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**Research Panel:** Contesting Disability and LGBTQI Rights

**Presenter:** Lena Tenney, Kirwan Institute for the Study of Race and Ethnicity, Ohio State University

**Title:** We Just Need to Pee: Bathroom Bills and the Intersection of Human Rights, Gender, and Race

**Abstract:**

Although rarely publicly discussed, bathrooms are a fundamental element of everyday life. In fact, the majority of the population does not question their right or ability to access public restroom facilities because they are a mundane aspect of daily routine. However, the recent rise of “bathroom bills” in state legislatures has sparked significant media coverage and highlighted activist movements seeking to guarantee safe, affirming, and legally protected access to bathrooms for people of all gender identities and expressions.

This paper will illustrate that bathroom access is not only a matter of public policy, but also a question of human rights. Recent data from the National Center for Transgender Equality survey of transgender Americans will demonstrate the ways in which transgender people experience hostility and violence while utilizing gendered restrooms. This is in contrast to the claims of bathroom bill supporters, who purport that cisgender women are the population who will be at risk of sexual violence if transgender people are permitted to use facilities that match their gender identity. Additionally, the paper will address the ways in which bathroom bills relate to the intersection of gender and race — particularly within the context of the gendered and racialized history of public bathroom facilities. Essentially, this paper asserts that bathroom bills are an effort to preserve the sanctity of whiteness through regulation of access to public restrooms as a result of historical and contemporary implicit racial fears related to the hypersexualized, predatory stereotypes of transgender women and men of color.

**About the presenter:**

Lena Tenney works at the Kirwan Institute for the Study of Race and Ethnicity at Ohio State University. As a researcher and facilitation specialist, Tenney conducts research and facilitates workshops, presentations, and trainings about implicit bias and structural racism. Her work often focuses on persuading people with dominant social identities to act in solidarity with marginalized peoples in the pursuit of social justice. Her research interests are intersectional in nature and include race/racism, implicit bias, LGBTQ+ rights, higher education, and how public policy relates to societal inequities.

Tenney has an organizing background and is a founding member of two grassroots community activist groups that have sought to ensure legal protections for and institutional inclusion of LGBTQ+ individuals at the municipal and campus levels. Coalition-building with student activism collectives dedicated to advocating for students of color and students with disabilities has been central to her advocacy work. This work has included opinion pieces addressing anti-indigenous rhetoric and societal structures.

Tenney graduated from the University of Oklahoma with a Master of Education and a Master of Public Administration. She also holds a Bachelor of Arts in religious studies and history from the University of Oklahoma. The goal of the Kirwan Institute for the Study of Race and Ethnicity is to connect individuals and communities with opportunities needed for thriving by educating the public, building the capacity of allied social justice organizations, and investing in efforts that support equity and inclusion.