Land of the Clean and the Home of the Segregated: Sex-Separated Bathrooms in the Northeastern United States, 1870-1920

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LAND OF THE CLEAN AND THE HOME OF THE SEGREGATED
Sex-Separated Bathrooms in the Northeastern United States 1870-1920

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of the requirements for the degree of
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Abstract

In 2016, a young woman named Chloe appeared in an advertisement created by the Institute for Faith and Family in support of Governor Pat McCory’s Public Facilities Privacy & Security Act, commonly known as HB2. This bill mandated that people use the restroom that corresponded to their sex assigned at birth and barred them from using the one that corresponded to their gender identity. Chloe argued that the bill would protect her privacy and her safety. In doing so, Chloe became part of a legacy of upper-middle class, cis-gendered white women who have argued that sex-segregated bathrooms are necessary for women’s health, safety, and protection. This paper will trace the roots of women’s professed discomfort and fear of sexual endangerment in bathrooms. Focusing on public and semi-public bathrooms in the Northeastern United States during the Victorian and Progressive Eras (1870-1920), I examine how sexism, propriety, and white supremacy played an integral role in the construction of these gendered spaces. I unearth the writings of purity and moral reformers and sanitary engineers to analyze how narratives of sexual danger led to the development of sex-segregated bathrooms. To probe into the ideological architecture of these neatly organize spaces is to reckon with the complex sewer system that lies below.
Acknowledgements

Of a moment: I began this research in spring of 2019 with a desire to connect multiple moments and portraits of discrimination across time. I am ending this phase of it in spring 2020 amidst the global pandemic of COVID-19 quarantined in my apartment in New York City, the epicenter of the coronavirus. It is unexpectedly ironic to be interrogating the motives for separation at a moment when social distancing is imperative to saving lives. Cleanliness is so pertinent that I am unable to obtain Clorox wipes and am hoarding toilet paper, like many other Americans, afraid of finding myself with no way to keep my body clean. I am present to the many unexpected parallels between this research and the period of time in which I am living. Rampant structural inequities in America have become even more glaring during this crisis. Asian Americans are suffering violence and discrimination as their bodies come to represent, to many people, the virus itself. I will not discuss these parallels in this thesis. However, I encourage you to consider them as you read.

Of my community: Lyde Sizer: For the walking, the talking, the questions, the coffee, the knowledge, and the clarity. For showing me how to juggle and continue to give. For writing the syllabus that started this project. For all the books I still need to return. For your remarkable ability to be both compassionate and caring and uncompromising in your standards of excellence. For your steadfast belief in me and in this work. Mary Dillard: For your fearless leadership within and outside crisis. For saying “I got you” and meaning it. For your rigorous, thoughtful, honest questions and notes. For your patience and understanding. For continually reminding us why Women’s History matters. Monika Mitchell: For your friendship. For the chats, the car rides, the wine and the trip to the plumbing museum. For inspiring me with your work and endlessly supporting mine. Monet Dowrich: For being a model of perseverance and a true comrade. Hannah McCandless: For your friendship and your care, levity, and commitment to building community. Marian Phillips: For your thoughts, suggestions, thoughtful investigation. Kathryn Leigh Brantley: For your passion, your commiseration, and your tireless commitment to your work. Tara James: For making this program magical. Mia Bruner: For research assistance that went above and beyond. Christina Kasman, Geoff Danisher and the Staff at the Sarah Lawrence Library: for all your assistance and the renewals. Priscilla Murolo: For modeling how to be a rigorous revolutionary. Nadeen Thomas: For your encouragement and letting me experiment. Nia Farrell: For your detail, thoughts, and edits. Robin Sokoloff: For seeing injustice, for being angry, and for building something beautiful. For letting me be a part of it. For making space for everyone around you to be whole. For your unwavering commitment to your team. For your endless support. The Team at Town Stages: For your vision, your brilliance, your jokes, your collaboration, your care and your constant light. Helen Bennett and the operations team at The Public Theater: For your graciousness and support. The New York independent theater community: For imagining new worlds. For your resilience and creativity. Tyla Fowler: For completely transforming my universe. For holding space. For offering new ways of seeing. For fighting for me. For challenging me to see what is possible. Times Center Wolfpack: For the dinners, memes, and cheerleading. All the friends that have offered and listened: For your hearts and your ears. Naeem King: For your humor and your love. Tinker Coalescing: For being the big sister that challenged me to ask better questions. Mom and Dad: For making it all possible. For being a phone call away. All the people who have changed, moved, and inspired me: Thank you.
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“For I believe that ideas about separating, purifying, demarcating and punishing transgressions have as their main function to impose system on an inherently untidy experience.”

~ Mary Douglas

Purity and Danger
The distressed eyes of a young, upper-middle-class white woman named Chloe pierce straight through the camera lens and into the hearts of thousands of North Carolinians. Chloe assures her audience, “HB2 protects my privacy and my safety.” These North Carolinians were watching a 2016 advertisement generated by the Institute for Faith and Family in support of Governor Pat Cory’s Public Facilities Privacy and Security Act, commonly known as HB2.¹ The bill mandated that people use the restroom that corresponded to their sex assigned at birth and barred them from using the one that corresponded to their gender identity. Laura Portuondo’s 2018 article in the Yale Journal of Law and Feminism, “The Overdue Case Against Sex-

¹ The Institute for Faith and Family is a North Carolina based organization that aims to promote a healthier society through education and advocacy for faith and family-based institutions. They still run the “Chloe Campaign” which was created to support HB2. The campaign claims to “protect the privacy of and safety of young women like Chloe” by telling stories like hers to impact public policy. “Faith and Family Matters,” “Homepage,” and “The Chloe Campaign,” The Institute for Faith and Family, accessed November 23, 2019, https://iffnc.com/; “HB-2 Protects Women and Children” YouTube Video, 31s. October 4, 2016.
Segregated Bathrooms,” analyzes how judges and advocates have historically cited the same narratives as Chloe, those of “privacy” and “safety,” when upholding the legality of sex-segregated restrooms.2

In October 2019, Supreme Court justices heard arguments for the case of Aimee Stephens, a transgender3 woman who sued her employer for firing her after she came out as a woman.4 Though Aimee Stephens’ case had nothing to do with restrooms, the justices repeatedly brought them up during the hearings. Some argued that allowing women like Aimee to freely express their gender at work could leave the ladies’ restroom door wide open for transgender women. In defense of this argument, Justice Sotomayor stated that women’s discomfort with sharing a bathroom with a person who had “male characteristics” was the reason we have separate bathrooms.5

Justice Sotomayor’s assertion that this is the reason we have sex-segregated bathrooms begs the immediate question: how did they get to be separated by sex in the first place? Two days before the North Carolina Legislature passed HB2 law professor Terry Kogan, published an article in The Conversation which distilled his near-decade of legal research on bathrooms in an attempt to answer that question for the masses. He argued that while sex-segregated spaces are

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3 Transgender/Trans is an umbrella term that is used to refer to those who do not identify or exclusively identify with their sex assigned at birth. See: “LGBTQ + Definitions” Tran Student Education Resources, accessed March 29th 2020, https://www.transstudent.org/definitions. Note that LBTQIA+ terminology and definitions are constantly evolving. Visit transstudent.org for current terminology and definition. The Transgender Training Institute also offers educational resources. https://www.transgendertraininginstitute.com/.
presumed to be ‘natural,’ they are in fact, the product of a sexist society. Kogan’s research explained how these structures were built in the United States amid the Victorian Era (1837-1901) with rigid sexual ideology piping through every corner of their walls. His version of this historical narrative goes a bit like this:

In 1870 plumbing evolved enough for the idea of multi-stall indoor restrooms to become a reality. Edicts for bathroom segregation began soon after. In 1887 Massachusetts became the first state to mandate separate “water-closets” “earth-closets” or “privies” for women and men in factories and workshops. By 1920, forty other states had followed suit. This period, 1870-1920, is defined as the Victorian and Progressive Eras. The period from 1870-1900 is also referred to as the Gilded Age due to immense economic growth. Three significant shifts were underway in the United States: industrialization, urbanization, and immigration. Advances in technology such as modern factories and railways created economic opportunities for men, women, and new European immigrants flooding into the country. These opportunities sparked the mass migration of workers from many lower-class or working-class families. Young, single, working-class women began to flock from rural communities to take work in increasingly industrialized urban areas, or textile mills.


8 Kogan, The Conversation.
Concurrently, middle and upper-class (predominately white) women started to organize for their right to vote. Both these entries into public space caused tiny tears in the separate spheres ideology which heralded the idea that a woman’s natural place was in the home, while a man’s place was at work. For a white woman to cross spheres into the workplace threatened her natural purity and virtue. Laws mandating sex-separated bathrooms were created concurrently with more expansive sets of labor laws meant to protect (white) women's “fragile” bodies. These laws included shorter workdays, mandated rest periods, and regulations that prohibited women from taking particularly dangerous jobs such as mining. They were meant to mitigate threats to women’s personal and reproductive health. Kogan’s argument follows that sex-segregated bathrooms did not arise from anatomical sexual difference, but from a rigid separate spheres ideology that insisted women should never have left home in the first place.

In her statement, Justice Sotomayor made, or at least implied, three important distinctions. Kogan’s research addresses two of them. The first distinction was that separate bathrooms were created. There is no by-law of the universe mandating that bathrooms be separated and this has not always been the case. Second, that they were created for a reason. However, third, that reason is that women are or should be uncomfortable with the presence of “male characteristics” (or to lose the euphemism: penises), even if the person attached is minding their own business in public space. Sotomayor based her suggestion on substantial legal precedent.

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9 Kogan, The Conversation. This ideology is well encapsulated in clergyman George W. Burnap’s 1848 lecture series, The Spheres and Duties of Women. Burnap writes, “But whatever may be the original equality of the sexes in intellect and capacity, it is evident that it was intended by God that they should move in different spheres, and of course that their powers be developed in different directions.” George W. Burnap, The Sphere and Duties of Woman, A Course of Lectures (Baltimore: John Murphy, 1848), 45. https://play.google.com/books/reader?id=ur8XAAAAYAAJ&hl=en&pg=GBS.PR3

10 Kogan, The Conversation.
Krystal Etsitty, a transgender bus driver, lost her employment discrimination suit in 2007 because the court determined that a “biological male” to using women’s public restrooms along her driving route presented a liability. In the 2016 case, Carcaño v. Cooper the court supported HB2 by asserting that innocent 12-year old girls should not be exposed to male genitalia. These arguments imply that penises are inherently a threat to women (who by their definition cannot have them) and their presence imposes a sexual danger in public space. Thus sharing bathrooms with anyone with a penis would inherently put women at risk. Even this preliminary inquiry into the history of bathrooms reveals that narratives of sexual fear have been spinning around the toilet bowl since toilets could flush. This fact leads me to my central question: how did notions of sexual danger in bathrooms lead to the erection of sex-segregated bathrooms?

One could take a history of the loo back to the Roman Era or the Minoan’s who created the first sophisticated plumbing in 2000 B.C. Alternatively, the history of sex-segregated bathrooms could be taken back to the Parisian ball in 1739 where they first marked the doors to the toilets “Garderobes pour les femmes” and “Garderobes pour les Hommes.” French philosopher Jacques Lacan demonstrates in Écrits how these signs translated into English. He posits that “Ladies” and “Gentlemen” have become cultural signifiers that inscribe what he terms

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11 Etsitty v. Utah Transit Auth., 502 F. 3d 1215,1224 (10th Cir.2007) as cited by Portuondo, 466.
15 Wright, 103. A garderobe, as it has been absorbed into the English language, is a term for both a medieval toilet, and a dressing room or wardrobe. See: Oxford English Dictionary, s.v. “Garderobe,” accessed May 18, 2019 via New York Public Library. https://www-oed-com.i.ezproxy.nypl.org/view/Entry/76746?redirectedFrom=garderobe#eid.
as “the laws of urinary segregation.” The signs enforce sex-separations based on differences that have become deeply normalized into our society. While I will include European influence in this story, my focus is on how these cultural signifiers came to enforce separations in the United States.

American legal scholarship is particularly pertinent to my inquiry because these writers track how arguments have been made through federal and state legislation and legal discourse over time. However, they are also some of the most recent scholars who have tackled the topic of toilets. Their writing is observably often published in response to or around the time of major court hearings over discrimination against transgender individuals. In 2007, the year Krystal Etsitty lost her employment discrimination suit, Kogan published a much more extensive piece in the *Michigan Journal of Gender and Law* entitled “Sex Separation in Public Restrooms: Law, Architecture, and Gender.” The piece makes an argument that is similar to his shorter article in *The Conversation* but is markedly more thorough. Portuondo also drew on the rhetoric from Etsitty’s case to examine how arguments of privacy and safety are upheld by not only lawyers and justices, but also many feminist activists who argue against integrating bathrooms. To debunk the validity of these arguments, she unpacks what is meant by privacy. She asserts that privacy was founded on the heterosexual assumption that we separate ourselves from sexual partners when using the bathroom. She also illustrates how our understanding of safety is based on the assumption that women are in sexual danger around men. However, as she points out, there is no statistical evidence suggesting that women are safer because of the signs on bathroom doors. In 2007, Christine Overall also published an article entitled “Sex Segregation

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18 Portuondo, 466.
Revisited.” Overall addressed privacy and safety as two primary arguments for separating bathrooms, in addition to five others: breastfeeding, women’s needs, the social function of public toilets, religious concerns, and costs. She presented counterarguments for each of them. For example, some will argue that women need a place to breastfeed privately. She responds to the effect of, ‘Um… why are we asking women to breastfeed in public bathrooms?’ Mic drop.19

In 2016, Terry Kogan submitted an Amicus Curiae Brief to the U.S. Court of Appeals for the Fourth Circuit on behalf of Gavin Grimm, a transgender male high school student who was barred from using the boy’s bathroom in Virginia at Gloucester High School in 2015.20 The brief maps out relevant legal cases that preceded Grimm’s case. In 2017, the year following HB2, Ruth Colker published an article in the Ohio State Law Review, “Public Restrooms: Flipping The Default Roles.” Colker connects how the fight to integrate bathrooms on the basis of sex is just one of many civil rights battles from the racial integration of bathrooms to accessibility for people with disabilities. Her core question was whether or not it is constitutional to require sex-segregated bathrooms. She, too, acknowledges and debunks the narrative of privacy and safety, in addition to illustrating the harm created through sexual stereotyping and women’s exclusion from male spaces. Ultimately, she argues that it is unconstitutional to require sex-segregated bathrooms.21 Kelly Levy took a different approach to argue the unconstitutionality of sex-segregated bathrooms in her 2011 article, “Equal But Still Separate?:

20 Brief of Professor Terry S. Kogan as Amicus Curiae in Support of Respondent at 12, Gloucester City. Sch. Bd. v. G.G. ex rel. Grimm, 137 S. Ct. 369 (2016) (No. 16-273). Grimm’s case was slated to be heard by the Supreme Court in 2017. However, when President Trump rescinded previous guidelines to the DOE regarding the treatment of transgender students, the Supreme Court sent the case back to the Fourth Circuit. See: “Grimm v. Gloucester County School Board,” American Civil Liberties Union, accessed March 28th, 2017. https://www.aclu.org/cases/grimm-v-gloucester-county-school-board.
The Constitutional Debate of Sex-Segregated Public Restrooms in the Twenty-First Century.” Levy argues both sides of the debate before ultimately explaining to her reader why she deems them to be unconstitutional.22

This scholarship has become the basis for subsequent work by journalists, such as Washington Post reporter Monica Hesse, looking to offer mainstream readers an explanation of “How Bathrooms Became a Political Battleground for Civil Rights.”23 Hesse and others who published histories in The Week and Live Science in 2016 offered readers bite-sized accounts that erased vital nuances in the narrative.24 While journalists writing tweetable articles that one can digest with their morning coffee cannot be expected to encapsulate the full breadth of this history, they are often merely taking cues from legal scholarship.

Because the question at the center of today’s debate is about sex and gender specifically, most legal scholars and journalists seem to view race and class as sub-characters in gender’s main storyline, if they are even mentioned at all. However, race, class, and gender cannot be severed from one another. Victorian constructions of “womanhood” had a different meaning depending upon a woman's class, race, and ethnicity. John Ayto notes in the Bloomsbury Dictionary of Euphemisms that in America, the term, “lady,” was assigned based on perceived morality. Impressions of morality were linked to race and class.25 In her book, Imperial Leather: Race, Gender and Sexuality in the Colonial Contest, interdisciplinary scholar

Anne McClintock argues that in the 19th century, gender was racialized. Historian Eileen Boris has been one of many scholars to point out that race itself is gendered and functions through controlling sexuality and sexual behavior.” While I will expand upon these concepts throughout this thesis, these synoptic assertions demonstrate that it is impossible to weave an intricate discussion about the sexual danger and sex-segregated bathrooms without treating race, ethnicity, class, and gender as inextricably intertwined.

Kogan devotes a section of “Sex Separation in Public Restrooms: Law, Architecture, and Gender” to a discussion of race and class. In it, he addresses how, regardless of class, Black women were kept out of gender-segregated spaces like “the ladies car” on railroads in the late nineteenth century. In 1884, for example, famed journalist and civil rights activist Ida B. Wells sued the railroad company, C&O, for kicking her off the “ladies car” and won. Kogan, however, does not note such controversies in factory bathrooms where he focuses much of his history. My research suggests that this is both because Black women were not frequently employed in factories in the late 19th century, and where they were, there was no legal challenge

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26 Anne McClintock, *Imperial Leather: Race, Gender and Sexuality in the Colonial Contest* (New York: Routledge, 1995), 56. I will expand upon this concept in Chapter Two.


28 Capitalizing “Black” and “white” in a racialize context is the subject of much debate. Chicago Style of Manual allows the author to do so at their own discretion. Lori P. Tharp has provided a long historical context for only capitalizing Black. See Lori P. Tharps. The New York Times. “The Case for Black with a capital B” The New York Times. November, 18, 2014. https://www.nytimes.com/2014/11/19/opinion/the-case-for-black-with-a-capital-b.html?gwh=E0361179FB2DC6C09F9C64D85954AAEF&gwt=pay&assetType=opinion. The argument to capitalize both was made by Karen Yin in “Capitalizing for Equality” https://conscioussstyleguide.com/capitalizing-for-equality/. I have chosen to follow Tharp’s suggestion. To me this is related to the distinction of equity vs. equality. Black people in America have been continually defined by white people, and they have not been defined or named with equal dignity. Thus, honoring the term “Black” with a capital B need not mean that white also be capitalized.


to how they were treated. Because Kogan’s analysis is confined primarily to laws and court cases, Black women can only really enter the historical scene through legally documented conflict. Unfortunately, this focus eclipsed the many different ways that racism has reared its monstrous head from porcelain bowls.

Colker’s work is exemplary in this regard. She notes how racial discrimination and xenophobia are illustrated through “Whites Only” and other discriminatory signs, as well as where race might be silent in the legal cases she examines, but implicitly refers to white women.31 In doing so, Colker illuminates how the monolithic label “women” often refers to white and upper-middle-class women.32 Racism, elitism, and xenophobia are integral parts of the origin story of sex-segregated bathrooms. Still, they do not always show up in the form of legal challenges or signs on bathrooms doors. Architectural historian and influential bathroom scholar Barbara Penner stresses in her work that beyond sexual and gender anxieties, the bathroom amplifies social anxieties about race, class, and ability.33 Following the example of scholars like Colker and Penner, I focus on and further illuminate the complexities of race, class, and whiteness as a construct. This is one of the contributions I hope to make to this story.

When one plunges into this history, one can see that it is the “smallest room” that houses the most mammoth of ideologies. Social structures are the blueprint. Social anxiety is the grout

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31 Colker, 146 and 155.
32 Labor historian Dana Frank has pointed out that the majority of the literature written about working class women since 1970 has not marked its subjects as white even when referring to predominately white women. Dana Frank, White Working-Class Women and the Race Question,” International Labor and Working-Class History, No. 54 (Fall, 1998), 84.
that adheres the white tile to the walls. Historians and multidisciplinary scholars like Penner who have tackled this subject matter get granular in their analysis. However, there simply are not very many people, especially historians, looking into the history of the bathroom. The bathroom is a prism that has both absorbed human social ideologies and angst and reflected them out in a magnified view. Because of this, bathrooms, and the history of them, have been of interest to a small but mighty, multi-disciplinary band of urban planners, sociologists, anthropologists, legal scholars, historians, and queer theorists.

Barbara Penner was influenced by the late architectural professor Alexander Kira’s 1966 biblically sized inquiry, *The Bathroom.* Kira took a nitty-gritty look at the design, history of, and social and psychological functions of bathrooms. He looked particularly at how American, specifically Protestant, ideologies around cleanliness and separation appear in restroom designs. He asserted that it is our puritan Anglo-Saxon culture that seeks to preserve privacy from the opposite sex through segregation. Penner expanded upon Kira’s read of American bathrooms as a product of Anglo-Saxon ideology in her own architectural history, *Bathroom.* In it, Penner explained how the bathroom has evolved throughout different eras of sexual morality. She delved into the evolution of the typical white design, arguing that it was used to make a space feel clean while making dirt highly visible. Penner pointed out the highly racialized implications of designing a “pure” “hygienic” and “clean” space where white was the ideal. Like many writings on cleanliness, Penner drew on the anthropologist, Mary Douglas’s pivotal book, *Purity and Danger,* published in 1966. This text became an anchor for connecting how physical filth is

35 Kira, 203.
36 Penner first co-edited a collection of essays on the bathroom with Olga Gershenson in 2009 titled *Ladies and Gents* (as cited above).
equated with otherness and immorality. Douglas explored the relationship between purity and hygiene and the ideas of “order” and “disorder.” Through social ritual, pollution comes to represent disorder. Physical filth becomes equated with moral filth and gets mapped onto the body. In Penner’s reading, these are non-white bodies, preferably using non-white bathrooms.

In her 2010 sociological study *Queering Bathrooms*, Sheila Cavanagh further expanded upon these ideas to include the social experiences of trans and non-binary individuals in bathrooms. Applying Douglas, Michel Foucault, and several queer theorists, Cavanagh explains how queer bodies get interpreted as “pollutants” or as “profane” because they disrupt the presumably ordered systems of gender. The late philosopher Ruth Barcan also draws upon Douglas to examine how the architecture of restrooms reproduces fear, social stigma, self-regulation, and shame in her essay, “Separation, Concealment, and Shame in the Public Toilet,” Barcan’s work is included in Harvey Molotch and Laura Norén’s 2010 sociological study and collection of essays, *Toilet*. This book is a collection of writing from most of the key players in the field like Kogan and Penner and examined toilets across the globe. The authors also offered their own forward-thinking, gender-inclusive, ecologically sound, technologically advanced design for bathrooms in New York City. However, The Department of Buildings (DOB) in New York City has codes that still today require separate bathrooms for men and women unless

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39 Nonbinary is the “preferred umbrella term for all gender other than female/male. Not all non-binary people identify as trans and not all trans people identify as nonbinary. See: “LBGTQ + Definitions” Tran Student Education Resources. Accessed March 29th 2020. [https://www.transstudent.org/definitions](https://www.transstudent.org/definitions).  
40 Sheila Cavanagh, *Queering Bathrooms: Gender Sexuality and The Hygienic Imagination* (Toronto: University of Toronto Press, 2010), 135.  
granted an exemption. Unfortunately, the DOB did not grant the hopeful NYU designers such an exemption over concerns for “security and liability.”

While Molotch and Norén’s new inclusive design was controversial because it attempted to break down gender barriers, not all scholars writing on toilets define “inclusive” as creating space for those who exist beyond the binary. Clara Greed’s 2003 book, Inclusive Urban Design, looks incisively at the British urban design of toilets. Her focal point is a movement called “potty parity,” which addresses the inadequate number of public conveniences for women despite having needs that commonly differ from cis-gendered men’s. Greed does not acknowledge that transgender and non-binary people exist. Other “potty parity” advocates such as Kathryn H. Anthony and Meghan Dufresne recognize that inclusive design requires creating space for everyone, but treat the needs of transgender folks and women as separate issues. In their view, societies should have both inclusive spaces for transgender and non-binary people and more bathrooms for women, not simply integrated spaces that everyone is welcome to use. For women to share bathrooms with others would be not only an injustice, it would also be health hazard.

We cannot ignore that menstruation, having a vagina, gendered clothing design, and societal expectations impact the bathroom use of many women. Nor can we ignore the fact that mothers have specific needs in public bathrooms. So do fathers. However, bathrooms have not

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43 The term cis gender refers to people who identify as their sex assigned at birth. i.e. someone who was assigned male at birth and identifies as a man is cisgender. See: “LBGTQ + _ Definitions” Tran Student Education Resources, accessed March 29th 2020. https://www.transstudent.org/definitions.
45 Though Anthony and Dufresne use the term “inclusive” their argument makes clear that they do not view transgender women to categorically be women. This is inherently exclusionary.
46 Anthony and Dufresne, 271.
been designed with the expectation that fathers would want or need to change their infant’s diaper. As I will expand upon through subsequent chapters, Anthony and Dufrense’s calls for women’s restrooms in workplaces echoes the calls of social reformers in the late 19th and early 20th century. By constructing arguments around “different needs,” age-old gender roles are merely reinforced. Moreover, arguments that focus on bathrooms as a “women’s issue” at best eclipse, and at worst, actively foster discrimination against LBGTQIA+ individuals, people of color, and immigrants. As a women’s and gender historian, it will always be my goal to center women and to call out sexism where it exists. However, I do not believe that historians and scholars have paid adequate attention to just how centered cis-gendered straight white women have been, and have continually made themselves, in this historical narrative. Chloe’s campaign is birthed from a long legacy of white women asserting the importance of their comfort at the expense of others’ safety.

One of the challenges may be that there is just so much to say about bathrooms, compared to the few historians (and no women’s historians that I am familiar with) who have written a full-length work about them. Historians like Alison K. Hoagland, who published The Bathroom, a social history of domestic toilets in 2018, and Laura Walikainen Rouleau, who has written a thesis on privacy and comfort in public bathrooms that is awaiting publication, offer new exciting histories of the bathroom.47 However, relatively few academics have squatted so low as to examine toilets at all. In the introduction to their collection of essays, Ladies and Gents, Olga Gershenson and Barbara Penner offer one analysis for why there is proportionately so little writing on something for which there are endless things to say. They were mocked when they put out their call for papers and asserted that many “believed that the mere mention of the

47 Alison K. Hoagland, The Bathroom: A Social History of Cleanliness and the Body, (Santa Barbra, California: ABC-CLIO, 2018). Rouleau’s work is currently unavailable while awaiting publication.
toilet, with its invocation of the body, gender, and sexuality, contaminates the purity of academia.” Using Douglas’ analysis, it is a pollutant to the order of ivory towers. I assert that one of the reasons it is relatively prevalent in legal scholarship is because analyzing laws and legal codes on bathrooms is a particularly sanitized way of looking at places where people shit.

English-speaking cultures specifically have done everything they can to avoid speaking about them. English does not contain direct language to discuss the places where people “go water the petunias.” Even the term toilet derives from the French, word toilette, which originally translated to the “dressing room.” Dominique Laporte's 1978 psychoanalytic book The History of Shit theorizes over this cleansing of language. Even the title of the book in French, Histoire de la Merde, suggests a greater comfort with delving into the dirt that we in America simply do not have. Laporte loftily explains how the language around excretion itself undergoes a process of purification before it is socially acceptable. How does one write about a topic when the language that surrounds it is composed almost entirely either of euphemisms or conventionally inappropriate language? While I may pepper in rarer euphemisms and some vulgarity from time to time, largely I will mirror the terminology of the source that I am using to reflect the language of the day. I will otherwise use the terms “bathroom” and “restroom” as they are the most common in the United States.

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48 Gershenson and Penner, 3.
50 The term “bathroom” originated in 1780 as a very literal term for a room where people bathe. It took on euphemistic properties in 20th century America.
51 The term “restroom” also developed in early 20th century. It was originally used to describe public washrooms in small towns put in place to serve families as they shopped. See Colker, 146. It has roughly the same meaning as the British term “retiring room.” In upper-class spaces washrooms had a space attached for ladies to retire so that they would not fatigue while shopping.
This thesis will examine sex-segregated bathrooms in the United States at their roots. It will probe into bathroom codes and social structures in the Northeast during the Victorian and Progressive Eras, 1870-1920. I will bring to light evidence that pre-dates the first state laws and reveals that sex-segregated bathrooms were part of proposed legislation for regulating the passage of ships transporting migrants to America. While I will focus mainly on New York City, where I am based and have found the most significant archival resources, my research also encompasses examples from Massachusetts, most specifically textile mills in Lowell and Lawrence, Philadelphia, and Baltimore. I will offer an analysis of the impact of, and context around, the first two pieces of successful legislation that mandated sex-segregated bathrooms in New York and Massachusetts. Additionally, I will examine sanitation and hygiene reports, text and advertisements from sanitation engineering magazines, and writings by moral reformers that discuss the “promiscuous” sexual lives of immigrant and working-class women. Spoiler alert: bathrooms make a show-stopping cameo. Building upon the foundations of the scholars mentioned above, I will weave this evidence together to offer an intricately woven tapestry of standard white American bathrooms. It is by placing all of these materials in conversation that I conclude that tales of sexual threat are how we ended up with this architectural and sociological design in the first place.

Before I take you on this historical and ideological tour of the New York sewer system of the late 19th century, I want to acknowledge who I am as your tour guide. I am young, white, and from a middle-class background. Regardless of how I identify my gender and sexuality, I am most often coded as a straight, ciswoman. The gender non-conformity of my short hair has occasionally earned me a panicked “SIR!” However, most of the time, I can enjoy the space that was engineered for my comfort and safety in an attempt to protect the purity of my white vagina.
I bring to this research a desire to live in, and a commitment to creating, a queer, fluid, non-racist, non-sexist, sex-positive, all around infinitely more equal and just society. I also bring the lived experience of a white woman who has been conditioned to see and guard myself as a potential sexual victim.

This thesis will intentionally focus on whiteness, womanhood (in its most binary form), and tales of sexual danger that pertain mostly to heterosexuality. This is not because transgender people did not exist in the late 19th century. People who transgressed gender binaries have existed in America since the first colonies. Nor it is because gay, lesbian or bisexual people did not exist. They did, and the stigmatization of these individuals as sexual degenerates does come into play. I have focused my work this way because I am most interested in rhetoric. In the texts I examine, the predominately white authors of both genders center whiteness and heterosexual anxieties in how they discuss people, places, cleanliness, and bathrooms. I shine a UV light on this rhetoric in order to refract the light back to those who have historically been or are currently being stigmatized and subjugated by this rhetoric as it has been reproduced over time. Ultimately, (double spoiler alert) this project is not truly about bathrooms. It is rather about the structural inequality that gets reproduced and normalized in a shiny white, enamel veneer that masquerades as natural.

Chapter One: Laying the Pipes is a tour through the sewer both literally and metaphorically. It highlights the inextricable links between English and American sanitary systems. It will outline developments in plumbing and sewer systems over the 19th century germ

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53 I will discuss this briefly in chapter 2. For more see Margot Canaday, The Straight State (New Jersey: Princeton University Press, 2009).
and hygiene theory and discuss middle-class America’s burgeoning obsession with cleanliness and its tie to whiteness as the ideal. By examining public health thinkers in the mid-19th century, I will lay the groundwork for public health policy as it evolved over the subsequent decade.

Chapter Two: *The Wanton, The Working, and the White Way of Clean* provides a more above-ground look at the landscape on which sex-segregation was built. It analyzes the Victorian scientific, sociological, and racialized ideology of “womanhood.” It outlines patterns of migration, major shifts in the demographics of the industrial workforce, and racialized hiring practices of the day. It provides an overview of the highly complex landscape of race, ethnicity, and whiteness of the late 19th and early 20th century. It argues that part of European immigrants’ assimilation to Americanization and whiteness was intertwined with ideas about cleanliness.

Chapter Three: *For Decency’s Sake!* discusses privies, public conveniences, and what qualifies as a “decent” toilet. It presents new evidence of a proposal for separated bathrooms and compartments on migrant ships and delves into legislation passed, and advocacy to enforce sex separation in bathrooms. It takes an intricate look at sanitary engineers’ standards for factory bathrooms where the first pieces of legislation were focused. Additionally, it examines early public conveniences, department stores, and railways in New York City, and the rhetoric that guided America towards a clean, orderly, white, gendered design. In Chapter Four: *Keep your Eye on the Girl*, we will take a whiff of the sexual anxiety rising from inside bathroom stalls. This chapter links sex-segregated bathroom design to an agenda of sexual policing that was a part of Progressive Era purity and moral reform movements. It looks specifically at how the expectations of upper-middle-class women as fiercely moral, “passionless” beings deviated from a looser set of rules in working-class women’s dating culture. I will demonstrate how fears of prostitution and attempts to regulate and curb the latent “immorality” of young working-class
women showed up in bathroom design and led to separated bathrooms. The final chapter, *It’s Never Been About Bathrooms* will conclude with a historical sketch of how these roots bloomed into civil rights controversies over the course of the 20th century that connects to current bathroom debates.

I will expose the roots of sex-segregated design in racist, elitist, xenophobic fears of sexual danger that have “othered” and discriminated against non-white and lower class bodies while claiming to serve an interest in the “safety” and “protection” of white women over the past century. The anxiety that has and still shows up around the bathroom is a microcosm of a larger set of social fears. Therefore, looking closely at this history allows us to ask: are these narratives that are deeply embedded in our bodies, our language, and the architecture of our world serving us? By questioning the nature of where we answer the call of nature, we open space to reimagine it.
Chapter One
Laying the Pipes

Figure 1.1
“I think I need a new cock,” a bosomy maidservant says to the plumber. She points to a wildly spewing spigot as she eyes him coquettishly over her shoulder.

“A stop cock you mean?” the plumber whispers back into her ear. He grips a bundle of phallic looking tools near his crotch and balances a roll of pipe on his brawny shoulder. The maidservant does indeed need a new stop cock, meaning: a valve that controls the flow of liquid.

Yet illustrator Thomas Rowlandson, whose body of work often prodded at British courtship, isn’t at all subtle about the double entendre of this 1810 illustration entitled “A New Cock Wanted or Work for the Plumber.” The overtones of illicit sexuality are as boisterous as the notes of disapproval conveyed through the wealthy elderly man standing behind them, scowling at the two workers flirting.

The portrait is rife with class distinction: The affluent older man glares objectionably upon the workers’ lust. The plumber steps in to tame a flow of running water that he may not have had available in his own home. Though London boasted the installment of steam pumps and lead pipes into their cities in the mid-18th century, distribution of running water was vastly unequal. By 1850, 80,000 homes in London completely lacked running water, and others only received it for two to three hours a day, a few days per week.

Though England was still in the process of developing sanitary technology, as a burgeoning Empire, their society was practiced in superiority. London was referred to as one of the dirtiest cities in the “civilised” world well into the 19th century. Nevertheless, when English

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54 In the brief description of the image by the Metropolitan Museum of Art, the woman is referred to as a maidservant.
55 On the wall above the golden spigot, which flows with clean water, Rowlandson has written, “George II, REX” suggesting to me that this was meant to be the home of the British Royal Family. I have not been able support interpretation through other sources.
traveler Daniel Defoe visited Scotland, he reported that the population that was “unwilling to live sweet and clean.” Edinburgh was famed for using a medieval French sanitary system into the early 18th century. “Gardy-Loo!” the Scotsmen shouted, borrowing the French phrase “Garde a l’eau,” meaning “watch out for the water,” as they tossed the excrement from their chamber pots out of windows seven to twelve stories high and onto the city streets below. Such a nasty scene might be more challenging for the modern viewer to imagine than the scene of the flirting maidservant and plumber, which is comparable to an opener for a contemporary pornographic film. Yet the two images lay the foundations for kinds of hierarchy that was cemented over the course of the 19th century in Britain and the United States as new technologies emerged. These were hierarchies in which physical and sexual cleanliness were inextricably intertwined. Order and superiority were established through a context of who could live “sweet and clean.”

British travelers to the United States in the early 19th century asserted their supremacy over Americans by making similar observations of their sanitary practices as they had in Scotland. Traveler William Faux observed that midwestern cities and the people living in them were “filthy, bordering on the beastly.” Though technologies were shared across the Atlantic, the U.S. was slightly slower to modernize sanitary practices than England. Until the mid 19th

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59 Trevelyan, 438, cited by Wright, 76.


century, U.S. cities lacked technologies like running water for citizens to be able to clean themselves and efficiently dispose of waste. However, prior to this, most people in the United States lived in rural areas where waste could be re-fertilized as manure so there was not a pressing need for a complex sewage and plumbing system. Moreover, Americans didn’t yet think of waste as hazardous to public health.

Though their ideas were slow to catch on, in the 1820s early health reformers Sylvester Graham and William Alcott taught Americans about the importance of cleanliness and bathing as an aspect of maintaining good health. The need for better sanitary practices became more apparent as industrialization brought about new employment opportunities both in smaller mill towns and burgeoning cities such as New York, Boston, Chicago, and Philadelphia. This urbanization funneled bodies into more compact spaces, creating denser living and an increased need for organized systems that could efficiently dispose of waste. As in Britain, class inequities widened as the wealthy gained access to, and attitudes about the importance of, cleanliness.

Beginning in 1820 and utilizing the teachings of reformers like Graham and Alcott, the middle-class distinguished themselves from the poor by placing increased attention on their own bodily cleanliness and advocating for better sanitary practices. As historians Richard and Claudia Bushman noted, “Cleanliness indicated control, spiritual refinement, breeding.” As the home

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63 Hoy, 9.
64 Hoy, 22.
65 Hoy, 7.
66 Richard L. Bushman and Claudia L. Bushman, “The Early History of Cleanliness in America,” *The Journal of American History* Vol 74, No 4. (Mar 1988): 1228. The historians’ use of the term “breeding” here is apt. It is shorthand for “good breeding” meaning, “The results of training as shown in personal manners and behavior.” So much of cleanliness culture was about better “training” for poor or working-class people, while simultaneously suggesting that their “breeding” was inherently inferior.
emerged as a “center of virtue” in upper middle-class American homes, women arose as its saintly protectors.67

One of the earliest and most famous proponents of this ideology was Catherine Beecher, who penned *A Treatise on Domestic Economy for the use of Young Ladies at Home and School* in 1841. Beecher was a prominent advocate of separate spheres ideology and the Cult of True Womanhood. These two ideologies were cut from the same Christian cloth. In her foundational article, “Cult of True Womanhood,” historian Barbara Welter explained how women judged themselves and were judged as “true” women who “could be divided into four cardinal virtues – piety, purity, submissiveness and domesticity. Put them all together and they spelled mother, daughter, sister, wife: woman.”68 These virtues, however, only applied to white women. Beecher penned her treatise during enslavement, a time when Black people were forced to perform hard labor irrespective of gender. Yet, even after emancipation, it was considered “unnatural” or even “evil” for Black women take on the role of domestic caretakers in their own homes while their husbands supported them.69

Beecher claimed an influential voice as a writer precisely because she stayed within her expected sphere as a white woman. At the time *Treatise* was published, however, widespread plumbing was not a reality, making “cleanliness” a difficult goal to obtain. As a result, Beecher advocated for “neatness” and “order” instead. Hoy notes that Beecher reserved the label “clean” for objects such as linens that could be restored to white.70 In so doing, Beecher exemplified how clean was synonymous with white.

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67 Hoy, 7.
68 Welter, 152.
70 Hoy, 19.
Cleanliness was not only linked to whiteness and womanly virtue; it became inseparably connected to godliness when pastor John Wesley’s epigram, “cleanliness is next to godliness” gained popularity in the 19th century. Frank Muir pointed out that the epigram was actually critiquing slovenliness in *dress*, but this is not how Anglo-Saxons understood it. In *The Moral Reformer the Teacher of the Human Constitution*, William Alcott wrote, “We do and must insist that the connection between cleanliness of body and purity of moral character is much closer and more direct than has usually been supposed.” Beecher and Alcott’s sentiments emerged in bathroom design later in the 19th century. But before that could happen, American cities needed water.

In 1842, a year after *Treatise* pumped the values of domesticity into middle-class homes, the newly built water distribution system, the Croton Aqueduct, was completed. This engineering marvel at the time brought water to New York City citizens and made plumbing available to a wider public. By 1850, New York City, Boston, Chicago, and Philadelphia all had semi-adequate means of supplying water to cities, but lacked a functioning drainage system. Without such technology, cesspools collected under homes. There was nowhere for sewage to go when people had to go! At the time, most people followed Miasma Theory, the belief that decaying organic matter, such as human filth, created noxious gases and caused diseases. To have

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72 The section of the sermon reads “Let it be observed that slovenliness is no part of religion; that neither this nor any text in the Scripture condemns neatness of apparel. Certainly, this is a duty not a sin. “Cleanliness is indeed next to Godliness.” Wesley as cited by Muir, 37.
75 Lupton and Miller, 22
cesspools accumulating under densely populated buildings was not only understood to be, disgusting, but dangerous as well. Cities began to build sewer systems by the 1850s, but this transition was not complete until the early 1890s. The distribution of resources was still vastly unequal. In 1890, only 24% of American households had running water in their homes. Not until 1930 did the majority of the urban population acquire this luxury. Access to toilets observably progressed along similar class lines.

In the 1840s and 1850s, middle class homes contained washrooms. This did not necessary mean running water, but a dedicated washstand at which to clean themselves inside their homes. The poor washed outside. In the 1840s, many affluent families installed wash bins, tubs, and water closets in their homes. This meant having not only the capital to purchase the technologies, but also the spare space to convert into a private privy. By 1860, the water closet was a standard feature in wealthy American homes and an emblem of wealth. By the 1880s, they became beautifully ornate in design.

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77 Lupton and Miller, 22.
78 Hoy, 15.
79 Hoy, 7.
81 “Toilet 1891: Green Earth Ware Nautilus, W.C. Copper, Brass Works, Philadelphia, 1891.” The Plumbing Museum. 80 Rosedale Road, Watertown, MA 02472. February 28th, 2020. Describing a blue toilet with an intricate white design the plaque reads: “This type of toilet, called a washdown flushed the contents of the bowl and cleared the s-shaped trap with a forceful supply of water from a high wall tank. The ornamental design was typical of fancy toilets from 1880 to 1900.” For more illustrations of ornate toilet designs see Wright, 206.
To borrow an analogy from a tour guide at The Plumbing Museum, “Toilets were the Ferraris of the decade.”\textsuperscript{82} Somewhat like cars, toilets functioned as intricate mechanisms that underwent an evolution to become the everyday machines we know so well today.

The first English patent for water closets was granted to Alexander Cummings in 1775. Cummings’s design laid down all the foundational elements of the modern-day valve closet, otherwise understood as a flushable toilet.\textsuperscript{83} Three years later, Joseph Braham was granted a patent for the Hydraulic Press, a water closet which featured a more reliable valve at the bottom. According to Standard Manufacturing’s 1912 history, *Evolution of the Bathroom*, little progress

\textsuperscript{82} Guided Tour by Sasha, The Plumbing Museum. 80 Rosedale Road, Watertown, MA 02472. February 28\textsuperscript{th}, 2020. Sasha made the comparison while noting the aforementioned toilet.

\textsuperscript{83} Wright, 107.
was made until 1833 when Robert Frame and Charles Neff filed a patent application for the siphon jet closet, which was lauded as the first “real cleanly and sanitary toilet.”

Revered sanitation scholar Lawrence Wright dated this invention a bit differently. He marks 1870 as the “annus mirabilis” (I’m not being cheeky – it’s Latin), remarkable year for the water closet that ultimately brought Americans the siphon jet. Wright noted that prior to this Braham’s Hydraulic Press reigned, rivaled only by a conical pan known as the Hopper Closet. Rev. Henry Moule invented the earth closet in 1860, which instead of flushing water, dumped a pile of earth over excrement. While Moule’s design can still be observed in the compostable toilets of today, it required frequent emptying and was not an effective system for an urban environment. It was water for the win!

In 1870, T.W. Twyford created the washout closet, which was criticized for a weak flushing mechanism. The syphon jet, credited to J.R. Mann in 1870, presented a significantly stronger, quieter flush. A.R. McGonegal, the inspector of plumbing for Washington D.C., called the syphon jet bowl the “best that money can buy” for public conveniences. During the 1920s, manufacturers, such as J.L. Mott Iron works marketed a “new era” for the water closet that would replace the washdown closet with the syphon jet model at equal price. Advertisements boasted that this new model would ensure the bowl and rim were “cleaned every time.”

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84 Siphon appears both as “siphon and “syphon.” I spell both ways in accordance to the text that I am drawing from.
86 The marketing for both illustrated class discrepancies in the earliest of designs. One was cheaply manufactured for “prisons, mills etc.” and the other was labeled “the castle” for the rich. Wright, 205.
87 Wright, 208.
In 1916, Trenton Potteries Company marketed another adaptation of the siphon jet, the “Si-Wel-Clo.” Trenton boasted that this toilet was so quiet it “could not be heard outside the closet door,” saving its users “annoyance and embarrassment.”

Slovenian born philosopher Slavoj Žižek, used toilet designs to argue that “ideology is at work precisely where you don’t think you will find it.” The changes to the bathroom technology reflect two strong ideologies.

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92 Žižek observed the toilet designs in Germany, France, and the United States (Anglo Saxon). “Žižek on toilets”, architecture congress, Pamplona, Spain. You Tube Video, 1:00-3:56. June 29th, 2011. https://www.youtube.com/watch?v=rzXPvCY7jbs While Žižek, observed the Anglo-Saxon toilet designs which allow excrement to float in water reflected their “pragmatism” in contrast to the French “revolutionary” spirit which eliminates it as quickly as possible, given the upright propriety exhibited by Anglo Saxons I find it difficult to agree that they ever took the “let it float” approach that Žižek suggests.
that Americans ultimately valued most: silence and cleanliness. Toilets were marketable and successful when they could hide any evidence that a person had “made a deposit” at all.

These values were key to the idea of the “public convenience,” or public toilet, as it made its way into Anglo Saxon society. George Jennings popularized the concept of public lavatories when he showed off his vision for them at the Crystal Palace Exhibition in 1851. Prior to the exhibition, these structures were “few and foul” in London. Jennings proposed that a “respectable” attendant keep bathrooms consistently clean. To finance this, users would pay a small fee. However, Jennings was not the first to advocate for the implementation of more public conveniences.93 In the 1840s, social reformer and sanitary expert Charles Cochrane advocated for these facilities as a resource for the poor. In 1849, Joseph Bazalgette, who is credited with cleaning up London and building the new sewer system, proposed a plan for establishing urinals and public conveniences all throughout London. Notably, his plans did not include or consider women at all. Historian Lee Jackson asserted that bringing up women and toilets in the same sentence would have been deemed crude. It evoked the existence of female anatomy.94 Urban historian Maureen Flanagan argued that building public toilets for women legitimized women’s use of public space and by controlling if, how, and where public toilets were built for women, men could maintain municipal control.95 Men’s arguments, however, were disguised in practicality. Streets were often used as urinals.96 Jennings argued that bathrooms were necessary

93 Wright, 200.
94 Jackson, 163.
96 Peter Baldwin explains that public urination was a persistent problem that fueled arguments for building public conveniences later in the century. He also notes that much to the dismay of famous British Actress Fanny Kemble, women also openly relieved themselves in the public toilets were thus first and foremost intended to shield women from public urination, not help them participate in a different form of it. Peter C. Baldwin, “Public Privacy: Restrooms in American Cities: 1869-1932, Journal of Social History, 48. No.1, 2014, 267.
so that gentlemen should shield their wives and daughters from “sights so disgusting at every
sense.”97 If women were the culprit of such vile acts, they were discursively viewed as another
sex that “ladies” likewise needed protection from.98

Unlike Bazalgette, however, Jennings did consider the ladies in his designs. His public
lavatory models at the Great Exhibition were paid for by 827,280 users and, according to “The
Official Report,”99 impressed female patrons “on account of want of them.100 Jennings’s ideas
didn’t catch on until later in the century, however, when a sanitary revolution was fully
underway. By this point, many women had begun driving movements for public comfort
stations. It was arguably Jennings’s attention to women’s needs that contributed to the eventual
success of his vision.101 Bazalgette never witnessed his entire plan in action and Cochrane only
ever saw two of his bathrooms built. Yet there were many angles through which the argument for
public comfort stations could be made and Cochrane’s concern for the conditions of the lower
classes emerged as a strong case, especially in the Northeastern United States.

In the 1840s, as wealthier citizens were beginning to acquire water closets in their homes,
educators and public health reformers began publishing reports on the sordid living and working
conditions of the laboring classes in order to promote new plans for public health. In 1845, John
Griscom, founder of New York’s first anti-poverty association, penned The Sanitary Condition
of Laboring Populations of New York with Suggestions for its Improvement.102 This report

97 Wright, 200. Wright quotes Jennings, however, there is no citation given.
98 Flanagan, 270. I will further expand on this notion, and term “lady” as a classed construction of womanhood in
Chapter Two.
99 Wright quotes what is termed as Jennings’s “The Official Report” presumably for The Great Exhibition however
again, no specific citation is given.
100 Wright, 200.
101 See Flanagan for an in-depth view of how women led the charge to build more public comfort stations in
London, Chicago and Toronto.
102 The publication stemmed from an address given on December 30th, 1844 at The Repository of the American
attempted to bridge the health gap by showing one half of the world “how the other half lives.”

Griscom argued that in order to improve the conditions that left the poor vulnerable to disease, both sanitary reform and education were necessary. He asserted society must:

Teach them how to live so as to avoid diseases and be more comfortable, and their school education will have a redoubled effect in mending their morals and rendering them intelligent and happy. But without sound bodies, when surrounded with dirt, foul air, and all manner of filthy associations, it is in vain to expect even the child of education, to be better than his ignorant companions…

To Griscom, reform efforts needed to be twofold: educate the poor and clean up their environments. Griscom’s observations were integral to the development of what became known in the 1890s as “positive environmentalism.” This referred to the belief that cleaning up and reordering a person’s environment would lead to their moral and social uplift.

Over the remainder of the 19th and early into the 20th century, these ideas appeared in the writings of moral, purity, and temperance reformers, and were adopted by the Mayor of New York William L. Strong and the Mayor of Boston Josiah Quincy. Griscom’s sentiments that the urban poor’s morals could be “mended” to “render them intelligent and happy” were unmistakably patronizing. They, however, pale in comparison to the opinions of the poor expressed by “architect of public health” Lemuel Shattuck.

As part of the Massachusetts Sanitary Commission Shattuck underscored the ignorance and dirtiness of the poor themselves. In the Commission’s Report of a General Plan for the improvement. (New York: Harper and Brothers, 1845; Hathi Trust).
https://catalog.hathitrust.org/Record/002377426.

Griscom directly refers to this phrase on page 5 stating “It is often said that one half of the world does not know how the other half lives.” The phrase became popularized after Jacob Riis published his photo-journalism series, How the Other Half Lives in 1908.

Griscom, 6.

Boyler, 180.

Strong led New York City from 1895-1897 and Quincy led Boston from 1895 to 1899. Boyler, 181.

Promotion of Public and Personal Health, Shattuck refused to let poverty be an excuse for hapless conditions. Shattuck wrote:

Now it is unquestionable, and I admit it, that in houses combining all the sanitary evils which I have enumerated, there do dwell whole hordes of persons who struggle in so little in self-defence[sic] against that which surrounds them, that they may be considered almost indifferent to its existence, or almost acclimated to endure its continuance. It is too true that among these classes there are swarms of men and women who have yet to learn that human beings should dwell differently from cattle; swarms to whom personal cleanliness is utterly unknown; swarms by whom delicacy and decency, in their social relations, are quite unconceived.

The disdain for the subjects of the report is exceedingly palpable in Shattuck’s language. He began by describing groups of people as “hordes,” a label given to “wild or fierce” gatherings of people in one definition of the word and animals in another. Yet he left no ambiguity as to his intended meaning when he compares the laboring populations to cattle. To truly highlight the point, he not once, but three times in succession, began his sentence by referring to human beings as “swarms,” a word most often used to describe large groups of insects. Shattuck wrote in absolutes and extremes with phrases like, “cleanliness is utterly unknown.” He awarded the labels of “delicacy” and “decency” were labels to the upper middle class who were able to remain “delicate” by avoiding hard labor and “decent” by affording enough space not to “swarm.” Shattuck egregiously exemplified what Bushman and Bushman have essentially referred to as the powerful force of middle-class scorn.

108 Lemuel Shattuck, Nathaniel Peiss Banks, and Jehiel Abbot: Sanitary Commission of Massachusetts, Report of a general plan for the promotion of public and personal health (Boston: Dutton and Wentworth, 1850; Internet Archive), https://archive.org/embed/reportofgeneralp00mass. Note: while the commission consisted of three authors, historians such as Suellen Hoy have credited it to Shattuck. I will do the same in abbreviated citations moving forward.
109 Shattuck, 270.
112 Bushman and Bushman, 1228.
Powerful it was. After Shattuck finished denigrating the poor, he offered fifty recommendations for implementing new public health systems. Most of his suggestions form the underpinnings of public health throughout the entirety of the United States.\(^{113}\) As Barbara Gutmann Rosenkrantz summed up in *Public Health and the State*, “The Sanitary Commission’s Report, which was more than fifty years before a microbial etiology of contagious disease became the foundation of preventive medicine, assumed that the danger to health came as much from the corruption of morals as from contamination of the environment.”\(^{114}\) Thus, middle-class moralism became a pillar underpinning public health.

Though men were often responsible for sanitary and municipal policy, historian Suellen Hoy has taken great care to highlight that it was often women pioneers turning the engines of sanitary reform. English social reformer and founder of modern nursing Florence Nightingale\(^{115}\) revolutionized the sanitary practices of hospital care while in turn teaching women that their aptitude for care and cleanliness made them uniquely suited to the field of nursing. Nightingale’s good friend, Elizabeth Blackwell, the first woman to receive a medical degree in the United States, mobilized women in New York towards relief efforts during the Civil War.\(^{116}\) While Beecher had begun connecting the virtues of being “sweet and clean”\(^{117}\) to the virtues of womanhood and the home, Nightingale and Blackwell began teaching women that they could

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\(^{114}\) Rozenkrantz, 5 and 39.

\(^{115}\) Nightingale employed exponentially cleaner practices in caring for soldiers during the Crimean War. Her 1860 book, *Notes on Nursing*, was widely sold in England and in the United States where it was reprinted by *Godey’s Magazine*. Women were advised to study its concepts. Hoy, 32.

\(^{116}\) Elizabeth Blackwell founded the Women’s Central Association of Relief which supplied goods and nurses to the Union Army. She was highly influential to women physicians and beloved by the women’s movement. Scholar David Pivar notes that she often channeled religious symbols into her reform activities. David J. Pivar, *Purity Crusade: Sexual Morality and Social Control, 1868-1900*, (Connecticut: Greenwood Press, 1973), 37.

\(^{117}\) Beecher, 144 as cited by Hoy, 32.
play an important role in promoting cleanliness reform outside of their own households. These women mobilized sanitary efforts prior to the creation of the Sanitary Commission. This organization provided relief to sick and wounded soldiers and reported on the sanitary conditions of Union army encampments during the Civil War.

When the War came to a close, chief executive officer of the Sanitary Commission Fredrick Olmsted moved to New York City and deputized a report on the sanitary conditions of there. The 1865 Report of the Council of Hygiene and Public Health of the Citizens Association of New York Upon the Sanitary Condition of the City reported on the conditions with the goal of improving mortality rates from preventable infectious diseases. The report led to the Metropolitan Health Bill of 1866. This legislation marked a major turning point in public health in New York City because it inaugurated a Metropolitan Health Board, which held New York City to a new sanitary standard and influenced cities across the United States. When cholera broke out across the country in the summer of 1866, New York was significantly spared due to the rigorous efforts of the board.

118 Hoy 34-37.
119 Hoy, 35.
As New York and Massachusetts put in place political efforts to continually curb the rate of infectious diseases, a fundamental shift in the scientific understanding of how disease was spread was underway. As it was developed between 1850 and 1882, Germ Theory gradually replaced Miasma theory. Germ theory argued that germs were spread through bacteria and led to disease. Initial understandings of germ theories married miasmic theories about the hazards of sewer gas. Just add microbes! It was now understood that it was not just the foul air that caused disease, but the germs that accumulated in it.

In the 1880s, an improperly ventilated or constructed toilet or wash bin was newly considered as potential, as historian Nancy Tomes put it, “death dealing agent of disease.” Germ theory converged with the idea that the human body itself was a pollutant and anything that came from it was hazardous. Tomes explained that “hordes” of people would result in “accumulations of filth that poisoned the air and water, and provided the initial breeding ground for germs.” The Report of the Council of Hygiene and Public Health warned, a la Griscom’s theories about the poor, that it was impossible to instill good moral habits into people who lived in “closely packed houses,” with “noisome odors,” and “neglected privies.” In the 1870s, popular science journals and ladies home journals frequently published articles on the importance of proper plumbing and ventilation. Women continued to take up the gauntlet of

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124 This theory is most commonly credited to Louise Pasteur but was developed between 1850 – 1882 through to work of Pasteur, Robert Koch, Joseph Lister and John Snow.
127 Tomes, 63.
128 Tomes, 57 quoting Mary Armstrong, the wife of a superintendent in Virginia who distributed pamphlets on the hygiene of the home. It was not uncommon for citizens of cities and towns to create their own sanitary associations that distributed this kind of material.
sanitation. In 1884, the Ladies Health Protection Association conducted street cleaning
campaigns in New York and lobbied officials for a more immaculate city.131

Ultimately, this task was assigned to Civil War veteran Colonel George E. Waring.
According to environmental historian Carl Zimring, Waring was sent to New York City in 1895
to “literally and figuratively clean up the town”132 after he gained a reputation for curbing the
Yellow Fever epidemic in Memphis in 1879.133 To accomplish a cleaner New York, Waring
created the “White Wings,” an army of street cleaners who militaristically marched down the
New York City streets in pristine white uniforms in order to emphasize the effort to sanitize the
city.134

131 Hoy, 78.
133 When Waring came to New York, he took over as the New York Sanitation Commissioner. He was revered
national sanitation expert. Zimring, 63. Jacob Riis wrote that “It was Colonel Waring’s broom that first let light into
the slum.” Jennifer E. Lee, “He Cleaned the Streets, and left the Presidency to Others.” *The New York Times: City
presidency-to-others/. Waring also served as the Drainage engineer for Central Park.
134 Zimring, 64. Also see Sue Creedy, “Who Were the White Wings” New York Historical Society, January
Waring was instrumental in creating a cleaner New York that could more successfully stave off disease. However, his method invoked potent imagery that physically and symbolically connected cleanliness and hygiene to whiteness. As Zimring put it, “The rhetoric and imagery of hygiene became conflated with a racial order that made white people pure and anyone who was
not white, dirty.” Waring acted upon flagrant ethnic opinions that linked non-white bodies to grime in his hiring practices. He most often hired Italians, who were not considered white at the time, because he believed they were racially suited for street cleaning. Put differently, these immigrants were thought to more racially suited to handle filth. Waring had the street cleaners wear all white to dissuade them from neglecting work and heading to the saloon. As illustrated in the figure it was the “non-white” bodies that had to dress in white from head to toe in order to symbolize their hygienic function while the ethnically white officers were allowed to distinguish themselves in Black uniforms. After all, it was white men (and women) who gave the orders for a white world while “dirty” bodies were left to do the dirty work.

The poor were unilaterally cast as unsanitary regardless of race, ethnicity, or gender. But as Waring’s employment practices suggest, the way this manifested was uniquely specific to one’s particular race, ethnicity, and gender. Urbanization and immigration clustered women’s bodies and foreign bodies in American cities. Cleanliness became equated with Americanization and Americanization with whiteness. Stereotypes about cleanliness fostered a complex hygienic racial hierarchy along gendered lines. This hierarchy played a large part in dictating how women’s advancement and protection developed along racial lines as their presence in the work force and public sphere expanded over the latter half of the 19th and early 20th century.

135 Zimring, 89. He specifically mentions that Native Americans, Asian Americans, African Americans and Eastern Europeans were all considered dirty on pg. 6.
136 Zimring, 98. Zimring provides an excellent analysis of how the handling of waste was racialized. I will additionally expand upon the concept of Italians as non- white in Chapter Two.
138 His methods influenced famed female sanitary expert Caroline Bartlett Crane who traveled the United States inspecting cities’ sanitary conditions as “America’s Public Housekeeper” Hoy, 82 quoting Caroline Bartlett Crane, “The Story and the Results” typescript autobiography. Ca. 1925, Caroline Bartlett Crane Papers (Western Michigan University Archives and Regional History Collections, Kalamazoo)
“What are you staring at,” a coarsely portrayed prostitute asks with her unflinching eyes, not giving a tinker’s damn about shocked onlookers as she empties her bladder into the London streets. Her unruly hair spills from her bonnet. Her sagging breasts slip from the plunging neckline of her dress. Her naked knees flash as she hoists her skirt, revealing not just a trickle of urine but a cascade. This caricature illustrated by Isaac Cruikshank in 1799 is titled “Indecency,”
highlighting just how “indecent” prostitutes were thought to be. The portrait reveals the “naturally disapproving” attitude of the middle class towards this “public woman’s” existence. 139

Urban female prostitutes were labeled “public women” because of how “open and revealed” they were. 140 It is hard to get more “revealed” than Cruikshank’s illustration. Remember, men sought to protect women from the act of public urination. 141 A “respectable” white woman would not expose her legs without the disdain of her community much less urinate in the street. 142 These women, however, put themselves on public display; Therefore, their bodies were evidently fair game to dehumanize. Nineteenth century writer for the New York Tribune, George Foster described prostitutes in New York as “flabby-breasted” and “lascivious,” and compared their breasts to “bags of bran” and their promiscuous attitudes to those of a “milch cow.” 143

Scholar Anne McClintock argued that features like the woman’s unruly hair were one of the ways society marked white prostitutes as “regressive” and discursively categorized them outside the white race itself. She asserted that because they transgressed the boundaries of the public and private spheres, society often labeled them “white negroes” and positioned them between the white and Black races. 144

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139 Lee Jackson, 157.
141 See Jennings’s justifications for building women’s restrooms in Chapter One. Peter Baldwin also cites the observation that women were often subject to the “indelicate” displays. Baldwin, 267 citing “Nuisances” Weekly Rake, July 9, 1842.
144 Anne McClintock notes how features like exaggerated posteriors, unruly hair and other sundry “primitive” stigmata portrayed prostitutes as “white negroes.” McClintock, 56.
The “Black race” was stereotyped with innate sexuality. Black women were labeled as “Jezebels,” meaning they were viewed as governed almost entirely by libido. This myth originated when English men first traveled to Africa. They misinterpreted African women’s minimally clothed bodies, cultural traditions, and tribal dances as signs of promiscuity. As historian, Deborah Grey White articulates, “In every way, Jezebel was the counterimage of the mid-nineteenth century ideal of the Victorian lady… piety was foreign to her.” The “Victorian Lady” was, of course, the “true woman.” She was “pious, passionless submissive, domestic, and pure” Purity was explicitly linked to whiteness. This is illustrated in S. R. R’s 1846 poem, “Female Charms,” in which he wrote, “I would have her pure as the snow on the mount.” Thus, it should come as no surprise that Black women were disqualified from obtaining the label or status of “ladies” no matter their class or character.

Zakiyyah Iman Jackson notes that while a contemporary framework of the gender binary distinguishes being “cis” and “trans,” it obstructs an understanding that historically “the Black female body” has been categorized and measured as another gender and another sex. McClintock’s argument suggests that white (English or American born) prostitutes could essentially fall from the ranks of both whiteness and womanhood on account of what they did to

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145 Jezebel was a character from the Old Testament labeled as an adulterer because she believed in more than one God. Overtime she has come to represent the wicked woman. The Holy Bible. King James Version. 1 Kings 16:31-32. https://www.biblestudytools.com/bible-stories/bible-story-of-jezebel.html. Thank you to Monika Mitchell these biblical roots and source to my attention.
146 White, 29.
147 Maria Bevacqua, Rape on the Public Agenda: Feminism and The Politics of Sexual Assault (Boston: Northeastern University Press, 2000), 21; White, 29.
148 This is mostly taken from Welter’s definition of the true women, adding the descriptor, “passionless” which Nancy Cott uses to convey the view that women lacked sexual aggressiveness. See Nancy Cott, “Passionlessness: An Interpretation of Victorian Sexual Ideology, 1790-1850,” Signs, Vol. 4. No. 2 (Winter, 1978): 220.
149 S. R. R., “Female Charm,” Godey’s Magazine and Lady’s Book (Philadelphia), XXXII (1846), 52 as cited by Welter, 158.
150 Higginbotham, 261.
151 Cis is the abbreviation of “cisgender” see introduction for a current definition.
earn a living and that they lived in as sexual beings at a time when women were not supposed to even think about sex.\textsuperscript{153} Historian Mary P. Ryan explains that these race and class differences were encoded into distinct categories: the endangered and the dangerous. Prostitutes were dangerous. They were portrayed as “infested, polluted, defiled, repelled, and sickened.” They were “pollutants” to public space and were thought to be hazardous to public health.\textsuperscript{154} Literally. In 1867, three physicians from the New York Metropolitan Board of Health recommended sanitary inspections and forced hospitalizations for prostitutes.\textsuperscript{155} Endangered women were white upper-middle class. Dangerous women were not only prostitutes, but poor women, working women, and non-white women.\textsuperscript{156} In other words, virtually everyone who was not an upper-middle-class white woman was a danger to upper-middle-class white women. This became a particularly apparent and a crucial concept in the 19th century as rural American women joined the workforce along with droves of European immigrants arriving on American shores.

In the mid-19th century, the demographics of both America and the industrial workforce were shifting. Lowell, Massachusetts, one of the first and most major textile mills to develop in the United States in the 1830s, exemplified the early influxes of women into the American workforce. The mill attracted mainly young men, women, and new immigrants. The first wave of workers was largely comprised of white single women from neighboring rural farm towns.\textsuperscript{157} However, as McClintock argues, these women’s “whiteness” status was muddied by their

\textsuperscript{153} The term “fallen women” refers to someone who has sex before marriage or is prostitute: Cambridge Dictionary, s.v. “fallen women,” accessed April 22, 2020 via https://dictionary.cambridge.org/us/dictionary/english/fallen-woman.
\textsuperscript{155} Ryan, 114. Such public health fears also showed up prominently in public bathrooms. I will expand upon this discussion in Chapter Three.
working-class status. Because working women, such as domestic workers and miners, transgressed the private sphere, they too were labeled “white negroes” and positioned between the white and Black races. By the 1850s, these women began to accept work in white-collar trades such as telephone operation or clerical work. Mostly Irish women replaced them in factories during a wave of Irish immigration.\textsuperscript{158} When these Irish arrived in America, they were not considered white. They were distinguished from the English or Anglo-Saxon race as the “Irish race” and also often referred to as “white negroes,” “Celtic Calibans,” and other racial slurs.\textsuperscript{159} Between 1821 and 1850, one million Irish immigrants, a high proportion of whom were single women, made their way to the United States. Many arrived in the late 1840s as a result of the Irish potato famine.\textsuperscript{160} By the 1860s they had become the largest immigrant group in Boston, New York, and Philadelphia while also seizing work opportunities in mill towns like Lowell, Lawrence, and Pawtucket.\textsuperscript{161} By 1870, Irish women represented 57.7% of all textile workers.\textsuperscript{162}

A few factors led to the expansion of economic opportunity for both immigrant and rural American women workers in the second half the century. People were moving westward due to the promise of new economic opportunity (or gold) in California after the United States acquired the territory in 1848. This helped vacate positions in the Northeastern mill industry, ensuring young unmarried women a place in the workforce.\textsuperscript{163} Deaths during the Civil War offered further opportunities for women whose families had lost their sons.\textsuperscript{164} While prior to 1870 only the

\begin{footnotesize}
\begin{enumerate}
\item Barbara Mayer Wertheimer, \textit{We Were There: The Story of Working Women in America.} (Pantheon Books: New York), 1977), 105.
\item McClintock, 52 also see Noel Ignatiev “White Negroes and Smoked Irish” in \textit{How the Irish Became White} (New York: Routledge, 2009).
\item Diner, 40.
\item Diner, 75.
\item Wertheimer, 177.
\item Wertheimer, 151.
\end{enumerate}
\end{footnotesize}
poorest families had sent their daughters to work, during the Gilded Age of industrial expansion, “relatively prosperous working-class” families began sending their daughters to work, mostly in factories and as saleswomen in department stores.165 Between 1870 and 1900, the number of wage workers rose from 6.7 to about 18 million.166 From 1873 to 1897, 10 million immigrants entered the United States. They were predominately Western European, but increasingly large numbers arrived from Italy, Austria-Hungary, Russia, and Poland.167 Young, unmarried, working-class, foreign-born, or second-generation Irish and Southern European immigrants comprised the female labor force from 1880-1920.168

After 1880, growth of the ready-made clothing industry expanded jobs in department stores. While only about 7,462 women were employed in department stores in 1880 this number skyrocketed 1,800% by 1900.169 Though this demographic varied across the United States, foreign-born women were less likely to be hired as saleswomen, especially in the Northeast.170 As a general rule, store managers attempted to hire sales staff that were reflective of their ideal clientele: an ambitious but refined white woman, whose role, in part, was to reflect their perfectly polished patrons. This often excluded Black, immigrant, and poorer working-class women.171 Black women were not hired in department stores until around 1910, and when they

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165 Priscilla Murolo and A.B. Chitty, From the Folks Who Brought You the Weekend: A Short, Illustrated History of Labor in the United States (New York: The New York Press, 2001), 118. These women were sent to work after grammar school which ended at age 14. They contributed to the family’s expenses.
166 Murolo and Chitty, 116.
167 Smaller numbers arrived from, Portugal, Spain, Greece, Romania, Turkey, Syria, Japan, China, South America, Mexico, and The Caribbean. Murolo and Chitty, 116.
168 Murolo and Chitty, 118.
169 Wertheimer, 15.
170 Immigrants from relatively favored nations such as the British Isles, Scandinavia, and Germany were well represented. See: Susan Porter Benson, Counter Cultures: Saleswomen, Managers, and Customers in American Department Stores, 1890-1940 (Chicago: University of Illinois Press,1986), 209. Also note that Benson is referring to early 20th century when Irish American immigrants had largely begun to be considered white.
171 Benson, 209.
were, they were hired into roles where they would “not come in contact with the general public” such as maids, cleaners, elevator operators, and waitresses.\textsuperscript{172}

African American women were not frequently employed in the industrial workforce either. That door did not begin to crack open until World War I. A study conducted in 1919 on African American women workers in New York noted, “Tradition and race prejudice have played the largest part in their exclusion.”\textsuperscript{173} As an alternative, most African American women worked as cleaning women, cooks, nursemaids, laundresses, building cleaners, and chambermaids.\textsuperscript{174} Black women were responsible for the majority of the domestic cleaning work in the South after the Civil War, while Irish had a monopoly in the North.\textsuperscript{175} This was partly due to the demographics of the population; as of 1890, ninety percent of African Americans lived in the South. However, fears that Blacks might challenge this Irish monopoly in the North after the Civil War fueled a multi-faceted animosity that developed between the two maltreated races.\textsuperscript{176}

This is just one example of how the ostensible “melting pot” of America sorted workers into an occupational hierarchy based upon race and ethnicity which lead to divides along with color, ethnicity, and gendered lines.


\textsuperscript{173} The study also explains, “200 years of slavery and 50 years of industrial boycott both in the North and South has done little to encourage or develop industrial aptitudes.” Jessie Clark and Gertrude E. Mougald. \textit{A New Day for the Colored Woman Worker :A Study of Colored Women in Industry in New York City.} (March,1919), 5 Study produced under the joint direction of Nelle Swartz, The National Consumers League of New York; Mary E. Jackson, Young Women’s Christian Association; Rose Schneiderman, The Women’s Trade Union League; Elizabeth Walton and James Hubert, The New York Urban League, Henriette R. Walter, Division of Industrial Studies at the Russell Sage Foundation; Percival Knaut, Committee of Colored Workers at the Manhattan Trade School; Hathi Trust: https://catalog.hathitrust.org/Record/003875144.

\textsuperscript{174} Wertheimer, 176.

\textsuperscript{175} Murolo and Chitty, 118 and Zimring, 119.

\textsuperscript{176} Diner, 89. Tensions often manifested in violence. One of the most horrific examples was the draft riots of 1863. In response to being drafted into the Civil War, groups of Irish Americans looted and burned African American neighborhoods, such as the “Negro Quarters” at Sullivan Street.
As working-class women took up space for themselves in the wage-earning workforce, middle and upper-class women increasingly claimed public space for themselves through campaigns for abolition and suffrage. Beginning with the Seneca Falls convention in 1848, suffragists started to convene on larger and larger scales demanding women’s rights. That same year, William Burnap lectured on the duties of women and professed, “To her is given in large privilege to access education and stake intellectual claim to the public sphere measure sensibility, tenderness, patience… she feels herself weak and timid. She needs a protector.”

177 Call the male guard! Women are asking for rights! While Burnap’s assertion that women “feel” themselves to be weak and timid was hardly empirical, he was only one in a mighty army of male thinkers who drew upon developments in anthropology, psychology, and sociology to prove the inferiority of the female sex empirically.

178 In 1871, famous English biologist Charles Darwin insisted that there were innate differences between men and women in large part to do with sexual selection. “No one disputes that the bull differs in disposition from the cow, the wild boar from the sow, the stallion from the mare… Woman seems to differ from man in mental disposition, chiefly in her greater tenderness and less selfishness.” According to Darwin, “this holds good even of savages.”

179 At least now, when women bore comparison to cattle, they were still considered “tender.” British physician Havelock Ellis asserted in his 1894 book, Man and Woman, women were “smaller and more

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179 Charles Darwin, The Descent of Man, and Selection in Relation to Sex, 2d ed. (New York: P.F. Collier and Son, 1900; Project Gutenberg, Kindle Edition), Kindle Loc. 10386-10387 [http://www.gutenberg.org/ebooks/2300](http://www.gutenberg.org/ebooks/2300). Darwin also used the fact that there were few well known female thinkers or scientific contributors as evidence that they had inferior intellectual capabilities. With all their privileged access to education and recognition of their intelligence? Shocker.
delicate” and were anatomically more childlike than men.180 This theory had important implications for how women were legislated: when cities began to pass labor laws that were meant to improve their workplace conditions, women were grouped together with children. These labor laws were often supported by the argument that they protected women’s reproductive capacity.181

While all women were generally defined in relationship to their reproductive capacity, Ellis assigned racial superiority to how well women were able to breed. Ellis argued that a European woman’s pelvis was “the proof of high evolution and the promise of capable maternity” in contrast to “the dark races” whose pelvis was “apelike in its narrowness and small capacity.”182 Theories of racial difference and European superiority had emerged in Anglo Saxon thought in order to justify slavery in a “free society.”183 People argued over theories of monogenesis vs. polygenensis. Monogenesists argued humans are one species deriving from European origin, while polygenesists claimed that multiple origins of many different human species existed over the course of the next several decades. This debate had been in existence since Europeans first saw Native Americans in 1492.184 In the mid 19th century, medical professionals, anthropologists, and biologists began proving polygenesis through science.185

While Darwin opened up doors in 1860 for white supremacists to claim that whites were

181 I will expand on this in Chapter Three.
182 Ellis, 31.
185 Early examples include: Dr. Samuel Morton, the founder of modern anthropology who in his 1839 book, Cranium Americana concluded that white people had superior intellect because he found they had larger skulls and surgeon Dr. Josiah C. Nott who argued in an article published in the American Journal of Medical Science that biracial women were “bad breeders” because they were birthed from “two distinct species.” See Kendi,179-180.
naturally superior to everyone else, Ellis popularized prison doctor Cesare Lombroso’s theories that non-white people were inherently prone to criminality.186 Such theories became critical to reformers looking to clean up crime-infested non-white neighborhoods.

Whiteness, and the process by which it was obtained in America, was as scholar David Roediger put it “messy.”187 To offer a concise explanation: “non-white” was a label inclusive of most non-English, European immigrants arriving in America. Historian Matthew Frye Jacobson explains that as new immigrants flooded America, what had been defined before 1840 as monolithic whiteness versus non-whiteness took on internal division. White came to mean specifically “English” or “Anglo-Saxon,” while others fell into ranks of “entirely different” versus “somewhat different.”188 Immigrants and people like prostitutes who transgressed boundaries of respectability lived in proximity to whiteness, but were not considered white. Religion played an inextricable role in assigning racial identity. Celtic racial identity, for example, was inseparable Irish Catholic identity.189 Jewish people also fell into the category of “somewhat different.”190 As is indicated by epithets like “white negro,” whiteness was painted in shades. Roediger argues that the messiness of this history surfaces “when we think of whitening as a process in social history in which countless quotidian activities informed popular

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188 Jacobson, 42.
189 Jacobson, 70.
190 See Jacobson, 62-67
and expert understanding of the race of new immigrants.”

For European immigrants, the process of becoming white was inextricably linked to cleanliness.

This was often true of how immigrants were stereotyped and discriminated against. Shattuck offered a portrait of how all poor people were characterized as unclean. However, in practice, as Waring’s hiring practices well exemplified, discrimination was often ethnically specific. In his seminal and vehemently racist book, How the Other Half Lives, a 1908 photojournalistic portrait of the New York City tenements, Jacob Riis wrote of Italians, “Whenever the back of the sanitary police is turned, he will make his home in the filthy burrows where he works by day, sleeping and eating his meals under the dump, on the edge of slimy depths and amid surroundings full of unutterable horror.”

Irish house workers were described as “unwashed” and accused of performing housework “dirtily and shiftlessly.”

The 1866 Report of the Council of Hygiene and Public Health reported that “the tenants are all Germans of the lowest order, having no national nor personal pride they are exceedingly filthy in person, and their bedclothes are as dirty as the floors they walk on.” A young working Polish girl who was living in the Lower East Side in the early 20th century testified that she was often referred to as a “stupid animal.”

The implicit assumption behind many of these labels was that these immigrants arrived in America, ethnically, physically, and sexually unclean.

As political and legal historian Margot Canaday explains in The Straight State, sexual deviance was linked to racial difference in a pseudoscientific theory of “degeneracy.” In this

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191 Roediger, 8.
http://www.gutenberg.org/ebooks/45502.
193 Hoy, 18.
theory, “primitive races,” lower classes, single women, and non-whites were seen to be especially inclined towards sexual perversion, including homosexuality.\footnote{Margot Canaday, “Immigration, ‘A New Species of Undesirable Immigrant’: Perverse Aliens and the Limits of the Law, 1900-1924” in \textit{The Straight State} (New Jersey: Princeton University Press, 2009), 29.} Those who subscribed to this theory acted against the proliferation of such degeneracy by both restricting immigration and promoting eugenic methodologies of sterilization to avoid sexually degenerate genes being passed on in the human race. The “stigma of degeneracy” was mapped onto and thought to be literally visible on immigrant bodies.\footnote{Canaday, 31.} Immigrants were often inspected for traits of sexual deviance when arriving at Ellis Island. Inspectors used interview questions to screen for perverse acts and bodily inspections to scan for “lack of” or “arrested” sexual development of their bodies.\footnote{Canaday, 34. This was often assessed of men by determining if they had “abnormally” large or small penises.} While these immigrants were not able to completely rid themselves of the stigma of hereditary sexual deviance, they were encouraged to adhere to the gospel of cleanliness. This was a direct way to assimilate to American culture, and as Anne McClintock put, “wash from the skin the very stigma of racial and class degeneration.”\footnote{McClintock, 214.}

McClintock conducted a brilliant, in-depth analysis of soap advertisements as an emblem of the relationship of whiteness, cleanliness, and imperialism. Pears’ Soap was known for what McClintock refers to as “commodity racism.”\footnote{“Commodity Racism” refers to turning imperialism into a mass consumer spectacle through Victorian advertising, photography and Imperial expositions. See McClintock, 31-36.}
This 1880’s Pears’ Soap advertisement displays a two-picture narrative: in the first image, an apron-clad white boy, representing domestic femininity, holds out a bar of soap to a bathing Black boy who is portrayed hunched over with wild eyes. In the second, the Black boy emerges from the tub completely white in body and smiling. His face, however, remains black and marked with certain stereotypical facial features of “degeneracy,” such as exaggerated lips and a receding forehead. Therefore, while the boy might be able to feel himself anew in a clean, white body, no soap in the world could scrub away the reality that in the minds of Anglo-Saxon Americans, his face still symbolically represented filth. Nevertheless, Black people could still be schooled in the standards of American cleanliness. To the Anglo-Saxon view, this was “the White Man’s Burden.”

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201 McClintock explains that “exaggerated lips” and a “receding forehead” were seen as physiognomies of degeneracy, 53.
“The White Man’s Burden” was a phrase predominately used to tout the virtues of imperialism. This is plainly illustrated in the above 1899 Pears’ Soap advertisement where a white general washes his hands while white women hands a bar of soap to a “primitive” native inhabitant of a “newly discovered” land while. Ironically it was also seen as the “White Man’s Burden” to “teach the virtues of cleanliness” to immigrants from more “primitive” cultures as they arrived on American soil. A series of advertisements for soap in the 1920s and 30s suggested that their brand of soap be used to teach European immigrants about cleanliness. One read, “Mrs. Rizzuto would like to live up to our standards of American cleanliness, but her methods are so primitive, so ineffective. She is sadly in need of coaching on the American way of keeping house. And when you’re teaching her. Suggest Fels-Neptha Soap.” Another: “Mrs.
Zumbruski, schooled to squalor, she cannot understand our standards of cleanliness.”203 The message in these advertisements was clear: if immigrants could assimilate to the ways of middle-class American cleanliness, they too could become American. New “rituals of cleanliness” adopted by immigrant families afforded them social mobility and markers of “white racial superiority” that came at the detriment of African Americans.204 Witnessing the racism wielded against African Americans, the vast majority of European immigrants attempted to distance themselves from African American people. Their own process of American depended on them “buy[ing] into the notion of American blacks as the real aliens.205

This racism often came in the form of equating Black skin with dirt, as is exemplified in the Pears’ Soap advertisement. This symbolism was attached despite the reality that African American spaces were more hygienically advanced.206 Jacob Riis believed that African American people were superior in cleanliness to European immigrants. He wrote, “There is no more clean and orderly community in New York than the new settlement of colored people that is growing up on the East Side from Yorkville to Harlem. Cleanliness is the characteristic of the negro in his new surroundings, as it was his virtue in the old.”207 However, while prominent African American leader Booker T. Washington encouraged African American people to subscribe to the hygiene revolution as a form of uplift, this did not erase some of the damning effects that cleanliness culture had on Black people.

203 Hoy, 88 citing a series of ads in Survey Magazine from the 1920’s and 1930s.
205 Toni Morrison, “On the Backs of Blacks” Time, Fall 1993, special issue, 57 as cited by Roediger, 34. Also note that there was concurrently a considerable amount of intermarriage between Scots and Irish women and African American men which I will expand upon in chapter four.
206 Zimring, 82.
In addition to the associations that almost irreversibly attached to Black skin, higher rates of disease were also associated with Black populations. According to a study conducted by the Consumers’ League of Eastern Philadelphia, “The negro population has a higher sickness rate than the white, according to available evidence. Since negroes from the South are at present migrating to Pennsylvania in large numbers, this means the possibility of a great increase in the sickness problem of the state.”

Black people were being defined as pollutants to the health of Northern states. Herein lay one of the fundamental differences between immigrants and other people cast away from whiteness and African American people. While the former could behave and conform to American cleanliness rituals, the latter could not change their skin and what hygienic imaginations went along with it. Immigrants on the other hand, as Roediger noted, gained membership to the white race within a few generations.

The Anglo-Saxon middle-class’ use of Wesley’s old epigram, “Cleanliness is next to Godliness” suggests, achieving physical cleanliness was part and parcel with achieving moral cleanliness. At the same time that the American middle-class came to understand that bacteria spread disease, many too became convinced that moral filth infected the urban masses and only a comprehensive effort could scrub away the decay. These comprehensive efforts took the form of moral reform, purity reform, temperance, charity organizations, and settlement house movements. These movements were all in some way devoted to cleaning up the act and the

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209 Roediger, 20.
210 Boyer, 144.
environment of the urban immigrant working-class. This kind of “city cleansing” was an extension of domestic purification and was a task made for the ladies.  

Figure 2.4

One of the prime examples of municipal moral housekeeping was the Women’s Christian Temperance Union (WCTU), established in 1873 by Frances Willard. In her efforts to purify the city from alcohol and prostitution, Willard convinced women that joining her in this public activism was in service of protecting their middle-class homes. Willard was perhaps a perfect example of how Protestant virtues were equated with female virtues.

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211 George Waring himself wrote that City cleansing was “especially women’s work.” George F. Waring Jr. “Village Improvement Associations,” *Scribner’s Monthly* 14. (May 1877): 98. as cited by Hoy, 73.

212 Hoy, 73.

213 Nancy Cott explains how women became the majority of Protestant Churches linking these two value systems. Cott, 221.
In the 1870s charity organization societies also started spread across the country. They numbered in the hundreds by 1890. Charity societies often chalked the poor’s circumstances up to their own moral failings.\(^{214}\) In 1882, wealthy reformer Josephine Shaw Lowell founded the New York Charity Organization Society. Shaw Lowell sought to improve the lives of the urban poor because she believe that “their brains should be released from ignorance, their hands freed from the shackles of incompetence, their bodies saved from the pains of sickness and their souls delivered from the bonds of sin.”\(^{215}\) She referred to her charity efforts as “moral oversights of the soul” and believed that only those that society could control; that is, those “who would submit themselves to discipline and education” should be helped.\(^{216}\) Lowell typified the attitude of a charity house worker, who looked down on the poor as in need of a “moral force” to lift them up.\(^{217}\)

The Settlement House movement had a similar goal of improving the conditions and moral character of the working class but harbored comparatively less judgement. In 1889, reformer Jane Addams started the College Settlement in New York and Hull House in Chicago. These houses, which numbered 100 by the end of the century, were constructed in immigrant neighborhoods and fueled by a volunteer base of white middle-class, college-educated men and women.\(^{218}\) In contrast to charity organizations, settlement workers recognized that the poor conditions of the lower classes derived from “low wages, bad housing, polluted water, and

\(^{214}\) Boyer, 155.
\(^{216}\) Boyer, 148 and Lowell, 68. Despite Lowell’s Christian desire to do good, her pro-labor, and anti-imperialist efforts, Lowell’s opinions of the lower class lead her to promote what is referred to as “Negative Eugenics” which discouraged lower classes from reproducing and was often actively in favor of sterilization. Lowell founded the Custodial Asylum for Feeble-Minded Women to prevent “mentally handicapped” (often defined by sexual promiscuity) from reproducing.
\(^{217}\) Boyer, 155.
\(^{218}\) Boyer, 157.
inadequate health care.” Though Addams was “determinately tolerant” and valued immigrant life, she did seek to “rectify and purify” their environments by constructing them in the likeness of the white middle class. Guided by theories of positive environmentalism, white moral reformers set out to improve urban environments, including constructing public restrooms, public baths, parks, playgrounds, and swimming pools. Part of urban improvement was a keen assessment of the environment as it currently existed.

Influenced by Jacob Riis’s exposé and the discovery of sweatshop labor taking place in crowded tenement apartments, Lowell, Addams, and her colleague at Hull House, Florence Kelley, formed the National Consumers League (NCL). The object of the organization was “to secure adequate investigation of the conditions under which goods are made in order to enable purchasers to distinguish which goods are made under healthful conditions.” To accomplish this, the NCL marked superior products that met these standards with the “White Label.”

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219 Hoy, 102.
221 Boyer, 180.
222 Kelley worked with Addams at Hull House in 1891 where she was specifically tasked with surveying the surrounding areas. This earned her a role as Illinois’s chief factory inspector. Kelley was instrumental in combatting child labor. “Florence Kelley” Social Welfare History Project, April 2, 2008, accessed April 23, 2020.
https://socialwelfare.library.vcu.edu/people/kelley-florence/.
224 A 1900 pamphlet advertising the label urges consumers to “Discriminate Against Inferior unclean sweat-shop clothing. Insist on this label.” “Sweatshop Workers Tour” The Tenement Museum. 103 Orchard Street. New York, NY 10002. January 20, 2020. A copy of the advertisement was by the museum.
NCL aimed to “promote better conditions among the workers while securing to the consumer exemption from attending unwholesome in condition.” The rights of the worker mattered, but so did the rights of the consumer, who could be contaminated by the “unwholesome” conditions of the tenement sweatshop.

One “unwholesome condition” of tenements was the unavoidable cohabitation of the sexes. Not only were tenants sharing rooms, couches, and beds irrespective of sex, most tenements still had outhouses that both sexes shared. If part of the project of public bathrooms was to shield respectable women from “sights so disgusting” as men peeing, then shared bathrooms were an abomination in this upper-middle-class project of moral uplift. In 1894 New York State Tenement House Committee warned that the “promiscuous mixing of all ages and sexes,” was “breaking down the barriers of modesty.” This “promiscuous” mixing of sexes was even more offensive when considered in relation to the privy. In an example of how the lower classes “social relations are quite unconceived” in his 1845 report, Lemuel Shattuck had observed with implied horror that “men and women boys and girls in scores of each, us[ed] jointly one single common privy.”

Not only was it an affront to propriety for men to relieve themselves in the proximity of women, for a woman to relieve herself in front of men, earned her the label “prostitute.” Imagine a young woman who must to relieve her bladder in a privy she shares with all the men in her tenement building; the ramshackle door just waiting to be busted through by one of these men, revealing her in crude form. She was just one dilapidated wall away from becoming

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225 Jennings as cited by Wright.
227 Shattuck, 274.
Cruikshank’s portrait of a “public woman.” It was against the backdrop of “indecency,” both observed and imagined, that the New York and Massachusetts legislatures enacted laws prohibiting promiscuous sex mixing in bathrooms.
“Busy later?” the young woman’s eyes proposition the sailor across from her as she drapes her back against a ship deck pillar. “I am now,” his eyes respond as they gaze on her chest. Whether the woman is soliciting herself to the group of men that surround her, or she is merely acting with the lustful laxity assumed to be characteristic of her class is unclear. Whatever the precise context, the sketch depicts a ship deck laden with “promiscuous mixing of all ages and sexes”\(^{228}\) with flirtation as the focal point. Next to this pair, already versed in this “American” ritual, a man washes his hands. Diagonally opposite, a family with children ranging

\(^{228}\) Shattuck 274.
from infancy to adolescence huddles together. Another darkly complexioned gentleman beckons the gaze of the other passengers into the distance. They their crane necks, lean off the ship deck, position their telescopes, and squint their eyes to catch a glimpse. Meanwhile while a busker serenades the distant land. America: Land of the clean and the home of the segregated.

In 1874, as migrants like these prepared to knock on America’s door, John M. Woodworth, the supervising surgeon at the U.S. Marine Hospital, went knocking on the doors of the Senate, asking them to regulate such scenes of migrants and their fabled filth. Woodworth penned a “Report on an Investigation into the Treatment and Condition of Steerage,” which documented the conditions of passengers arriving at the ports of New York, Boston, Philadelphia, and Baltimore. His report included an act to regulate these ships, which were rumored as “floating brothels.” It drew on the regulations of many Anglo-Saxon nations including Great Britain, North Germany, Sweden, and Norway. As a surgeon, Woodworth was concerned with health conditions such as: lack of ventilation, overcrowding, and malnutrition that spread disease and lead to high mortality rates amongst a ship’s passengers. The poor health of migrants he argued, presented a direct threat to America’s shores. While Congress enacted the “Act to Regulate the Carriage of Passengers in Steamships and other Vessels” in 1855, nearly

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229 The proposed act was titled: “A Draught of an Act to Regulate the Carriage of Migrant Passengers to and From the United States in Steamships and Other Vessels.” It was included in John M. Woodworth, “Report of an Investigation into the Treatment into the Treatment and Condition of Steerage Passengers made during the months of July, August and September, 1873 at the ports of New York, Boston, Philadelphia and Baltimore with some suggestions of needed legislation concerning the Immigrant Service.”; Google Books, https://play.google.com/books/reader?id=IF1HAQAAIAAJ&printsec=frontcover&pg=GBS.PR9. A similar law was passed in 1855 entitled “An Act to Regulate the Carriage of Passengers in Steamships and other Vessels.” While an amendment was passed in 1860 to help ensure the protection of female passengers, this law does not contain explicit references to sex-segregation and the protection of female passengers. The term “Floating Brothels” can be found on page 24.

Among the specific regulations noted are the English Passenger Acts 1855 and 1863 and penalties enforced by the North German Union.

230 Woodworth notes he used the term migrants to refer to both immigrants and emigrants.
twenty years prior to specifically address cleanliness aboard migrant ships, Woodworth was after something more. He wanted a separation. He wanted segregation. Woodworth wanted walls.

As the above portrait suggests, there were no spatial boundaries on ship decks. To solve this kind of chaos, he suggested that order, discipline, cleanliness, and the protection of female passengers could be accomplished through greater divisions. He proposed dividing the sexes amongst three distinct compartments: single men over the age of twelve, families with children under the age of twelve, and single women over the age of twelve. Each of the three compartments were to include separate water closets. He argued ships should, at the very least, include two distinct sets: one exclusively for women and children. These provisions for segregation were directly inspired by English and German regulations and “should be instated in the interest of common decency.” According to Woodworth, it was critical that “the greatest amount of privacy and freedom from exposure under the circumstances [was] secured, and the forced association which… ha[d] a very bad effect on the chastity of female passengers.”

While Woodworth played coy in this phrasing as to what might be the cause of this loss of chastity, his report also made clear that it was the “evils” of the crew who were “less amenable to restraint” and were to blame for the “outrage” against female chastity. Such language suggests that he was concerned that male crew members would sexually violate young female passengers.

However, Woodworth was not entirely committed to the narrative of female victimhood this implies. In addition to his provisions on segregation, Woodworth proposed that “each vessel entitled to carry 100 passengers should have onboard an “experienced matron” who shall be

231 Woodworth, 25.
232 Woodworth, 25.
233 Woodworth, 26.
employed to maintain cleanliness, order, and discipline amongst female passengers.”

Eyes ogled in both directions. Men may have been lustful, but women were still wanton. Thus, in order to keep these lower orders from procreating, these sexes needed to be separated.

While Woodworth’s regulations would not be signed, sealed, and delivered through the Senate for another thirteen years, his Anglo Saxon inspired sentiments were not only long-lasting, they were also foundational to the ethos that architected and legislated segregated bathrooms on American shores. As plumbing became widespread enough to provide public and semi-public water closets, the construction and legislation of separate bathrooms closely followed two groups of peoples’ emergences into the American city: European immigrants and women. Segregated bathrooms showed up in three main places: first, in factories, where rural and immigrant women labored to make fabrics: department stores, where young working women sold dresses and middle and upper-class women bought them and the streets where women collectively participated in stepping out of the domestic sphere. These gender-segregated spaces were also implicitly and explicitly segregated by race and class.

Woodworth’s suggestion to include sex-segregated lavatories as provision for maintaining, order, cleanliness, and the protection of women ultimately materialized where many immigrants were working in Northeastern American cities: factories. In late February of 1887, the men of the Massachusetts Senate passed an edict that was likely to have made Woodworth’s heart sing: “An Act to Secure Proper Sanitary Provisions in Factories and Workshops.” The bill was presented by Robert Howard, a representative of the Committee on Labor, who proposed a bill for proper ventilation and “other sanitary” improvements. Provision 2 stipulated that:

Woodworth, 32.

This is somewhat of an oversimplification of class commerce. Young working women were quite taken by fashion and often used extra any extra earnings to purchase dresses.
Every person employing five or more persons in a factory, or employing children, young persons or women five or more in number in a workshop, shall provide, within reasonable access, a sufficient number of proper water-closets, earth-closets or privies for the reasonable use of all persons so employed; and wherever male and female persons are employed in the same factory or workshop, a sufficient number of separate and distinct water-closets, earth-closets or privies shall be provided for the use of each sex and shall be plainly designated, and no person shall be allowed to use any such closet or privy assigned to persons of the other sex.236

The language used here to describe the criteria for water closets is at once vague and highly pointed. It carries a tone of moral judgment and fear. Like a true lady, a water-closet needed to be “reasonable” and “proper” while the number of restrooms needed to be “sufficient.” What is reasonable? What is proper? How many toilets is a “sufficient” number of toilets? There is, however, little ambiguity to the order for them to be separate and distinct. Not together and not the same - in case that was not clear.

The word “reasonable” has two possible meanings. It could have meant that the privy should be in a good enough condition to be used or that there was a “reasonable” and “unreasonable” way of using a water closet. Probably a bit of both. The reports on the conditions of factories indicated that factory toilets were often in very poor condition, which suggests the former. The last line, thought, suggests the later. That “no person shall be allowed to use any such closet or privy assigned to persons of the other sex” directly dictates that there in fact was an “unreasonable” way to use a bathroom, and that was to use one assigned to the opposite sex. The fact that legislatures felt compelled to include such an explicit prohibition of such “misuse” indicates that proponents were either wholeheartedly attempting to prevent this from happening

236 An Act to Secure Proper Sanitary Provisions in Factories and Workshops. Chap.01013, S. Res. Session Laws – Massachusetts, (February 25th, 1887), 668. https://archives.lib.state.ma.us/handle/2452/8330. Owners were given up to four weeks to make the necessary changes before criminal charges were considered.
or it was already taking place. Or, most scandalously, they might use the same water closet at the same time. By law, this misconduct had to be stopped!

However, a 1913 “know your rights” style pamphlet for health and safety for women workers published by The Consumers’ League of Boston indicates that over twenty years later, working women may have still been waiting for their own toilets to arrive. The mere fact that this was a right that needed to be argued for twenty years later demonstrates that the mandate was a matter of contention. Workplace bathrooms did not come into the world segregated by sex; they had to be legislated and lobbied to be so. The Consumers’ League informed women of their right to a bathroom that was “clean and well aired and intended and plainly marked for women only.” While the context of this reminder is a women’s rights pamphlet, so the designation “women only” is expected, by making using “women only” rather than “separate bathroom,” the Consumers’ illustrated who exactly the legislature feared may transgress bathroom boundaries: men.

A similar publication which noted that “separate toilets for women must be provided” was published by the Consumers’ League of New York City in 1907. Josephine Shaw Lowell, founded this citywide league in 1890, roughly a decade prior to the formation of the National League. To a middle-class reformer, it would have severely transgressed the boundaries of modesty for a woman to share a toilet, or any small, confined, intimate space with a man. In such

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238 Consumers League of New York City. “Summary of New York Laws for Working Women as Amended and in Force October 1”, 1907 in Factories in Consumers’ League of the City of New York. (1907); Gale Primary Sources; Nineteenth Century Collections Online accessed via New York Public Library. Gale no. GALE|AXYOTO328402945.
239 See Chapter Two for explanation of the National Consumers League and other reform movements helmed by Jane Addams and Josephine Shaw Lowell.
a scenario, women might be confronted with the possibility of sexual assault. Perhaps of greater concern to men was that they would be forced to contend with the fact that women had genitals, and these genitals had functions other than popping out babies. Maintaining this sense of modesty was, to them, a clear matter of health and safety.

Just two months after Massachusetts, New York State enacted “An act to regulate the employment of women and children in manufacturing establishments…”240 By situating the clause amidst a longer set of regulations on women's and children’s employment and factory equipment safety standards, this law defined separate bathrooms as a matter of safety and protection. Terry Kogan noted that the New York law inaugurated a general pattern in which many states slipped mandates for separate toilets into longer sets of labor regulations for the employment of women and children workers.241 As suggested by Havelock Ellis’s gender science, women and children shared more fragile and vulnerable bodies. There were two sets of opposing views on this kind of legislation: one which posited that playing into sexual differences would help protect women and one that believed that it would hurt. The first camp argued that it was intended to and would successfully help shield women and children from exploitation, corruption, and horrible working conditions. The second asserted that the laws were intended to and would bar women from the workplace given the increased regulations around their employment.242 Women’s entry into the workforce was afforded by the fact that they could be

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240 An Act to amend chapter four hundred and nine of the laws of eighteen hundred and eighty-six, 'entitled “An act to regulate the employment of women and children in manufacturing establishments, and to provide for the appointment of inspectors to enforce the same. “An act to regulate the employment of women and children in manufacturing establishments, and to provide for the appointment of inspectors to enforce the same.” Act of May 25, 1887, ch. 462, § 13, 1887 N.Y. Laws 575.
241 Similar laws were enacted in Pennsylvania, North Dakota and South Dakota. See Terry Kogan, "Sex Separation in Public Restrooms: Law, Architecture and Gender," Michigan Journal of Gender and Law. 14, no. 1 (2007), 39. Women and children were often lumped together in such legislation because, as the sexual scientific theory articulated in Chapter Two indicates, women were considered to be “childlike” and thus in need of protection in the same way that children would. See supra note 171.
242 Kogan, 17.
hired for less. Laws that mandated special accommodations for women might dissuade employers from hiring them at all.\textsuperscript{243} Those who opposed such mandates because of the barriers it created towards employment began taking their concerns to court. Once they did, the courts made explicit what could only be gleaned between the lines of such legislation. Sex-segregated bathrooms were constructed with sexist ideology aimed at preserving white women’s reproductive capacity.

In the 1908 case \textit{Muller vs. Oregon}, The United States Supreme Court upheld an Oregon law that limited women’s workday to ten hours. The plaintiff argued that such a workplace regulation was inherently unequal between men and women.\textsuperscript{244} Backed by organizations like the National Consumers League, the defense rested their argument on sexual difference. It claimed, “The woman’s physical structure and the performance of maternal functions place her at a disadvantage” and “healthy mothers are essential to vigorous offspring, the physical wellbeing of woman becomes an object of public interest and care in order to preserve the strength and vigor of the race.”\textsuperscript{245} As law professor Ruth Colker noted in her article, “Public Restrooms: Flipping the Default Rules,” the court invoked separate spheres ideology and equated “women” with “mother” and “frail” in order to uphold the case. In other words, a woman’s reproductive capacity was always deemed to be more natural to who they intrinsically were as women. Colker


\textsuperscript{244} The court went against a 1905 decision in \textit{Lochner v. New York} which upheld an employee’s right to enter into a free contract with an employer rather than be constrained by the regulation. This case, however had nothing to do with sex. The Supreme Court broke precedent because they claimed that the differences between the sexes justified a different ruling.

\textsuperscript{245} Muller v. Oregon US 107. (1908).
also pointed out that the court implicitly referred to white women, noting that “the race” was synonymous with “the white race.”246 While exactly who qualified as “white” was undergoing transformation at the turn of the 19th century, European immigrants who would have made up a large population of these workforces were classified on the 1910 census as foreign-born white.247

In 1908 African American women were not commonly employed in the industrial labor force. This started to shift during World War I when African American women found work as temporary replacements for men who went off to war. They were paid considerably less than white women and took on work white women refused to perform, such as cleaning or work previously assigned to men. According to a 1919 study of African American women workers in New York, sponsored in part by the New York Consumers’ League, African American women “replaced boys at cleaning window shades, work that necessitates constant standing and reaching. They were taking men’s places in dyeing of furs, highly objectionable and injurious work… In a mattress factory, they were found replacing men at ‘baling,’ these women had to bend constantly and lift clumsily[sic] 160-pound bales.”248 While cleaning was a task assigned to immigrant workers, it was something that most sought to ascend from as they climbed ethnic and industrial hierarchies. This passage suggests that Black women were being assigned work that had seldom been assigned to women before regardless of ethnicity.

246 Colker, 155.
248 Colored Women in Workforce, 7.
The study claimed that “industrial ignorance and lack of understanding of the value of collective bargaining have caused colored women to accept low wages as well as unpleasant work.” In other words, their condition was their fault. While the report stressed the necessity for African American women workers to unionize, it did not argue that these women were too “frail” to take on this kind of work or that it might in injure their reproductive health. Their “physical wellbeing” was not argued for, cared for, or protected in the same way as white

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249 *A New Day for the Colored Woman Worker*, 21.
women, native\textsuperscript{250} or foreign-born. This context is crucial to keep in mind as we return New York’s own 1887 “regulation of the employment of women and children” and its potty provisions. It illustrates whose employment and bodies these laws were concerned with protecting.

In addition to calling for proper screening, ventilation, and cleanliness, Provision 13 of the New York law stipulated that “the water-closets used by females shall be separate and apart from those used by males.” The physical stipulations were echoed by sanitary engineers who both designed and advocated for what public and semi-public bathrooms should look like. Influential sanitation engineer, J.J. Cosgrove discussed the importance of these separations extensively in \textit{Factory Sanitation}.\textsuperscript{251}

The edict, “Cleanliness is next to Godliness” appeared again in Cosgrove’s text; however, he did not use it to attack the working-class for their moral failings. He thought workers had a right to be clean because he thought they had a right to be closer to God. He agreed with many reformers like Lowell and Addams that properly constructed, hygienic facilities would usher workers toward a more moral life.\textsuperscript{252} Cosgrove, Woodworth, and the governments of England and Germany agreed that separating washing and toilet facilities by sex was a clear matter of “decency.” In \textit{Factory Sanitation}, Cosgrove included several photographs of inadequate factory water closets to illustrate his arguments. One is a picture of a soiled looking toilet cubicle made out of wooden planks. It looks as though it could not be much over ten feet long and a few feet

\textsuperscript{250} The term “Native American” is now the commonly used term for people indigenous to America prior to its colonization by European Settlers. On the 1910 census, white people with parents born America were referred to as “Native White.”

\textsuperscript{251} Cosgrove is a key player in this history not only because of his bold moral justifications for separating bathrooms, but because almost all of his writings on bathrooms and the history of sanitation was published by the leading manufacture of plumbing technology: Standard Sanitary Mfg. Co.

wide. The structure appears to be separated into two gendered parts by a thin wooden board in
the middle. The door in the far-left corner is marked, “Male,” while the adjacent door is marked
“Female.”

Figure 3.3

Cosgrove’s caption makes clear that this bathroom failed a test of moral standards
because of the close proximity between men and women’s toilets.

Moral decency requires that where males and females are employed, separate
accommodations shall be provided, which, in every sense of the word, will be private.
Ignoring the obvious filth of this double accommodation for “men” and “females” close
proximity of the fixtures separated only by a thin board partition, far from soundproof,
and the common approach, such accommodations would be morally objectionable even if
they were sanitary, clean, well-lighted and well-ventilated. Apply the golden rule in
business. You would recoil with horror at the thought of your daughter being forced to

253 Cosgrove, IX. [Cosgrove does not provide a location or date for the picture.]
avail herself of such accommodations. Treat other men’s daughters, then, as you would like them to treat yours.254

One might “recoil in horror” at the sight of this bathroom, for it does appear to be quite vile. However, the underlying reason for renovating it was not as much about health standards as it was about moral standards. Cosgrove’s writing represents the project of Christian, Progressive Era reformers, sanitary engineers, and architects to construct an environment that would elevate their personal standards of “moral decency.” By “moral decency” he implied both that employers have a moral obligation to improve the environment and that the environment itself fostered sexual immorality. Cosgrove’s plea to upper and middle-class men to treat “other” (meaning poor and working-class) “men’s daughters, as you would like them to treat yours” mirrors the Christian commandment, “love thy neighbor as thyself.” This edict translated to the task of constructing the world in the Christian image. When Cosgrove declared that these bathrooms be private in every sense of the word he meant it. Women were not to be seen, heard, or smelled when using the bathroom. It was not just the physical act of women using the bathroom, but the fact that they had to go at all, that needed to remain undetectable, or private.

Visually, the proximity of the bathrooms did not allow women to keep it a secret when they needed to “powder their noses.” Any man crossing to relieve himself might, in turn, witness a woman doing the same, which might spark in his imagination a picture of her partially naked, exposed, performing a dirty and immodest act. The wooden board partition, brown in color, was symbolically representative of uncleanliness, and therefore impurity. Cosgrove explicitly pointed to his auditory concerns by stating that the spaces must be “soundproof.” By this, he insinuated that they must be constructed at a large distance from each other, thus precluding any possibility that members of the opposite sex would be able to hear one another. Bearing auditory witness to

254 Cosgrove, IX.
one another’s bodily functions, or more particularly bearing witness to a woman’s bodily functions, would itself be indecent. As multidisciplinary scholar Sheila Cavanagh aptly argues in her study of modern cis-sexist- heteronormative restroom culture, “The vagina (as the primary signifier of the feminine) must be unheard and unseen. Its absence must be performed.”\textsuperscript{255} At around the same time Cosgrove was promoting silence and soundproofing through Standard Sanitary Manufacturing Co, Trenton Potteries “Bathrooms of Character” was advertising the “Si-Wel-Clo.”\textsuperscript{256} Silence was the virtue.

Perhaps even more offensive than a woman being \textit{heard} using a privy was a woman being \textit{smelled}. In Cosgrove’s example of a profane water-closet, there was no way for the male and female toilet rooms to properly ventilate except into each other. Cosgrove believed that for “hygienic reasons” women’s toilets needed to be placed at the back of the entire factory, ventilated through the back of the privy, and into the unsuspecting air without lingering proof of existence.\textsuperscript{257} In this rendering, in what Cavanagh refers to as “the gendering of stink,” femininity was also equated to the absence of smell. Put together, these elements of privacy erased any implication that there was a vagina present, in public, where it was not supposed to be.

For this, Cosgrove had a clear vision of what bathrooms should look like when constructed properly. This vision was of neat and orderly rows of stalls with white toilets, a ventilator clearly installed on the ceiling, and no doors. In a survey produced for the New York Association for Improving the Condition of the Poor (AICP), superintendent Donald Armstrong noted that stalls should ideally be constructed without doors because it prevented users from

\textsuperscript{255} Sheila Cavanagh, \textit{Queering Bathrooms: Gender Sexuality and The Hygienic Imagination} (Toronto: University of Toronto Press, 2010), 125.
\textsuperscript{256} See Chapter One.
\textsuperscript{257} Cosgrove, XII.
“promiscuously” spreading the germs of their unwashed hands by touching door handles.\textsuperscript{258}

While Germ theory was increasingly spreading germ related anxiety, designing gendered bathrooms without doors sent the important message that bodily privacy was only of value as it related to the opposite sex. Moreover, the entire design was intended to serve a function of keeping bathrooms as clean and as hygienic as possible.

By the early 20\textsuperscript{th} century, bathrooms had undergone an aesthetic shift from ornate designs to clean, white porcelain or enamel. Cosgrove, like many municipal designers, advocated for white fixtures, white glazed tiles, and white enameled brick in order to be able to see the dirt better and maintain cleanliness.\textsuperscript{259} White designs were also thought to have the added benefit of moral uplift. In Cosgrove’s portrait of the perfect place to pee, “the normal tone of the place is

\begin{figure}[h]
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\includegraphics[width=\textwidth]{figure34.jpg}
\caption{Figure 3.4}
\end{figure}

\begin{itemize}
\item Donald B. Armstrong (M.D. Superintendent), \textit{Comfort Stations in New York: A Social, Sanitary and Economic Survey}. (New York Association for Improving the Condition of the Poor: New York, 1916; Hathi Trust), 19 catalog.hathitrust.org/Record/100659187; Donald B. Armstrong, “Public Comfort Station: Their Economy and Sanitation,” \textit{The American City} 11, no. 2 (Aug. 1914), 98. Hathi Trust, catalog.hathitrust.org/008889655. Armstrong was acting director of the AICP. I will expand upon their moral reform efforts in regards to environmental improvement later in the chapter.
\end{itemize}
elevated.” Architectural historian Barbara Penner explains this shift to a white design in order to expose dirt, symbolized a cultural commitment to doing so. In Bathroom, she invoked Mary Douglas’s argument that “Dirt offends against order. Eliminating it is… a positive effort to organise the environment.” The idea was that white bathrooms, by virtue of being white, would lead to moral uplift, ultimately uplifting foreign-born users into pure whiteness itself. Cosgrove also had suggestions for how to organize women’s bathrooms to be more homelike. This would bring order to the chaos of women increasingly entering the public sphere. As his primary example of what women’s bathrooms should look like, Cosgrove published a picture in Factory Sanitation of a women’s bathroom in a Dayton factory that includes all-white fixtures, a hanging lamp, a window, cabinet, and bathtub shower. He made sure to note the bathroom is “suggestive of all the comfort cleanliness and convenience of home.”

260 Cosgrove, XIII.
263 Cosgrove, XXII.
Indeed it looked as if it could have been plucked from one. The photo of this factory bathroom in Dayton looks remarkably similar to models of domestic bathrooms advertised in the J.L. Mott company’s plumbing advertisements.
By Cosgrove’s argument, if women were to be out of the domestic sphere, they ought to be reminded of it as they excused themselves from the factory floor to water the petunias. This idea was modeled after bathrooms built to accommodate upper-middle-class women as they ventured out of the home. The influence of domestic design extended past these insular environments into the most threatening places for women to be – the street. David Pivar explained in *Purity Crusade*, “If purity values were to be actualized in an urban environment, urban society had to become more homelike.”

Taking carbon cutouts of domestic spaces and plopping them into the workforce was supposed to make the workplace more comfortable for women, and it likely did.

However, the project of domesticizing public space was about making the world in the likeness of what a middle-upper class woman’s surrounding space should look like. In advertising, plumbing companies began describing bathrooms as if they represented the qualities of idealized femininity itself. A pamphlet from 1912 described bathrooms that were “infinitely more durable and efficient, can be made daintier and more convenient.” “Dainty” was an implied descriptor of a woman classified as a “lady.” Bathrooms were even marketed to equate the bathroom with the emblem of dainty ladies themselves: “southern beauties.”

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264 Pivar, 109.
This slight variation of the previously displayed bathrooms, from a 1916 advertisement by Cahill Iron Works in Tennessee, personified the bathroom into a “Southern Beauty” who was everything a woman should be: “smooth” “pure” and “white.” Take the following 1907 painting entitled “Debutante,” portraying an upper-middle-class woman upon her entry into polite society.

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265 This “Southern Beauty” was advertised by Cahill Iron Works which was based in Tennessee but distributed from New York, Philadelphia, San Francisco, Portland, Oregon and Cuba.
Her porcelain skin glows smooth, pure, and white. Her dress even pays homage to the more ornately decorated toilet in fashion in the 1890s. The domestic space and the ideal female body reflected one another. It followed that the new ideal bathroom would, too, reflect the body of a white woman. This was a project of moral uplift aimed at modeling middle and upper-class femininity to working-class women who were considered in some proximity to whiteness.

When African American workers first began working in factories during World War I, tensions quickly arose. White women workers were either noted as being “cordial or entirely indifferent” to Black women, “at first objected but now felt no prejudice” or “preferred to have the two groups segregated.” All of these statements, with varying degrees of transparency, are racist. The last sentiment, however, indicates that when factories began employing Black workers, white women’s hostility directly fueled workplace segregation. In their report, Colored Women as Industrial Workers the Consumers League of Eastern Pennsylvania reported that in over half of the garment shops studied, white and Black workers were separated. In roughly half of those cases, workers were separated because they were performing different jobs. In the other half, “white girls refused to work with the colored.” It is notable, however, that white women’s racial prejudice and refusal to work with Black women may have been part of the reason they were confined to particular jobs like cleaning and other “unskilled” labor positions. The report explained that “many employers who tried colored and white girls

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266 A New Day for the Colored Woman Worker, 29.
267 “The working arrangements in fifty-four garment shops were studied. In twenty-four, the white and colored girls worked together; and in twenty-nine they were separated. The reasons given for the separation were in fifteen cases, that they were not doing the same kind of work and were necessarily placed in different parts of the shop; and in twelve that the white girls refused to work with the colored; and in two that it would avoid trouble.” Colored Women as Industrial Workers in Philadelphia, 41.
268 While both the report on workers in New York and workers in Philadelphia emphasize that this was because Black women were more willing to accept work as “unskilled” laborers, they fail to emphasize that Black women were mostly being hired as replacements during a war effort and had very little bargaining power that would have kept them employed.
together, have now separated them and find that the friction is eliminated in this way.”

Some employers explicitly separated women’s dressing rooms in order to mitigate the conflict that arose from white women accusing Black women of property theft.

Open hostilities expressed by white women were often fueled by fears over job security. Whether due to explicit prejudice or economic insecurity, white women’s professed discomfort with sharing space with Black women served to keep many Black women out of the industrial workforce entirely. Some employers who attempted to employ Black women explained that they would not continue to do so because it was “impossible to secure the best class of white girls if they had colored.” While documented protests, specifically over sharing toilets, did not surface for another twenty years, one can only imagine that if white women were opposed to sharing a factory floor, they almost certainly were opposed to sharing a toilet.

In 1896 *Plessy v. Ferguson* upheld the constitutionality of racial segregation by proclaiming that spaces could be “separate, but equal.” Indeed, the Consumers’ League’s report reveals that, like most racially segregated spaces, factory bathrooms were separate, and they were certainly not equal. The report described:

Colored women have the darker, more ventilated section, the smallest locker space, and the worst sanitary provisions, and they are discriminated against in the matter of restrooms. A laundry that employs 165 colored women and 35 white women had the largest restrooms for the white and the smallest one for the colored, and some factories have restrooms for the white and none for the colored.

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269 Colored Women as Industrial Workers in Philadelphia, 42.
270 Ibid.
271 The report states that “in every instance where personal or social hostility had been evident work was not very plentiful at the time.” I would also assert that by “evident” the authors of the report were referring to overt racism rather than the covert racism implied by “indifference” or prejudice that was noted to have magically disappeared.
272 Colored Women as Industrial Workers in Philadelphia, 42.
273 I will expand on the potty protests that occurred throughout the rest of the century in the final chapter.
274 Colored Women as Industrial Workers in Philadelphia, 40.
Given the prior evidence, it is likely that the employer’s prejudice was not the only reason they were constructing bathrooms in this manner. They were trying to appease white women. Thus, while white reformers were claiming that lack of toilets for women was a violation of their rights and access to the labor force, white women workers were simultaneously directly preventing African Americans’ economic advancement by protesting shared space.

Both the New York and Philadelphia reports advocated for equal pay for equal work and the general inclusion of African American women in the workforce. However, neither actually called for the improved sanitary conditions that organizations like the Consumers League traditionally fought for. Instead, the Philadelphia report called for the “improvement of the health of the colored population.” It had previously described higher rates of disease among Black people as being a threat to the health of the city of Philadelphia. 275 This indicates that the Consumers’ League in part viewed African American women’s higher rates of disease as the health problem, not the unsanitary toilets. Secondly, the report called for raising the standard of education. The New York report repeatedly used African American workers' lack of education as a reason why they were willing to accept poor conditions in the workforce. While the report acknowledged some of many reasons for this, it argued, “The fact remains that in one way or another, Colored women are undercutting white women and they are being forced to accept less than a living wage for themselves.” 276 African American women’s “productive power” may have been welcome in the workforce, but the efforts to improve their circumstances was in large part, not to impede the advancement of white women.

While factory settings explicitly illustrated racial conflicts amongst the working class, the streets were a place where all classes of people mixed. Public toilets, or “public conveniences” as

275 See Chapter 2, pg. 54.
276 Colored Women as Industrial Workers in Philadelphia, 27.
they were called if they contained full sets of amenities, illustrated the fears and reordering of space that arose from the threat of interclass interaction in the most intimate of spaces. These conveniences were slow to develop in the United States, but when they did, they again followed England’s lead. New York was one of the fastest-growing cities in America, yet by the turn of the century, it was struggling to provide relief for citizens who had to go on the go.

Strong interest from the press and individuals in public baths and comfort stations prompted William L. Strong, New York City Mayor from 1895-1897, to order a report in 1895 on the state of public baths and comfort stations. The request was fulfilled by the Mayor’s Commission on Public Baths and Public Comfort Stations in 1897 in collaboration with the, Association of Improving the Condition of the Poor. In line with the ethos of many charity organizations, the AICP was formed in the early 1840s to as historian, Paul Boyer explains “awaken the poor to the poor to the flaws of their character that underlay their degradation and lead them to change their ways.”

It was fueled by a volunteer base of upper-class men who ran their own Bureau of Health and Hygiene which produced reports on, and suggestions for, the erection of public comfort stations and baths. Their environmental reform efforts were fundamentally rooted in a project of moral control. They were responsible for getting New York City’s first public bath built-in 1855. The bureau’s report for the Mayor consolidated material from England and other parts of Europe and concluded that New York had a considerable amount of catching up to do to rival the “best experience of the civilized world.”

The commission offered cities such as London, Paris, and Berlin as models of how New York

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277 Boyer, 93.
278 Boyer, 93-94.
might adopt better provisions. The report noted, for example, that “the most approved system is the underground ‘latrines’ as now adopted by the city of London; they are clean, inodorous, hidden from view, and attractive, and frequented by all ranks of society, and are provided for both men and women in separate places.” The English again modeled the hygienic standards of invisibility and segregation for American engineers.

In 1866, the Metropolitan Health Board announced its intention to build public urinals and water closets in New York City. In 1867, the New York State Legislature passed an act that allowed the Water Department to “locate, erect and establish public urinals” in any public locations that connected suitable pipes and sewers. The act only mentioned urinals, which indicates the priorities of the city. However, it seemed that it was always the intention of most city engineers to construct water closets for women as well. The board proposed bathrooms for two locations: Astor Place and Park Row. The bathroom at Astor Place, constructed in May 1869, was the only of the two to ever come to fruition. The bathroom included sections for both men and women; however, women were ill-considered in its design. There were only two stalls and a wash bin in the women’s compartment. Ultimately it was not highly trafficked.

Historian Peter Baldwin postulated a few of reasons for this. First, it was made with cast iron walls and no heating system and was consequentially extremely uncomfortable during the winter. Second, while working-class women who dressed in a simple A-line silhouette at the time may have had space to use them, affluent women who, in 1870, wore bustles would not

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282 The engineer of the board reported: “there has been considerable discussion as to the propriety of erecting, in different parts of the cities of this district, public urinals and water closets.
284 Ibid. John Jacob Astor, the grandchild of John Jacob Astor the VI, after whom Astor Place is named, was a Citizens Association of New York who penned the 1865 Report of the Council of Hygiene and Public Health. The Astors were a wealthy American family who developed their fortune in the fur trade.
285 Baldwin, 268.
have had adequate space for their skirts.\textsuperscript{286} Third, women were in plain sight of the public as they entered and exited. This would have presented a huge problem for affluent women who could not be seen entering a bathroom due to propriety. Arguably, however, this bathroom was not designed for affluent women; it was designed for the working class, and it is possible that the original engineers assumed this inferior design would suffice.

Clearly, the engineers may have been missing the point. Guided by a positive environmentalist ethos, the Mayor’s Commission noted that the bathroom should “introduce our lowest classes habits of cleanliness and self-respect, that will improve the condition of our tenement houses.” Such a design did not “bring up the sense of decency”\textsuperscript{287} This was, according to the \textit{Domestic Engineering and the Journal of Mechanical Contracting}, an “apology for a public comfort installation.”\textsuperscript{288} Even after renovations by the Department of Public Works in 1870, the department ultimately concluded that the location was too public, and the convenience was removed in 1872.\textsuperscript{289}

Reformers were attempting to pragmatically solve the poor’s lack of access to bathrooms and the direct moral degradation they viewed this lack to cause. Proposed public conveniences were to be located in or near tenement building in working-class, immigrant, and Black neighborhoods.\textsuperscript{290} Many tenement houses were still sharing one outhouse for an entire building.

\textsuperscript{286} A bustle is a padded undergarment used to add curvature to the backside of women’s skirts.
\textsuperscript{287} \textit{Report on Public Baths and Comfort Stations}, 143-144. Cited by Baldwin, 268.
\textsuperscript{288} “First Public Comfort in the United States” in “Public Comfort Stations Being Increasingly Recognized as a Municipal Necessity” \textit{Domestic Engineering and the Journal of Mechanical Contracting}, Volume LVII, Fall 1911 (Library of the University of Michigan; Google Books), 84 This issue of the journal was dedicated entirely to the rapid growth of the public comfort stations movement.\url{https://play.google.com/books/reader?id=hqnmAAAAIAAJ&printsec=frontcover&pg=GBS.PA93}
\textsuperscript{289} \textit{Report on Public Baths and Public Comfort Stations}, 144.
\textsuperscript{290} Washington and Carlisle, Chatom Square (Lower East Side) Essex Market (Lower East Side), 58th and 11th Ave, Tompkins Square Park and One Hundred 10th and Second Ave. From the information I have gathered the Lower East Side was home to predominately Southern European immigrants where the middle west wide (58th and 11th) and Harlem (One Hundred 10th and 2nd Ave) would have been home to many African Americans.
Reformers were considerably concerned that working men’s alternative was often the saloon.291 Well-dressed men could use “hotels or other semi-public buildings,” but saloons were usually the go-to place to relieve one’s self for working-class men.292 Once men entered the facility, many felt as though they must pay for a drink, and thus were more likely to indulge in the vice after they had emptied their bladders.293 This was an offensive proposition to moral reformers who were dedicated to temperance and the eradication of liquor and vice from the city streets. One member of the Mayor’s Commission, William Tolman, even went so far as to argue that it was the “pull” of the saloonist who was to blame for New York City’s failure to build public conveniences.294 In this argument, the immorality of working men and their urinary habits was what kept bartenders in business.

While moral reformers argued that public conveniences would surely improve the poor’s social and economic conditions, reformers and sanitary engineers alike argued that public bathrooms should be segregated into a pay scale of quality. To engineers like Cosgrove, the proposition, at least on the surface, made smart business sense. New York suffered from a lack of public toilets because it lacked the ability to pay for them, whereas a city like London was able to offer conveniences to its citizens by charging a small fee to use the bathroom. Citing the Lackawanna Railway company as a successful example, Cosgrove argued that by constructing

291 Delos Wilcox, The American City: The Problem in a Democracy (New York, Macmillan, 1894; Hathi Trust) https://babel.hathitrust.org/cgi/pt?id=uc2.ark:/13960/t8x924r0r&view=1up&seq=163. 151 Note: I refer to men exclusively here because women are not often mentioned as patrons of saloons.
292 “Public Comfort” The American Journal of Public Health.” no date and edition available on source. https://ajph.aphapublications.org/doi/pdfplus/10.2105/AJPH.6.1.37 Noting working men’s options for winter recreational facilities the Mayors Committee states in the Report on Public Baths and Comfort Stations that “while the well to do man can find enjoyment in his library or at a club, and numberless entertainments are open to his purse the working man often only has the Saloon.”43.
public conveniences with both pay toilets and free toilets, one could create economically self-sustaining bathrooms. The pay toilets would cover the cost of the free. It would have the added benefit of separating people by class; separating the clean from the unclean.

Other authors made their segregationist motives explicitly clear. In a paper presented to the National Purity Congress in 1895, “Public Baths and Public Comfort Stations as Related to Public Morals,” William Tolman explicitly demonstrated this distinction in relation to public bathhouses. He argued that bathhouses should be constructed on tiered levels of cost and that they “should contain proper and requisite divisions for the use of the cleanly and those not clean.” As McClintock might say, perceived cleanliness was “central to the demarcation of boundaries and the policing of social hierarchies.”

Yet as proposals for pay toilets became popular, cleanliness was marketed at a premium and sold to wealthier users. Dr. William Paul Gerhard wrote in a 1916 report of public comfort stations in New York City that “some stations provide a limited number of pay toilet compartments securing greater privacy in use, and offering greater cleanliness, or a higher grade of fixtures.” “Greater privacy” took on a variety of different forms. Sometimes it was a difference between a bolted door and a locked door. A bolted door was more secure and at least provided the impression of safety. Some locations with pay toilets had doors, while free toilets

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295 William H. Tolman. “Public Baths and Public Comfort Stations as Related to Public Morals” *The National purity congress, its papers, addresses, portraits: An illustrated record of the paper and addresses of the first national purity congress held under the auspices of the American purity alliance... Baltimore, October 14th, 15th and 16th, 1895.* ed. by Aaron Powell, The American Purity Alliance, (New York, 1896), 411. https://play.google.com/books/reader?id=iGAAAAAAAMAAJ&hl=en&pg=GBS.PA407. This congress was the first gathering of The American Purity Alliance which brought together organizations like the WTCU and the White Cross League. It was a major engine in the purity reform movement and acted in alignment with the women’s movement. See Pivar,187. Tolman also supported the locations proposed in the Mayor’s report and cities the English and continental cities as examples that New York should abide by.

296 McClintock, 33.

did not.\textsuperscript{298} These distinctions made clear that while cleanliness, modesty, and “moral decency” were expected in order to assimilate into civil American society, access to these resources was still a measure of class hierarchy.

Furthermore, Gerhard argued that these pay toilets should be strategically placed in highly trafficked areas of town that lacked hotels, courthouses, or libraries where wealthier citizens were less likely to have access to toilets through other means. When assessing the placement of these conveniences he stressed that, “the character of the city district” should be considered. Gerhard’s vision was that pay toilets, as in England, would include “revenue-bearing fixtures such as bootblack, cigar and newspaper stands, telephone booths and information bureaus where directory maps and city guide may be had.”\textsuperscript{299} These higher-grade toilets would be placed in areas of town where tourists and upper-middle class businessmen could patronize them. This meant they were not being constructed near tenement buildings, moving away from the idea, however moralistic, that poor and working-class urbanites should have access to bathrooms. These fineries were to be reserved for the upper classes.

Anxieties about class mixing in bathrooms often led to arguments against their construction and distinctions between different classes of women became even more defined. A prime example was in 1878, when the Ladies Sanitary Association in London proposed public restrooms for all women, regardless of class, some men objected on the grounds that ladies would be exposed to “sexual disorder” through sharing the facilities with prostitutes and lower-class flower sellers.\textsuperscript{300} The thinking here, presumably was that exposure to prostitution might pollute the minds of morally chaste upper-class women. Remember, prostitutes were also

\textsuperscript{298} Gerhard, “Public Comfort Stations: Their Location, Plan, Construction, Equipment and Care,” 454.
\textsuperscript{299} Gerhard, “Public Comfort Stations: Their Location, Plan, Construction, Equipment and Care,” 457.
\textsuperscript{300} Flanagan, 272. Flower sellers? Well yes. Because of the public nature of their profession, flower girls and street sweepers were suspected of being prostitutes. See Ryan, 72.
considered to be a threat to public health, particularly so in lavatories. Prostitutes often accused of spreading venereal diseases which people believed could be transmitted via toilet seat.\footnote{An article in the \textit{Medical Standard} also reported that a bacteriology study had shown that disease transmission through toilet seats was possible. “Public Comfort Stations in New York.” \textit{The Medical Standard}. (New York: G.P. Engelhard & Company, 1914; Google Books). \url{https://play.google.com/store/books/details?id=PymgAAAAMAAJ&hl=en}; Duncan Bulkley, \textit{Syphilis in the Innocent (Syphilis Insontium)}, (New York: Bailey and Fairchild, 1845; Google Books), 18. \url{https://play.google.com/books/reader?id=iS6zAAAAIAAJ&pg=GBS.PR5}.} Thus, if “endangered” upper-class women were to share bathrooms with “dangerous” prostitutes, they might be subject to not only mental but physical sexual pollution.\footnote{See Chapter Two for concept of the endangered and the dangerous.}

Perhaps because it was challenging to uphold the Victorian and Progressive Era standards of modesty if even seen entering a public convenience that women were not particularly enthusiastic about using them. Engineers in American cities abided by a policy of dividing space for men and women roughly in proportion to men and women’s use of public restrooms. An article by A.R. McGonegal in the \textit{Domestic Engineering and the Journal of Mechanical Contracting} reported that women’s use was one-eighth of men’s and constructed the proportions accordingly.\footnote{A.R. McGonegal, “Essential Points in Public Comfort Station Design,” \textit{Domestic Engineering and the Journal of Mechanical Contracting}, Volume LVII, (1911), 80.} Gerhard reported statistics that showed that only 15-20\% of bathroom users were women; thus logically, they should have fewer bathrooms than men.\footnote{Gerhard, 457.} Part of this was economic. If urban space was money, and men were the primary bathroom users, it followed that there was more economic incentive to build more bathrooms for men.

Others asserted that more women would use public comfort stations if they were more genteel. The Women’s City Club boasted interest in “all phases of municipal housekeeping.” In
their 1932 report on public comfort stations they cited a 1930 survey by Henry C. Wright which argued.,

Our general observation thus far indicates that women will patronize a comfort station when it is in charge of a matron, and where it has a waiting room with comfortable furniture, and where the whole place is kept in sanitary and inviting conditions. Such comfort stations at present are found only in our railway stations and department stores. The public comfort stations now owned and operated by New York City do not have waiting rooms, and they are patronized to a very small extent.305

Wright's assertion was that women feel more comfortable if the bathroom was both supervised by a “matron” and constructed with a flare of domesticity.306 In doing so, he invoked the idea that women did not use bathrooms unless they felt safe enough to do so. In this case, safety meant surveillance. Presumably, Wright was primarily concerned with creating comfortable street spaces for those most familiar with these types of accommodation: upper-middle-class white women. Or perhaps he wanted to promote upper-middle-class standards of femininity amongst working-class populations.

Concurring with Wright’s vision for public restroom design, A.R. McGonegal suggested in the Domestic Engineering Journal, “Every women’s toilet room should have a restroom with a couch and a lavatory – the room large enough to permit surgical operation in case of emergency.”307 It is unclear if the “space for surgical operation” was for women fainting, or women giving birth, or both. Either scenario anticipated the potential catastrophes of women occupying public space and illustrated their understanding of women as delicate reproductive

306 Matron in this instance referred to a female bathroom attendant but also referred to women who watched over women’s college dormitories or boarding houses for working girls in order to monitor their moral behavior.
vessels. Public bathrooms had to be constructed to reflect this. As Wright noted, no space better showcased these priorities than ladies waiting rooms in department stores and railways.

The department store bathroom could also be seen as the hallmark of upper-middle class feminine luxury. For example, the accommodations in the Macy’s on 14th street renovated in 1891 were described as “the most luxurious and beautiful department devoted to the comfort of ladies.”308 The working-class women employed in these stores did not share bathrooms with patrons and thus did not have access to such comforts.309 The restrooms for workers in “poorer class department stores” were “not a healthful atmosphere either physically or morally.”310 Stark differences in the quality of bathrooms used by patrons and by workers demonstrate how class inequity is magnified in these theoretically equalizing spaces. As in factories, racial boundaries were connected to economic opportunity. Black women were rarely hired as saleswomen and much fewer had the means to patronize them. Black women were implicitly segregated because they were not often welcome in these spaces at all.

Railways, like the streets, were spaces where multiple classes met. Accordingly, pay structures offered increased comfort and privacy based on economic status and thus, reinforced the boundaries of race and class. Furthermore, forty years after Woodworth suggested immigrant toilets be separated by sex, engineers also ensured that immigrants remained separate from other Americans when using the bathroom as they traveled within the United States. In the Northwestern Railway terminal in Chicago, the bathroom was divided into four compartments which separated people by sex and immigrant status. An article on these facilities in the

308 Robert Hendrickson, *The Grand Emporiums: The Illustrated History of America’s Great Department Stores* (New York: Stein and Day, 1979), 284. Unfortunately, none of the illustrations in the text picture restrooms. In an email correspondence with historian Nina E. Hardaker who has heavily researched ladies’ spaces, Hardaker notes that such documentation of the designs is difficult to find due to the discomfort of the era with discussing bodily functions.
309 Women’s City Club, 40.
310 Testimony by department store worker, Annie Maclean in Hendrickson, 324.
Domestic Engineering and Mechanical Engineering noted that the immigrant bathrooms were
attended to by multi-lingual attendants with “unlimited patience” whose duty was to “watch the
condition of the immigrants in the depot.” Attendants invited immigrants to “revel in luxuries”
afforded by these rooms, which in included places to bathe and dry their clothes.

These facilities were intended as instruments for teaching American cleanliness. The
journal editors wrote, “Many immigrants are receiving daily their first sanitary teaching through
the privileged thus obtained” and specifically called attention to the novice practices of a Polish
mother.\textsuperscript{311} Fittingly, the only image included in the article from a women’s room for immigrants
is that of six laundry bins, while several images of the “Male Immigrant’s toilet rooms” are
included. These facilities include rows of open urinals and toilet stalls, mostly with no doors. In
contrast to the marble in the main restroom, these rooms were covered in white terracotta tiling.
Just fine enough to introduce these new immigrants to the white American spirit.

\textsuperscript{311} “The Magnificent Public Comfort Arrangement at the Chicago and Northwester Passenger Terminal” Domestic Engineering and the Journal of Mechanical Contracting, Volume LVII, (1911), 94.
The toilets in the “Ladies main toilet room,” however, are a perfect white picture of domesticity. The “luxurious stylings” included walls coated in a “white terratory [sic] provision” with Tennessee marble flooring, rows of white lavatory stalls, with doors of course, and rows of delicately designed pedestal sinks, and last but certainly not least, armchairs. While immigrant mothers were provided with wash bins and were being schooled in their first lessons of cleanliness, American “ladies” were ensured a bathroom that reflected the standards of their American homes.

There is no available evidence to suggest railway toilets were specifically divided by immigrant status quite as explicitly in Northeastern cities like New York. However, New York railways were highly segregated by class, and because race and ethnicity were integral factors in economic opportunity, class segregation effectively segregated immigrants from the upper-middle class. Grand Central and Penn Station, for example, began with pay toilets at five cents

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312 By “no available evidence” I suggest that I have not found it, not that it does not exist. The article notes that there were similar installations across the world, but the Chicago model was superior.
per use but then expanded to offer dressing rooms and private showers for patrons at an even higher cost.\textsuperscript{313}

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\textsuperscript{313} Women’s City Club, “Comfort Stations in New York City: Today and Tomorrow,” 1932.
In the first image (figure 3.11), a picture of the ladies waiting room at Grand Central Terminal, access to the pay toilets, as labeled on the left wall, were provided through a waiting room equipped with plenty of furniture for wealthy women to rest their tired frames. There is no visible entrance to the toilets, suggesting that this was a waiting room for upper-class “ladies” only. The second photo is of the Penn Station Ladies waiting room and shows two upper-class white women taking a respite in two of the amply supplied rocking chairs. Intricate floral patterns decorate the ceiling in this daintily designed white room. The room behind the partition in the back of the space is labeled “toilet room.” Though it does not indicate these toilets were to be paid for, the design and patrons outside make it clear who this space was for. This was a space specifically designed for these white women’s comfort and safety.

The railway car itself offered explicit examples of how access to the ladies’ spaces was not simply granted on the basis of class, but of race. To return to Terry Kogan’s example of how womanhood was classified on the basis of race, Black women were kept out of gender-segregated spaces like “the ladies car.”

Though the Civil Rights Act of 1875 granted citizens equal access to public facilities and accommodations, state laws like one passed in Tennessee that same year allowed public halls and transportation companies the right to refuse service to anyone for any reason. In 1884, famed journalist and civil rights activist, Ida B. Wells boarded the ladies' car with a first-class ticket she bought and paid for. Wells was asked to leave and

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eventually forcibly removed from the train car to the soundtrack of clapping white hands.\textsuperscript{316}

Wells sued the railroad company, C&O.\textsuperscript{317}

Wells was not the first to challenge such treatment. In 1880, Miss Jane Brown, another Black woman, lost a similar suit. The court charged that Brown was a “notorious public courtesan, addicted to profane language and offensive conduct in public places,” exhibiting how a Black woman, especially one who attempted to transgress implied racial boundaries, could be labeled a prostitute.\textsuperscript{318} Wells was not charged with unrespectable behavior. She was instead labeled a “Darky Damsel” by the \textit{Memphis Daily Appeal}, indicating that her mistreatment was justified because she was viewed as “not-quite-human.”\textsuperscript{319} However, in a remarkable adherence to the Civil Rights Act, Wells won her suit, legally challenging the notion that being Black should automatically categorize her as a different class.

While there are no known examples of Black women suing for being unable to use pay toilets, even if they had the economic means, it is reasonable to imagine that had Ida B. Wells sat down next to those white women on one of those rocking chairs, they would have had something to say about it. While Wells and Brown’s stories took place in the South and in a train car, not a bathroom, they illustrate something very important: a person with white skin who conformed to the boundaries of “respectability” could climb the ladders of class, wash their skin, dress the part, and buy access and acceptance in upper-and middle-class white space. There was nothing Wells, a middle-class Black woman, could have done to be welcome in the ladies’ car. As African American literature scholar and cultural historian, Sadiya Hartman writes by the white measures

\textsuperscript{317} For more Wells the railroad suit see Davidson, 64-75 and Hartman, 37-42.
\textsuperscript{318} Hartman, citing Brown v. Memphis & Co. 5. Fed. 499 (1880), Us.S. App 2696.
\textsuperscript{319} Davidson, 75 and Hartman, 39.
of womanhood, Wells “was not a lady. She was not a woman. She was a Negro.”  Her exclusion from a space labeled for “ladies” made that abundantly clear.

The South was one of the places where racial segregation was plainly reinforced through the architectural design of public bathrooms. The 1911 issue of the *Journal of Domestic Engineering* showcased racial segregation between Black and white people in the South. An article entitled, “Paris, Texas is to Build a Magnificent Public Comfort Station Early Next Year” boasted that there would be four separate entrances, segregated by sex and by race.  Similarly, an article in the *American Architect* entitled “Dallas Public Comfort Station. A Comfort Station in which provisions are made for two races” illustrated a bathroom with four separate and distinctly unequal divisions for white men, white women, negro men, and negro women. The architects articulated that they preferred to separate the stairs the races used to enter, but space did not permit. While the racism espoused in these blueprints is particularly open and egregious, the absence of similar drawings available from public restrooms in Northeastern cities should not be taken as an indication that racial bathroom segregation did not exist in the North. Cultural markers of segregation like “black” and “white” on bathroom doors were visible reminders of racism. Segregation in the North was alive and thriving. It just was not always marked on bathroom doors.

In the North, bathroom segregation often showed up as what was later referred to as “de facto” segregation. It was not always a function of marking spatial boundaries of bathrooms,

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320 Hartman, 38.
321 “Paris, Texas is to Build a Magnificent Public Comfort Station Early Next Year” *Domestic Engineering and the Journal of Mechanical Contracting*, Volume LVII, (1911), 86.
323 De facto segregation was a term used in the 1960s to describe instances in which students were not legally segregated by race but school were still segregated. “De Facto Segregation” Cornell Law School: Legal Information Institute, accessed May 2, 2020. https://www.law.cornell.edu/wex/de_facto_segregation.
but of boundaries in cities. By 1911, African Americans were confined to five distinct neighborhoods in New York City: Greenwich Village, The Middle West Side, San Juan Hill, the Upper East, and the Upper West Side.”  

Suffragist, Mary White Ovington wrote on the living conditions of African American people in New York City in her book, *Half a Man*. Though the book was highly moralistic, she captured just how segregated New York City was and some of the racial prejudice and economic barriers that led to segregation. “Not only were they not able to rent in neighborhoods suitable for respectable men and women,” she wrote, “but dispossession, caused perhaps by the inroad of businesses, meant a despairing hunt for any home at all.” Ovington seemingly described the redlining before it became a government practice of the Federal Housing Administration (FHA) in the 1930s. But Progressive reformers and settlement workers seeking the “social betterment” of poor urban areas often helped architect racial divides. Hartman explains that when interracial slums, referring to areas where immigrants and African American’s mixed, were targeted for “improvement” by moral reformers areas, they became divided into racialized zones that further sequestered African Americans. Urban segregation was one of the consequences of projects of “moral uplift” in New York City.

De-segregated space is not always indicated by signs. Words do not always have to be spoken for a message to be conveyed. Symbolic aesthetics have the clear power to indicate who

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324 The Middle West Side was between West 14th and West 59ths between Sixth Ave and the Hudson River, San Juan Hill was 59th street to 65th street between Amsterdam and 11th ave.; “Weekend History: San Juan Hill.” West Side Rag, accessed May 2, 2020. https://www.westsiderag.com/2014/06/01/uws-history-san-juan-hill; Upper west side (97th St -100ths St and in the 130s between Madison and 5th Ave; East side between 2nd and 3rd Ave from 43rd street to the Bronx.

325 Ovington was also the co-founder of the National Association for the Advancement of Colored People (NAACP).


327 In 1934 the Congress created the FHA which insured private mortgages which lowered the cost of down payments on houses. The FHA created maps that marked neighborhoods according to perceived stability. Neighborhoods where Black people lived where marked “D” and were not eligible for FHA support.

328 Hartman, 21.

329 Hartman, 20.
is welcome and who is unwelcome anywhere and everywhere an individual goes. Sanitary engineers often spoke loud and clear through their advocacy for and construction of orderly, domesticated, white designs. Like in Factory bathrooms, engineers believed they should foster moral decency through a “spotlessly white appearance.” William Gerhard suggested “white glazed tiles,” “white enamel bricks,” brass or iron fixtures coated in white or cream enamel.”

The Women’s City club noted that “modern toilet seats and proper cleanliness will practically eliminate the possibility of disease transmission.” While it is not explicitly clear what is meant by a “modern toilet seat,” advocates believed white protected from disease by making the dirt visible by contrast. Pfau-white seats designed by The Pfau Manufacturing Company boasted the “highest degree of excellence” at a low price so that their designs could make their way into factories, public restrooms, and lower-class homes. White supremacy made affordable for everyone.

An all-white bathroom, attended to by a person whose job it was to police behavior may have sent a clearer message to Black users than a sign that read “whites only” Engineers did not always state, “these bathrooms are for white people.” Instead, they said, “bathrooms should be pure white.” They did not always say, “women are weaker;” instead, they said, “women need couches.” They did not always say, “the upper classes deserve more privacy,” they said, “privacy should be paid for.” Bathrooms were a product of the industrialized, modern world; They sure had plenty to communicate about who was entitled to all of their comforts and conveniences, and how individuals should behave inside these white tiled walls.

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330 Gerhard, 455.
331 Women’s City Club, 51.
Chapter Four
Keep your Eye on the Girl

Behold the “Wickedest Man” in New York, *Frank Leslie’s Illustrated Newspaper* flaunted in an 1868 issue of the magazine depicting an illustration of John Allen’s Dance House in downtown New York City. A scene where a string trio breathes sweet, upbeat melodies into a cramped room, a woman flies freely through the air propelled by the strong arms of a working man’s hands around her waist; a man wraps his arm around a fair woman’s back as they gaze suggestively into one another’s eyes and cheers with their beers, an ankle bearing woman sips liquor as she pulls one man onto the dance floor while capturing the watchful stare of another. The liquor flows, the drunks fall, the men and women dance. In this dance hall, there are eyes talking to eyes, hands talking to bodies, bodies talking to hands. A crowd of working-class immigrant men and women let loose and have what seems to be a pretty rocking good time. As
the title suggests, this was not intended to be a positive advertisement for where one might go to gleefully get down, but a portrait of debauchery and sin.

Drawn through Leslie’s English-born lens, the illustration depicts the view that middle-class Americans held of working-class people’s recreational activities: their drinking and their sexuality. While the 19th-century upper-middle-class Protestant woman was defined as “passionless,” working-class women often danced to a freer tune, quite literally. Working-class women were, both socially and professionally much more integrated with men than upper-middle-class women. They frequently intermingled with the opposite sex, both in the workplace and in the close quarters of tenement housing. According to historian Mary Odem in *Delinquent Daughters*, upper-middle-class Progressive reformers defined codes of morality for adolescent women and based these codes upon their own class based Anglo Saxon ideals of modesty, sexual restraint, and homosociality.

Yet, subscribing to a Protestant definition of morality did not have much appeal to many of the young single women working in mill towns, factories, or department stores during the Progressive Era. There was no room in overcrowded and hot tenement housing to entertain. As a result, women flirted openly in the streets. They went with men to dancehalls (such as the one depicted above), movie theaters and amusement parks, and engaged in premarital sex. This kind of recreational culture was frowned upon by the “morally superior” class of women. In their more affluent circles, sex-segregation was the social norm.

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332 Kathy Peiss, “Charity Girl”s” and City Pleasures: Historical Notes on Working-Class Women’s sexuality 1880-1920,” in *Passion and Power: Sexuality in History.* ed. by Kathy Peiss and Christina Simmons (Philadelphia: Temple University Press, 1989), 66 Peiss notes that while upper-and middle-class women’s movements were confined to waltzes and two steps, in these dance clubs, working women “pivoted” in wild spins, shimmied and shook in “tough dances” in dances that freely suggested sex.
333 Peiss, “Charity Girl” 66.
335 Odem, 24-25.
Segregated spaces, such as ladies’ parlors, ladies’ libraries, and even ice cream shops, were built specifically for ladies’ amusement. If a public house was not sex-segregated, it often had at least a separate entrance for women. Theaters and concert halls that were class segregated due to ticket prices kept out the riff-raff and became places to perform propriety. In balls, men and women waltzed, dancing with one another in a rigidly stylized fashion. Social reformers took up policing the “promiscuous mixing” involved in these “cheap amusements” as a political issue. They often viewed young women as both victims of male exploitation, and as willingly licentious instigators of lust. Perhaps none exhibited this benevolent sexual judgement so flagrantly as wealthy Christian philanthropist and moral reformer, Grace H. Dodge.

Grace Dodge was the president of the Association of Working Girls’ Societies and a “self-appointed guardian of culture” who taught that God had bestowed the upper-middle class with “separate bedrooms” and “purifying and refined influences” so that they may “diffuse a higher standard of living.” She was particularly critical of young working-class women’s sexual morals and promiscuity and actively urged women toward chastity and purity. In a collection of letters advising working women, entitled A Bundle of Letters to Busy Girls on Practical Matters, she wrote “The girl who allows a young man to take liberties with her, who

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337 Ryan, 78.
339 Peiss, Cheap Amusements, 165.
340 The Association of Working Girls Societies was developed out the New York Working Girls Society, founded in 1884 by Dodge. Such clubs were developed to “protect” working women who were considered ill-prepared for the realities of urban life. See Pivar, 177.
341 Pivar, 170. Dodge placed an enormous emphasis on the role of the parent in fostering the moral growth of their offspring in child development programs. Pivar describes these programs as “basically eugenic.”
tries to attract attention on the street, who talks loudly and coarsely, who allows people to take her to places where she sees sights a modest girl ought not to look at… can that one admire herself, can she keep her own respect?” Dodge was likely speaking of women often labeled “charity girls.” Working women’s wages were barely enough to cover a base cost of living, as a result men often footed the bill for such occasions. Men “treated” and, in return, “charity girls” offered sexual favors from flirtation to sexual intercourse.343 The nature of such a transaction was more hidden in social decorum than buying a woman in a brothel, but it was viewed as a form of prostitution.

Mary Odem describes a shift in narrative and attitude between the Victorian Era of in the mid-1880s to an era of Progressive reformers in the first decade of the 20th. This narrative moved from a belief that “fallen women” were exploited, to a belief that they were delinquents.344 It may have been that the “charity girls” Peiss described were acting with their own agency, prompting the label “delinquent.” This fear of female agency ultimately seemed to produce some of the greatest efforts to monitor the activities of young working women.

Anxiety over adolescent female sexuality stemmed from the autonomy brought from earning one’s own wages and the increasing independence it allowed.345 This anxiety is exemplified well in early attempts to police the social activity of young women working in Lowell Massachusetts in the 1830s and 1840s. Textile owners often required unmarried girls migrating from rural areas of America to live in company-owned boarding houses where they were subject to strict moral supervision.346 Under the watchful eyes of a “keeper,” girls were

344 Odem, 3.
345 The term adolescence was developed by psychologist G. Stanley Hall in 1900. It is typically defined as ages 13-18.
346 Boyer, 78-79.
monitored for “intemperance, profanity, or even habitual and light behavior and conversation” and reported to their factory supervisor. A girl even suspected of such behavior not only lost stature but could be dishonorably discharged and kept from working in other factories. In other words, an infraction could ruin her economic independence. The boarding house system in Lowell broke down when Irish immigrants began replacing rural American migrants in the 1850s. It is possible that by 1887 when the legislature passed the first laws for sex-segregated bathrooms, reformers may have been looking for new ways to instate supervision and moral control over these workers.

White upper and middle-class women took on the role of moral guardians of the white working-class because they believed that despite their differences in class and ethnicity, they were all connected through sisterhood. They had a responsibility to protect white working-class women from being victimized by their employers. Black women, stereotyped as inherently lascivious and constantly desiring sex, were not viewed in the same way. Though organizations like the Consumers League took an interest in the working conditions of Black women, their reports took on a tone of blame rather than protection. Furthermore, Jane Addams, claimed that Black mothers could not control their daughter’s sexual behavior as well as Italian mothers. Workplace reform was in intertwined with purity reform. These efforts were openly focused on protecting white women and immigrants who would soon assimilate to whiteness.

Reformers made their priorities clear from the names and activities of their campaigns and organizations. Across the Atlantic, English purity reformers organized to combat what they

347 Henry A. Miles, *Lowell as it Was and as it is* (Lowell, 1846; reprinted, New York, Arno Press, 1972), 144-15 as cited by Boyer, 79.
348 I will expand on sexual stereotypes of Irish women later in the chapter.
349 Peiss, 166.
350 Kendi, 303.
termed “the white slave trade,” which referred to prostitution rings of young working-class women. The Women’s Christian Temperance Union (WTCU) sprang into action in America after uncovering an incident of “white slave trade” in two Wisconsin and Michigan labor camps. This group published an expose where a young girl sought employment in a labor camp only to find herself trapped in a den of prostitution.\textsuperscript{351} Taking yet another page from the Church of England, purity reformers, led by the Episcopalian church, also began White Cross Societies across several Northeastern cities, which were dedicated to creating a single moral standard for men and women predicated on chastity and resistance. Frances Willard of the WTCU toured the nation preaching the gospel of purity reform and even formed the female equivalent, aptly named the White Shield Society.

Willard and other purity reformers were not active in shielding Black women from the lustful eyes of white men who sexually exploited them as if it was their birthright.\textsuperscript{352} Rape was a normalized part of white men exercising their presumed property rights as slave owners.\textsuperscript{353} That presumed sense of ownership had hardly disappeared after the end of slavery, and Black women were enormously vulnerable to attacks from white men. While most of the efforts at labor reform as part of the purity movement were centered around the new industrial landscape where white American and Irish women were employed, African American women were largely confined to domestic servitude which left (and still leaves) workers extremely vulnerable to harassment.\textsuperscript{354}

\textsuperscript{351} Pivar, 136. Though the expose failed to produce any widespread actions, concerns over the “white slave trade” and anti-prostitution reform took the form of age-of-consent campaigns which attempted to raise the age of legal consent for sex. For more on “white slavery” see Pivar and Odem.
\textsuperscript{353} Davis, 17.
\textsuperscript{354} Murolo, 61. Despite the fact that white reformers looked protect women from sexual assault in the industrial landscape, 70% of reported rapes that took place were in or related to the home and committed by a family member, neighbor, friend or relative. Of the 17% that took place in the workplace – the workplaces were mostly domestic
Black Club women were the first to organize public protests against sexual assault. Though a number of Black women were active in Black chapters of the WCTU, they viewed their reform effort differently than white reformers. Black reformers defined sexual danger specifically in terms of racism. Ida B. Wells risked her own life to expose rapes of Black women by white men that were justified by the narrative that Black women’s bodies as inherently sexual. African American reformers also sought to promote moral uplift and a single sexual standard for men and women. However, they were not as quick to criminalize offenders. They rightfully feared that any criminal penalties instated would just be used to target Black men for the rape of white women. The “myth of the Black male rapist” arose as a political invention during the Reconstruction Era. This myth masqueraded as an attempt to protect white women in order to justify the widespread lynching of Black men.

White purity reformers failed to address both the sexual exploitation of Black women and the horrific violence against African American men and women conducted in the name of protection for their own race, class, and gender. Perhaps the sexual exploitation of Black women did not concern them and the violence against Black men and women benefited them. Perhaps they actually believed the stereotypes involved in upholding them violence. Perhaps acknowledging or discussing interracial sex crossed another boundary of propriety. Whatever the

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jobs. See Odem, 58. Domestic service can be defined as any work inside the home where a person is hired by and individual employer or family member.

355 Davis, 175, Odem 29.
356 Odem, 27.
357 Bevacqua, 21.
358 Odem, 29.
360 Odem, 29.
precise reason, Progressive reformers aimed their sights towards correcting the moral susceptibility of young working girls by positively shaping their environments.

In 1913, the National Federation of Settlements and Neighborhood Centers, founded by a group of social reformers including Jane Addams, published a report on women living in densely populated urban areas or tenements and working in factories and department stores. The report was authored by Addams’s co-founder, Robert Woods and colleague Albert J. Kennedy. Addams penned an introduction to the text. It overarchingly paints a portrait of what they believed about the populations whom they aimed to “uplift” and the motivations behind their fight for reform. “Opinion is practically unanimous, they wrote, “that for some years there has been a gradual though appreciable tendency toward deterioration in moral tone among a greater proportion of adolescent girls in tenement districts. This condition is attributed partly to the general laxity of the age, partly to immigration, and partly to the breakdown of family and neighborhood life.”

This “unanimous opinion” was one of many writings that focused on the sexual well-being or delinquency of working-class women.

In another study of immigrants living on the West Side entitled The Neglected Girl, in 1914 author Ruth S. True made sweeping characterizations of unmarried, working-class immigrants that cast them as untrustworthy sexual deviants. She illustrated these common conceptions of the day with this passage. “You have got t’ keep your eye on a girl. Now it is different with a boy. He can take care of himself. But you never can tell, if you don’t keep a watch when a girl’s goin’ to come back an’ bring disgrace on you.”

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departure from efforts of White Cross movements to promote a single moral standard for men and women. Her descriptions might instead be translated through modern expression into ‘boys will be boys and girls will be sluts.’ True blamed both the “naïve morality of the primitive social groups”\textsuperscript{363} and the “physical conditions of life” for these moral tragedies.\textsuperscript{364}

While True did not directly indicate which social groups she defined as “primitive,” she does indicate that German and Italian homes had a studier family culture than Irish or “deteriorated” working American communities.\textsuperscript{365} Kennedy and Woods observe that German and Jewish families showed more interest in their daughter’s moral character, but reformers had a more difficult time with Irish girls.\textsuperscript{366} There may have been several reasons for these stereotypes.

When Irish women immigrated, they often did so alone.\textsuperscript{367} Historian Hasia R. Diner argued that when it occurred, Irish women’s moral deviation took the form of drinking or petty crimes rather than sexual immorality. However, she also asserted that the comparatively low marriage rates of Irish women who flocked to Northeastern cities and mill towns suggested that unlike Italian culture, which emphasized supervision and early marriage, marriage was not many Irish women’s primary objective.\textsuperscript{368} This, in itself, may have been threatening to social reformers. Sexual stereotypes of Irish women by Protestant reformers were also connected to the assumption that they were Catholic. For example, an 1873 Cartoon in Harper’s Weekly pictured

\textsuperscript{363} True, Kindle Loc. 4471.
\textsuperscript{364} True, Kindle Loc. 4495.
\textsuperscript{365} True, Kindle Loc. 863, 4843.
\textsuperscript{366} Young Working Girls, 112 and 130.
\textsuperscript{368} Diner, 50.
a brothel (disguised as a boarding house) full of Irish women with Catholic imagery on the walls.\footnote{Diner, 115 citing “Underground Life,” \textit{Harpers} 17 (July 12, 1873), 603.}

It is also noteworthy that marriages between Irish women and African American men were not completely uncommon in New York City.\footnote{Jane Dabel, “A Superior Colored Man and a Scotch Woman: Interracial Marriages in New York City 1850-1870” \textit{International Social Science Review}, Vol. 80, No. 3/4 (2005): 95.} Historian, Jane Dabel clarifies that the marriages themselves in 1850-1870 were not considered problematic or interracial at all, because the Irish were not yet white.\footnote{Ibid.} However, if social reformers aimed to uplift Irish women towards the standards of Anglo-Saxon whiteness, these marriages were certainly a deviation. White working-class women who chose to sleep with men of color were seen as transgressing respectable sexual behavior. They were understood as “loose” or “white trash.”\footnote{Dana Frank, “White Working-Class Women and the Race Question” \textit{International Labor and Working-Class History}, No. 54 (Fall, 1998): 87 also see Ruth Frankenberg, \textit{White Women, Race Matters: The Social Construction of Whiteness} (University of Minnesota Press: Minnesota, 1993), 77.} Labor historian Dana Frank points out that white working-class women who engaged in lesbian relationships with women of color faced a triple stigma: homosexuality, racial transgression, and class inferiority all iced with the gender discrimination that came from being female.\footnote{Frank, 88.} Interracial relationships transcended the boundaries of propriety. However, when it came to conforming to an American standard of womanhood, it seemed that many Irish women often marched to a more independent beat.

Ultimately reformers decided that if a young woman did not fall into a rigid waltz step, they would craft environments that imposed their own sense of order on their lives. Purity reformers believed that if they architected the proper environment, these women’s natural inclinations toward perceived promiscuity would be mitigated. Dodge well encapsulated these
motivations in *The Thoughts of Busy Girls*: “We are surrounded by so much that is corrupting that we need all the help possible to promote our own purity and that of those around us.”

What has four walls, and if constructed improperly, was thought to lead to moral corruption? The bathroom!

Reformers had been suggesting this space be utilized as an instrument of curbing sexual impulses since the Victorian Era. In 1884, Elizabeth Blackwell wrote about the connection between morals and hygienic arrangements in schools and colleges in her book, *Counsel to Parents on the Moral Education of Their Children, in Relation to Sex*. She cited “self-abuse” and “fornication” as a curse of these institutions. She argued that these vices

Must be overcome chiefly by moral means in connection with hygienic arrangements. The views of the principal on the subject of sexual training, the character of assistant-teachers, the *water closet*, and sleeping arrangements, the amount of out-door exercise secured, should all be studied by the conscientious parent.

In Blackwell’s view, all of these environmental elements were vital to young women maintaining “the beauty and strength of virtue.” Given that Blackwell chose the word “arrangements” rather than conditions, it is likely that water closet arrangement included sex separation as a part of the hygienic infrastructure she imagined could help guard against “fornication.”

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375 Elizabeth’s sister Emily Blackwell was also an instrumental purity reformer, anti-prostitution activist and social hygienist who applied Germ theory to the metaphor the “social body” and theories or moral contagion. See Pivar, 106 and 149-150.


377 Blackwell, 97. Blackwell aimed to strike a balance between “throwing the young into the companionship of the vicious” which could translate to, letting young women enter the workplace with exploitative men and no protection, and rigidly segregating the sexes. She felt that such rigid segregation is predicated on a theory that sex is an “uncontrollable instinct” that would take over without sex segregation. She did not believe this theory was healthy. It is likely that Blackwell believed that water closets were an appropriate place for segregation, and that she here referring more broadly to social segregation. However, I assert that the sex-segregation of bathrooms is just as Blackwell suggests, predicated on the theory that sex is an uncontrollable instinct.
Blackwell’s suggestions for the middle-class environments of schools and colleges were later parroted by Woods and Kennedy in their suggestions for improving the environments of working-class women. “The laws governing the conditions under which women may work,” including “the placing and condition of toilets, rest-rooms,” were deemed of the utmost importance. The “placing of toilets presumably refers to Cosgrove and the New York Legislature’s mandate that they be positioned “separate and apart.” The pamphlets distributed by the Consumers’ Leagues informing women of this right indicated that it was especially important to reformers like Addams that women be provided separate bathrooms.

Woods and Kennedy also echoed Cosgrove in their assertion that “health and morals” would be preserved in workrooms where adequate sanitary provisions were provided. It is somewhat left up to interpretation in Cosgrove’s text as to whether he feared the sexuality of working women, the uncontrollable lust of the male worker, or both. Woods and Kennedy, however, linked the fear specifically to working women’s loose sexual morals and drew an almost completely transparent connection between their sexual restraint and bathrooms that were separate from men.

Attempts for control bordered on social policing when it came to working women’s social environments. The dance hall was a place where Kennedy and Woods believed the “danger of undue familiarity [is] made possible by dim lights.” This suggestion, while slightly subtler, suggests that demands for the “well-lit” bathroom may have been motivated by more than just the belief that its users should be able to see. A dimly lit non-segregated bathroom would not only fail to promote chastity by design, it would also actively promote sexual

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378 Kennedy and Woods, 103.
379 Ibid.
380 Kennedy and Woods, 120.
degeneracy, in factories, streets, and tenement homes. One could not go so far as to say that segregated bathrooms were thought to be some sort of total cure for promiscuity. The goal was to holistically purify working women’s environments by controlling how long they worked, what they read, what they drank, how they danced, how they expressed themselves, how they loved, and where they peed.

Control, however, did not just take the form of environmental design. It took the form of supervision in its most literal sense. For example, Woods and Albert suggested that bathrooms at commercial amusements be monitored by female social workers bestowed with a “police-like authority.” They suggested that these women attend to public dance halls, and station themselves directly at the entrance of “dressing rooms and toilet rooms.”

Think back to the uproarious scene of dance and vice, where this chapter began. The illustration was done in 1868 when it was questionable whether or not this dance house would have had a toilet available at all. Imagine that it is 1914 and in a similarly crowded room where men and women are flirting, drinking, and dancing wildly. Now imagine there is a private space containing a water closet in the back for use by both men and women. Or, there are separate spaces, but no one to stand in between them but the partiers and their morally susceptible selves. The question of why one needed a social worker policing a bathroom answers itself. Like Woodworth’s suggestion to station an “experienced matron” at bathrooms on immigrant’s ships or the structure of boarding houses for young female workers, this was not an even moderately covert suggestion. If women were to have some semblance of agency, if they were to work, and exist out of wedlock, then their bodies had to severely monitored.

381 Woods and Kennedy, 120.
382 Ibid.
The dominant sexual fears of the day were aimed at working-class women engaging in heterosexual sex. Heterosexual sex was uniquely threatening because it could lead to undesirable reproduction. At a time when eugenic social reformers like Josephine Lowell were targeting poor and ‘feeble-minded’ women as a way of “preventing pauperism,” the proliferation of lower-class people was something to be prevented. However, as noted in Chapter Two, fears of homosexual “deviancy” were surfacing, and immigrants were often the targets of accusation. Notably, in what Ibram Kendi refers to as “queer racism” expressed in the late nineteenth century, Black lesbians, bisexuals, or transgender women were viewed as less chaste. While the architecture of a segregated bathroom anticipates heterosexual sexuality, a female social worker monitoring behavior in bathrooms could have served to monitor any manifestation of desire.

When it came to public bathrooms, sanitary engineers placed a much greater emphasis in their language on protecting women rather than policing them, but the effect was similar. It was a common trend to hide public bathrooms. Underground public conveniences were ideal, but the buildings could otherwise be disguised with vines shrouding the exterior walls or small trees and shrubs that concealed the entrances. They argue a little nature might go a long way in preserving peoples’ modesty as they answered the call of nature. J.J. Cosgrove, on the other hand, disagreed with many of his colleagues, ascribing this as false modesty. He worried instead that covert bathrooms actually created unsafe conditions. “It seems as though thugs are lurking in every shadow ready to pounce on the unlucky wayfarer, and as a result, very few visit the small

385 Black lesbians were reported to have larger clitorises which supposedly made them more promiscuous than both white lesbians or Black heterosexual women. Kendi, 281.
Public Comfort Stations where there are no attendants, particularly after dark.”387 There was not a single woman, he asserted, who would dare venture into a public bathroom under these conditions, especially after dark.

The term “thug” is not race or class neutral now, and it certainly was not race, ethnicity, or class neutral in the early 20th century.388 Those with the complexion to hide easily in shadows, and with the moral propensity for vice and crime were considered thugs. Immigrants and African American men were considered “thugs.” The Women’s City Club agreed. They charged that bathroom attendants could help protect from “petty larceny”389 “uncleanliness” and “degeneracy.”390 Like Woodworth, Cosgrove depicted a narrative that cast men as lurking violent or sexual threats. Yet like in Woodworth’s suggestion that there should be matrons employed to maintain cleanliness and “discipline female passengers,” much was left ambiguous.391 Were women in danger from men or from themselves? Were women sexually in danger or a sexual danger to society? Were women victims of male lust or delinquent products of their environment? All of the above, it seems.

It was impossible to ignore that the elements, which symbolized comfort and safety to social reformers and sanitary engineers were a visual symbol of moral, racial, and class

388 Ibram Kendi notes that Black men like, Treyvon Martin and Freddie Grey, victims police homicides were cast as “thugs” in order to justify the violence against them and cites a 2014 Huffington Post article penned by Seahawks Quarterback Richard Sherman arguing that “thug” is an acceptable modern-day version of the N-word. Kendi, 501. In the early 20th century the Irish were specifically referred to as “thugs” See Painter, History of white People, Kindle Loc. 2931. However, references to thugs and thieves often showed up in relationship to young immigrant populations and the lower classes in general. See True, The Lawless Boy, Kindle loc. 1866 and Jacob Riis, How the Other Half Lives, Kindle Loc. 2142.
389 This kind of larceny usually referred to the stealing of toilet seats and other complimentary materials provided at public comfort stations.
390 Women’s City Club of New York, Comfort Stations in New York City: Today and Tomorrow (New York, NY; New York Public Library, 1932). Interestingly, there is no mention that the female attendants themselves might be in danger. This suggests that the susceptible victims were usually viewed to be young women.
391 Woodworth, 31.
superiority. Bathroom attendants, by Cosgrove’s standards, should be “clean in person, clean inhabits, and clean in character.” In order to embody this standard to its fullest visual impact, New York City hired attendants in white uniforms to clean and monitor public bathrooms.

![Figure 4.2](image)

This attendant’s wardrobe bears a striking resemblance to that of General George Waring’s army of white-suited street cleaners. William Gerhard describes the ideal attendant as a “trustworthy and diligent servant” and agreed that attendants should be given police powers for efficiency. He argued they should be uniformed as to clearly indicate their assignment, ideally in white suits to

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392 J. J. Cosgrove, The American Plan for Public Comfort Stations approved by the Public Comfort Station Bureau of the National Committee of Confederated Supply Associations, New York (October 5, 1916), accessed via New York Public Library. Note: I was unable to verify the specific page due to the limitations imposed by COVID-19.
match the bathroom’s completely white design. While the above photo has been included in a few historians and sociologists’ writings on the bathroom, none seem to concern themselves with what literary scholar Elizabeth Abel termed in her article on Jim Crow bathroom segregation, the “racial symbolic” of this particular image. Consider that many Black moral reformers were not quick to join white reformers because Black men were disproportionately targeted for criminal activity and sexual assault and lynched for such accusations. While not as potently violent as the image of white cloaked white supremacist Ku Klux Klan members, the suggestion that bathroom attendant, dressed in all white, should be given unfettered police power to monitor behavior in an intimate space is at the very least unsettling and cannot be considered outside in a historical context in which white vigilantes were enacting violent reigns of terror against African Americans using potent visual imagery of their supremacy. While the bathroom attendant was intended to help white women feel comfortable, he was unlikely to communicate any kind of safety to a Black patron.

As argued in Chapter Three, it is entirely possible, if not a strategy of structural racism, to communicate white superiority through visual symbolism. If an all-white bathroom communicated, “these bathrooms are for white people” then an all-white, clean, and pristine attendant presumably communicated, “only white people are safe here. And everyone and everything that is not white is a threat to the whiteness of this space and the women in it.” Female bathroom attendants were there to represent purity. Perhaps the greatest threat to white sexual purity was miscegenation.

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395 The word “miscegenation” was coined in 1864. See Painter, The History of White People, Kindle Loc. 8529. It refers to sexual relationships or marriage between two people of different races. For more on the nature of anti-
Anti-miscegenation laws surged during Reconstruction, especially in the Southern states. However, that does not mean that citizens of the Northeast were indifferent to interracial unions, and certainly not to interracial sex. In his study of race mixture, sociologist, Edward Byron Reuter noted that in an undated private letter to a public official in Massachusetts claimed that “violent opposition” to interracial marriages had been successful in keeping them to a minimum. Reuter claimed that the Secretary of State of another northern state wrote that although it was not illegal, many judges refused to issue marriage licenses and cited several examples brought to public attention. Furthermore, there were attempts to pass anti-miscegenation laws in Massachusetts, Pennsylvania, and New York.

Fears of interracial mixing were featured, or were at least implicit in the writings of social reformers such as Florence Kelley and Grace Dodge. Dodge not only defined purity as “freedom from moral defilement” but as “whiteness of the mind,” indicating that to her, and many purity reformers “white” and “pure” were inextricably linked. In a report on the working conditions of Pennsylvania, Florence Kelley noted in a section on restrooms that after being denied a couch where they could rest their feet from the long days that an investigator found, “four negro men sound asleep at the noon hour on dirty bales of rags in the doorways, and just inside half a dozen white girls who have flung themselves down in exhaustion on piles of yarn.”


The first law prohibiting interracial marriages date back to Maryland in 1664.

Edward Reuter, Race Mixture: Studies in Intermarriage and Miscegenation, (New York, Whittlesey House), 1931, 101. Reuter was the 22nd president of the American Psychological Association and focused much of his research around racial contact.

Reuter, 101. Reuter only cites “Private letter” as the source of his quotation.

Reuter, 102.

Reuter, 103.

Note that her “restrooms” literally refers to a place where women can rest.


seemingly insignificant note, Kelly’s language here is telling. If the goal of Kelly’s text was purely to point out the exhaustion of workers and their lack of dignified places to rest, the racial details here would seem to be unnecessary. Instead, Kelly paints a portrait where Black men were sleeping *just* adjacent to white girls. The threat of the two races sleeping *together* (both literally and euphemistically) is imminent in her language. It is plausible that Kelley herself would have found this abhorrent. However, it is also possible that Kelley used this detail as a way of pleading her case to factory owners to provide places to rest by invoking threats of miscegenation and racial impurity that were of deep concern to men in power. Whether or not reformers and engineers verbally admitted their racial, or sexual, or racialized sexual fears, they did not have to. They engineered them into the space.
It’s Never Been about Bathrooms

Dressed in a cheeky gender-neutral yellow, they perch below their message, spelled out in pink balloons against a sky-blue wall.\(^{403}\) “Have I made myself clear?” their stare asks. The image connects two moments across time: the racial segregation of water fountains during the era of Jim Crow and the transgender bathroom debate today. The message isn’t necessarily offering an exact comparison between these two forms of discrimination. As I have argued throughout this thesis, there has been a long-standing fixation on bathrooms that is not about bathrooms. It is about fear.

\(^{403}\) This image was circulated through social media in April, 2019. I have little information on the context and am therefore using gender neutral pronouns to describe the person in the photograph.
In the 1940s, African American workers were again hired in increasing numbers to fill a void in the industrial labor force during World War II. White women again cried, “Endangered!” White men flapped their hero capes and swooped in shouting, “Protect her!” Drawing upon racist mythologies as their shields, white men and women touted the “threat” of Black sexuality as their foe. Women’s historian Eileen Boris illustrates how, in the 1940s, fears of miscegenation became central to labor protests around the United States. From the integration of the Seafarer’s International Union, which forced intimate homosocial mixing of Black and white men in ships quarters, to the admission of Black people into the Congress of Industrial Organizations in Dallas, to interracial interaction in office spaces, electrical plants, and motor industries across America, white workers rushed to paint their picket signs.404

In 1944 in Dallas, white workers protested by distributing a leaflet entitled, “Do you Want your Daughter to Marry a Negro?” An American Federation of Labor representative justified having a “Negro Auxiliary” rather than integrating the union by stirring fears of social mixing at union dances. “You wouldn’t want one of ’em dancing with your wife, would you?” the representative asked.405 The threat of Black men dancing with white women was a common thread. White organizers protested based on vague fears and stereotypes about Black bodies.406 Drawing upon the research of influential Black sociologists St. Clair Drake and Horace R.


405 Letter to the President’s Committee of Fair Employment Practice (FEPC) from Gordon L’Allemsea [sic.], Los Angeles, 19 Nov. 1943, reel 112F, folder: "Boilermakers' Auxiliary Union Issue, 20 Aug. 1943, Exhibit C," FEPC Papers as cited by Boris, 87. Boris explains that unions who refused to admit African Americans as equal members established “auxiliaries” during the war as a response to employer hiring and government pressure. Black workers filed complaints with the FEPC and in the courts against such separate but unequal representation.

406 St. Clair Drake and Horace R. Cayton, Black Metropolis: A Study of Negro Life in a Northern City, 2 vols. (1945; rev. ed., 1962; New York, 1970), 1:330, 1:332. As cited by Boris, 88 Boris cites Drake and Clayton’s interview with the “Italian president of a steal workers’ women’s auxiliary” who articulated, “there’s something about colored men that just makes you afraid. I don't know what it is, but there’s a certain something about them - that Black skin.”
Clayton, Boris notes that whites described their Black coworkers in terms of neatness, cleanliness, and physical proximity to their own bodies. Fear was magnified wherever bodies came into close proximity, at dances and, of course, in bathrooms.

Workplace inspectors did not let up on their obsession with toilets after 1920. Historians Patricia Cooper and Ruth Oldenziel analyze such fixations through a case study of Martha Davis, an inspector for the Pennsylvania Railroad (PRR) in 1944. Davis spent her days riding trains and reporting on the conditions of workers at the PRR, which employed Black workers. She was instructed to inspect the “moral standards and social attitudes and habits where women are employed… to see that the rules of sanitation and hygiene [were] being observed.”408 Given what I have argued throughout this thesis, it was no surprise that there was one place in particular that captured her attention. Continuing in the tradition of white middle-class moral reformers, Davis reported on toilets almost as if was her destiny to do so. She obsessed over whether “colored and white women used the same facilities” and the differences in cleanliness between the bathrooms. She was surprised to observe that Black women, more than white women, took pride in keeping their bathrooms tidy.409 As Davis’s incredulity indicates, regardless of what sanitary habits actually existed, stereotypes prevailed about the cleanliness of Black and white bodies.

Also in 1944, white women workers at the Baltimore Electrical Plant prepared to strike as they demanded separate toilets from Black women workers. At a War Labor Board panel hearing, some defended this position by making the unsubstantiated claim that “among the

407 Boris, 89.
408 See Patricia Cooper and Ruth Oldenziel, “Cherished Classifications: Bathrooms and the Construction of Gender/Race on the Pennsylvania Railroad during World War II” Feminist Studies 25 no. 1 (spring 199), supra note. 16.
409 See Davis reports, Cooper and Oldenziel, 12.
colored race, venereal disease is greater than among whites. As historian Elizabeth Fee explains in her essay “Venereal Disease or the Wages of Sin,” health officials helped develop this myth in Baltimore in the 1930s. After gathering data by race they concluded that rates of venereal disease were higher among Black people. As a result, their reports redefined venereal disease from a prostitute’s disease to a “Black disease.” A New York State Handbook attempted to educate workers and mitigate the kinds of accusations espoused by white Baltimore Electrical Plant workers. It argued that venereal transmission through toilet seats was exceedingly rare and that Black workers actually bore the brunt of cleaning such facilities for whites. But the handbook could not erase over eighty years of ideology. As historian Dana Frank notes “It was the contamination question again.” During World War II, in industries across America, white women walked out on hate strikes.

The same fears surfaced in 1957 when Black people integrated Central High School in Little Rock, Arkansas after the doctrine of “separate but equal” was struck down in the landmark case Brown v. Board of Education in Topeka, Kansas. This time, however, the focal point was not white men protecting their wives, or white women protecting themselves, but white parents protecting their children. As sociologist Phoebe Godfrey illustrates, parents of white girls argued that their daughters wouldn’t use restrooms because they would be sharing them with Black girls. They passed around a segregationist flyer supported by “uncontested medical opinion” that girls under fourteen were highly susceptible to venereal diseases transmitted through germs on

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410 Memorandum on “War Labor Board Panel Hearing,” 2-6 as cited by Boris, 95.
412 Even early assertions that transmission was possible reported low numbers of transmission through toilet seats. Boris, 94: Supra note 82. Also note that white women frequently hired African American women as domestic workers in their homes thus White women would allow Black women to clean toilets, but not share them. This is part of the racialized hierarchy that white women used to advance themselves in the job market on the backs of Black women. See Frank, 90.
413 Frank, 92.
toilet seats.\textsuperscript{414} Here again was the familiar narrative of racial purity and pollution. The “myth of the Black male rapist” also reared its ugly head in the rhetoric of the Mother’s League at Central High. Violent rhymes\textsuperscript{415} and posters which showed Black boys dancing with white girls captioned, “Is this YOUR little girl’s future?”\textsuperscript{416} stoked the racial animus of white parents. The notes of Cosgrove’s favorite tune, “You would recoil with horror at the thought of your daughter…” sang through these school halls. The terror of “pure” feminine bodies being contaminated by “unclean” Black bodies was pungent.

Godfrey labels the late 1950s a period of general “sexual chaos.”\textsuperscript{417} Fears of homosexuality began to emerge prominently when Senator Joseph McCarthy posed gay people as a threat to national security during the Cold War.\textsuperscript{418} Homosexual men were cast in the role of Cosgrove’s feared “foe” who lurked in the shadows around dimly lit public restrooms. A 1950s advertisement entitled “Boys Beware” warned little boys about engaging with predatory homosexual men who supposedly lurked around park bathrooms.\textsuperscript{419}

\textsuperscript{415} Godfrey, 56. This poem circulated amongst white students in the school halls: “Little N**** at Central High Has got mighty free with his eye. Winks at white girls, grabs their blond curls, Little ***** is anxious to die.”
\textsuperscript{416} Neil R. McMillen, The Citizens’ Council: Organized Resistance to the Second Reconstruction, 1954-64 (Urbana: University of Illinois Press, 1971), 185. As cited by Godfrey, 61. Godfrey also points out that these images depicted white girls happily dancing with Black boys noting somewhat of a shift that illustrated them as “aggressors.” This mirrors attitudes that white women who engaged in relationships with Black men were not just victims of male lust but were willing participants in this act of racial transgression.
\textsuperscript{417} Godfrey, 59.
Both fears came to a tipping point in the fight against the Equal Rights Amendment (ERA) in the 1970s. The ERA aimed to establish legal gender equality through an amendment to the constitution but ultimately fell three states short of the ratification requirement. In the 1970s, leader of national conservative movement and the grassroots campaign STOP ERA, Phyllis Schlafly successfully thwarted the amendment by famously arguing, “A woman should have the right to be in the home as a wife and mother.” In what has been termed the “potty parable,” Schlafly and other anti-ERA advocates feared that the amendment would ultimately lead to bathroom integration. The sanctuary of the ladies’ room would soon “degenerate” into men’s rooms. This was a disturbing violation of women’s distinct sexual qualities of weakness and vulnerability. Nearly fifty years later, in 2020, a movement for the ratification of the ERA has remarkably reemerged with opponents recycling the same arguments.

Opponents of the ERA in the 1970s played on racist and illogical fears that the ratification of the amendment would allow Black men access to women’s bathrooms. In a letter accompanying an anti-ERA petition, Mr. and Mrs. J.B. Matthew wrote to North Carolina Senator Willis Whichard, “Dear Congress, I am enclosing a petition against the Equal Rights Amendment.

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420 The Equal Rights Amendment was an amendment originally written by Alice Paul and the National Women’s Party in 1923. The fight for ratification was unsuccessful until Martha Griffins reintroduced the legislation in the 1950s. It was passed by the house in 1971 and the senate in 1972 but failed to be ratified as a constitutional amendment by the states in part due to the activism of the Schlafly and the Stop ERA campaign. In 1977 only 35 of the 38 states required ratified the amendment. Congress extended the deadline from 1979 to 1982, however no additional states voted on the amendment. See “A brief history of ratification in the states.” Equal Rights Amendment, accessed May 6, 2020. https://www.equalrightsamendment.org/. There is a 2020 FX series streaming on Hulu, Mrs. America, starring Cate Blanchett as Schlafly about the battles for and against the ERA.

421 “Phyllis Schlafly, outspoken rightwing activist, has died aged 92” The Guardian, Monday, September 5th, 2016. https://www.theguardian.com/us-news/2016/sep/06/phyllis-schlafly-outspoken-rightwing-activist-has-died-aged-92. This quote is commonly used by journalists to encapsulate Schlafly’s argument against the amendment.

422 Donald Matthews and Jane Sharon DeHart, Sex, Gender, and the Politics of the ERA: A State and the Nation (New York: Oxford University Press, 1990), 165-166.

423 The now Democrat led Virginia legislature ratified the amendment in January, 2020. Virginia is the 38th state to ratify the amendment but since 1972, five states have rescinded their ratification, thus it is unclear if this will have any legal effect or remain a symbolic gesture. Patrick J. Lyons, Maggie Astor and Maya Salam, “Why the Equal Rights Amendment is Back.” The New York Times, January 15, 2020 https://www.nytimes.com/2020/01/15/us/what-is-equal-rights-amendment.html. 80% of Americans believe that men and women are guaranteed equal rights by the constitution. They are not.
Amendment,” they wrote. “It is the most immoral mess I’ve ever heard to be called into law. It is filthy.” Another white millworker built her opposition to the amendment on the idea that the ERA would result in white women using the same bathrooms as men, Black and white. She was appalled when one day she saw a Black man’s hand creep around the doorframe of the ladies’ washroom. What might happen, she speculated with distress, if his entire body was allowed inside? Historian Gillian Frank argued that these racialized fears of sexual violence also laid the foundation for the backlash against gay rights in 1977. He explained, “anti-ERA activists applied widely shared racial codes to the Equal Rights Amendment, particularly in their idea that the sex integration of bathrooms and prisons would lead to sexual violence against women and children.”

Schlaflly wasn’t just opposed to men being in women’s bathrooms, she also warned of the dangers of “sex mixing,” “homosexual marriage,” and the immoral influence of “homosexual schoolteachers.” Activists claimed this was a part of a “Trojan horse of immorality” that would result in the “total destruction of the American family.”

Ultimately it was this broader catastrophizing rather than the “potty parable” itself that seemed to foster STOP ERA’s success; ERA advocates were largely able to debunk the parable as myth. They dismissed the accusation that the ERA would integrate bathrooms calling it a “massive and obvious distortion of the truth.”

424 Note accompanying anti-ERA petition from Mr. and Mrs. J.B. Matthew to Senator Willis Whichard, March 1st 1975, Whichard Papers as cited by Matthews and DeHart, 166.
425 Constituent [name in possession of Matthews and Dehart] to Whichard, February, Whichard Papers. As cited by Matthews and DeHart, 165.
427 Ibid.
428 Matthews and DeHart, 166. Similar narratives were repeated during the Supreme Court hearings for Aimee Stephens’ case. The justices feared a “social upheaval” brought on by bathroom integration in the United States.
feminists acted indifferently toward sex segregated bathrooms both for the sake of political strategy and because they didn’t view them as a violation of equal rights. In 1975, Justice Ruth Bader Ginsburg wrote a piece in support of the ERA that dismissed the idea that bathrooms would ever be integrated due to considerations for “individual privacy.” It seemed that even influential advocates for gender equality sympathized with Chloe’s privacy concerns. As many feminists offered indifference to, and agreement with, sex-segregated bathrooms, public restrooms continued to evolve as a site of discrimination against LBGTQIA+ Americans.

In the 1980s, stigmas about homosexuality and fears of disease converged on the toilet seat during the AIDS epidemic. AIDS was referred to as a “gay disease,” and because it was unclear initially how the disease was contracted, people once again worried it could be caught from a toilet seat. According to The New York Times and The Washington Post, these fears were confirmed and spread through a controversial study conducted by Human Sexuality researchers, Dr. William H. Masters and Virginia E. Johnson. This had the effect of stigmatizing gay men (especially gay men in bathrooms) even further. According to many Christians, the disease was a fitting punishment for their immorality. By this view, gay people were “diseased” and could pollute heterosexual people with their moral depravity. Interdisciplinary scholar Sheila Cavanagh argues that cis people do something similar by casting trans and non-binary people as “pollutants” in cleanly gendered restrooms.

430 Portuondo, 481.
432 This term is anachronistic to today, however I used it to be inclusive of a range of identities that were in existence even if terminology shifts and as I move the discussion towards 2020.
435 Cavanagh, 29.
The language of pollution can still be found in arguments by modern feminist reformers advocating for bathroom equality. Potty parity advocates Kathryn H. Anthony and Meghan Dufresne base a core piece of their argument on women’s particular needs for healthy and safety. They offer arguments that look as though they’ve been cut straight from a National Consumers’ League pamphlet and attach sexual differences to both a biological imperative and a presumption of superior female cleanliness. They explain that “inadequate women’s restrooms occur when a dirty portable toilet may suit men’s needs but puts women at risk for infections.”

This statement assumes that all women have vaginas and that all men do not. Thus, it ignores the existence of trans bodies and a wide spectrum of gender identity. It also assumes that women are cleaner and require greater standards of cleanliness than men. These ideas are a product of how womanhood has been defined in relationship to purity and cleanliness for over a century.

“Sex” and “gender” are not neat concepts. Many feminist and queer theorists have demonstrated that both concepts have never been the least bit tidy. As I have argued throughout this thesis, definitions of gender were drawn along lines of race, class, and propriety. As Mary Douglas wrote, “It is only by exaggerating the difference between within and without, about and below, male and female, with and against that some sense of order is created.”

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Anthony and Dufresne, 271.

Another common argument that women should have separate bathrooms is menstruation. Reproductive Health Educator, Cass Clemmer, author of the educational coloring book Toni the Tampon is an advocate of the message that “Periods aren’t just for women.” This campaign went viral after Clemmer posted a picture of themselves on Instagram in 2017 free-bleeding while holding a sign that says #BleedingWhileTrans. See for example, Smothers, Hannah “How This Trans Activist’s Free-Bleeding Photo Fights Period Stigma” Cosmopolitan Magazine, July, 31 2017. https://www.cosmopolitan.com/sex-love/a10372747/cass-clemmer-trans-inclusive-period/


Douglas, Kindle Loc. 320
the manifestation of that order into tidy stick figures on bathroom doors has significant consequences.

People who exist outside of these sex and gender binaries are tasked with neatly gendering themselves every time they walk into a restroom; they are then subject to others’ assessments of how well they seem to “pass” as that gender. Transgender historian Susan Stryker articulates that, “being perceived or ‘passed’ as a gender-normative cisgender person grants you a kind of access to the world that is often blocked by being perceived as trans or labeled as such.” She further illustrated that many people have trouble acknowledging the humanity of a person if they are unable to categorize a person’s gender. A similar kind of access to the “privilege” of being principally perceived with complete humanity is obtained through “passing” as white. Returning to the comparison offered through the message in pink balloons, the segregation of bathroom never been about bathrooms. It has been about maintaining an order of cis-white-heteronormative supremacy.

By design, this system reinforces the dehumanization of people recognized as living outside a gender binary, especially those of color. It puts them at risk. A study conducted of trans and genderqueer people’s experiences in bathrooms conducted by Jody Herman in 2013 found that 70% of the participants had experienced a denial of access to, or harassment in, bathrooms.

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440 Note that while it has not been a focus of this discussion, this can also encompass people with physically disabilities who may require assistance by an attendant who does not identify their gender in the same way, or are othered in the process of needing to use special toilets that continually reinforce their gender as one outside “male” or “female” regardless of how they identify. Molotch and Norén, 16. For a discussion of the voyeurism of people with disabilities in bathrooms often participated in by able bodied individuals. See Cavanagh 101-102.: 441 Stryker, Kindle Loc. 84. 442 Ibid. 443 For a discussion of racial passing and colorism in America see Monet Dowrich, “For a Dark-Skinned Girl: A Retrospective Analysis on the History of Colorism in America from 1950 to 1990” (Master’s Thesis, Sarah Lawrence College, May 2020).
bathrooms. Black and African American trans and non-binary people reported significantly higher rates of harassment than white participants. This highlights that Black and African American trans and non-binary people, such as the person in the photograph, face the confluence of gendered, racialized, and sexualized stigmas of pollution that can be imposed upon their bodies, especially in white tiled, gender segregated, bathrooms. Cavanagh’s 2009 study captured specific experiences of queer people in public gender-segregated restrooms. In the interviews she gathered, one person -- described as queer and butch -- disclosed, “I get harassed every time I go into a bathroom, whether it’s like… a woman jumping back as I walk in the door, or people giving me dirty looks, to like full-on confrontations.”

Despite this reality, trans people are not always protected by law enforcement or security guards. Many people in Cavanagh’s report recounted harassment by these same officials regardless of the fact that in many states there are no laws preventing a person from using the restroom that matches their identity. In one particularly egregious report, a member of the NYPD followed a transgender man into a bathroom in Times Square, demanded to see his ID, demanded to see his ID, 87% of Black/African American participants and 64% of white participants experienced verbal harassment and 19% of Black/African American participants and 5% of white participants experienced physical assault in gender segregated public restrooms. See Herman, 73-74 for full set of statistics. The study found higher numbers of reported harassment for people of color overall, but I am focusing on the statistic offered by Black and African American survey participants both because I have focused on the rhetoric surrounding Black and African American people specifically throughout this thesis and because Herman’s sample survey is the most representative of these two racial identities. Note that Herman’s survey sample was disproportionately representative of white people. Cavanagh, 55 and Chapter Two: “Trans Subjects and Gender Misreading’s.” Note that Cavanagh study is focused LBTGIA people at large not just people who are trans or non-binary. Also see: Toilet Training: law and order (in the bathroom) directed by Tara Matai (Sylva Rivera Law Project, 2003) for an account on the daily stress trans people can endure in the workplace in the public from needing to choose the “correct” bathroom. Storm Miguel Flores, “Dear Austin Special Needs Bathroom” in Gender Outlaws: The Next Generation, ed by. Kate Bornstein and S. Bear Bergman (Berkeley: Seal Press, 2010); Writer and performer, Becca Blackwell also has a segment in their brilliant show, They, Themself and Schnerm on the experience of choosing a bathroom at a bar in Boston. This is why many states such as North Carolina in 2016 and Texas in 2019 have tried to explicitly regulate bathroom segregation.

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then told him he was in the wrong bathroom. After the man refused to leave, the police officer threw him against the wall and dragged him out, charging him with “impersonating” and “trespassing.” He was brought to a women’s prison, ordered to take off his clothes, and asked, “why don’t you have any tits?” While Cavanagh does not specify this particular man’s race, it was by far not an isolated incident, and such stories must be considered in a context in which the rhetoric of “law and order” has historically, and continues to lead to police brutality against Black and brown people. Despite such incidents of brutality, modern “potty parables” and “the myth of the Black and brown male rapist” continue to circulate around the threat of potential violence against femme, white, cis women.

Those advocating for sex-segregated bathrooms and the regulation of them argue that if people are allowed to use the bathroom that corresponds to their gender identity, women will be vulnerable to sexual assaults by men now allowed to wander into women’s restrooms. It is precisely these fears of “impersonation” that lead to the aforementioned man’s arrest. When the House of Representatives passed the Equality Act which provides explicit non-discrimination protections for LBGTQ individuals in March 2019, anti-transgender writer Abigail Shrier responded with an opinion piece in the Wall Street Journal opposing the amendment. She wrote, “It doesn’t strain the human imagination to picture a male convict renaming himself ‘Sheila’ and

448 Cavanagh, 71.
449 “Law and Order” was a policing policy first declared through Richard Nixon’s campaign slogan “Law and Order has broken down in the country.” This policy disproportionately targeted black and brown people for criminal activity and was used to police brutality. See Kendi, 410 and “Chapter 32: Law and Order.”
451 These are statistically unsupported claims. As previously noted trans and non-binary people, especially those of color, are at much higher risk of violence and harassment in bathrooms.
452 LBGTQ is the term used in the Equality Act.
heading for the women’s prison. Nor would it surprise anyone if rapists began to ‘identify’ as women—no physical alteration is required to change your gender identity—to gain free access to women’s showers. 453 Shrier here not only promulgates the dangerous notion that transgender women “impersonate” men, but also reinforces the idea that women are in sexual danger in bathrooms.

The threat and experience of sexual assault in women’s lives is real, staggering, and should not be ignored. According to reported numbers alone, in America a woman is raped every seventy-three seconds. One in six American women will survive rape in their lifetime. 454 There are, however, no statistics on how many people would experience assault if we were to create gender neutral bathrooms in America. Many police departments in cities across the United States who have enacted nondiscrimination laws report no increase in assaults or public safety incidents. For example, since the Cambridge Police expanded a nondiscrimination ordinance in 1997 to protect transgender people, there have been, according to the police superintendent, “no incidents of men dressing up as women to commit crimes in female bathrooms and using the city ordinance as a defense.” 455 Although the myth of the masquerading transgender person is propagated through these claims, statistically trans people are at significantly greater risk


themselves of being sexually assaulted. 47% percent of transgender people will be sexually assaulted at some point in their lifetime. Trans women of color are 1.8 times as likely to experience this trauma.\textsuperscript{456} This again highlights a contradiction between a narrative of sexual danger against cis-white bodies that repeatedly takes focus. Furthermore, most instances of rape are not committed by strangers in public places. 80% of people who report sexual assault know their abuser.\textsuperscript{457} This number illustrates that it isn’t bathrooms that we should be targeting if we want to address sexual assault. It is rape culture.

Sanitation Engineers like Cosgrove had a remarkably specific vision for bathrooms that has not only reinforced gender boundaries, but fostered that culture. Among his many theories on how water closets should be constructed, Cosgrove believed that male washing and bathing facilities at work would create a “social club outside working hours.” Over time, such male bonding has emerged as “locker-room culture.” This private, exclusively male environment, creates a place where behaviors such as flagrant sexism, racism, and homophobia are generally tolerated.\textsuperscript{458} In 2016, presidential candidate Donald Trump, who has 16 accusations of assault against him, publicly bragged that he could just “grab women by the pussy.” He then successfully defended his offensive comments as “just locker room talk.”\textsuperscript{459} Understandably, many women do not want to be subjected to the kind of verbal violence that we know is espoused in male locker rooms. Yet by creating “social clubs for men,” society reinforces the idea that there is an “acceptable” way of talking about women when they are not around. That

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includes referring to women like they are pieces of human garbage. It is somewhat comparable to how white people have built communities where there is an “acceptable” way of talking about people of color because they aren’t around. A world built on segregation doesn’t foster safety; it fosters accepted verbal violence that often leads to physical violence. It also erases the humanity of those who we are separated from.

As a cis-white relatively femme presenting woman, and survivor of sexual assault (which took place in a private bathroom), I’ll admit that I desire the comforts that Chloe argued for: privacy and safety. However, no one is safe in a world where white men with enough access to wealth and power are just recently beginning to receive relatively small repercussions for the verbal, physical, and sexual violence they enact. Campaigns like Chloe’s are not aiming to protect women. Their goal remains in service of protecting an upper-middle-class, Anglo-Saxon social architecture.

In moral narratives of America, there has always been a sexually degenerate lurker still waiting to pounce on the unwitting white feminized body in a bathroom stall. Central casting has just been given different memos about who to cast in the role of the role of the “dangerous body,” the “pollutant,” or the “moral contagion.” Immigrants, working-class men and women, people of color, gay people, sex-workers, trans people and gender non-conforming folks have been stereotyped into the part. Yet is it they that historically have been and still are the most endangered. They are put at risk from the violence that surfaces and resurfaces when they are constructed as a threat to someone else’s safety.

While gender neutral bathroom designs are often seen as catering to the needs of the few, on a fundamental level, a reimagined design would cater to the needs of the many. Few can actually be safe surrounded by architecture that is tiled with narratives of sexism, racism, elitism,
homophobia, transphobia, xenophobia, and white supremacy. Few can be comfortable in a world where they are required to wriggle into boxes that don’t fit or where being treated with dignity comes with a contingency. By clinging to old structures, we only continue to reproduce false narratives about how best to survive in a world that was never built to recognize the fullness of everyone’s humanity. It’s time to build anew. Beginning with the bathroom.
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