'Potty parity' aims to remedy long lines

More states and cities are passing laws requiring higher ratios of women's to men's toilets in new construction projects.

By Matt Bradley | Correspondent of The Christian Science Monitor

The battleground for women's rights is expanding from the boardroom to the bathroom, and a serious legislative initiative nicknamed "potty parity" is giving new meaning to the term "separate but equal."

The new push, which is quietly making its way into construction standards around the world, says restrooms should provide two to three times as many "outlets" for women as for men. In that sense, "potty parity" bills offer women more than parity: It may finally trim the long lines for women's rooms at theaters, stadiums, and highway rest stops.

"It's a good thing," says Kari Roberts of Reading, Mass., a shopper at the Prudential Center Mall in Boston. She says the wait time for restrooms "needs to be the same" for both men and women.

"There's always this conversation, this conspiracy" among women waiting in line for the bathroom, she says. "Women are always asking: 'Is there anyone in the men's room? Can we go in there and take it over?'"

When it came to restrooms, architects (and lawyers) used to think in terms of square footage rather than number of outlets - or physiology. But studies show that because women have different needs, on average they spend twice as much time in the bathroom as men, causing longer lines.

In her 1988 graduate thesis, Sandra Rawls of the Virginia Polytechnic Institute timed how long it took hundreds of men and women to answer nature's call. Her observations of the time disparity between the sexes explains the long lines for women.

While Ms. Roberts is not a lawyer, the question of bathroom equality is a legal no-brainer to her. Sure, it may seem fair to give men and women equal-size bathrooms, but the result will always be longer lines for women - especially when you factor in stockings, small children, and feminine health issues.

Perhaps surprisingly, the voice behind many recent legal initiatives on this issue in the United States is decidedly masculine. John Banzhaf, a law professor at George Washington University in Washington, D.C., and the self-anointed "father of potty parity," estimates that about a dozen states and local jurisdictions across the country have passed laws requiring higher ratios of women's to men's toilets in new construction projects. During the previous month, legislatures in such far-flung locales as Hong Kong and Singapore have also signed on to versions of potty parity.
"I'm pushing the idea of filing federal complaints, in other words, making a federal case out of potty parity," Professor Banzhaf says. He argues that to ignore potty parity "constitutes a form of sex discrimination ... and violates the constitutional tenet of equal protection."

Banzhaf and his law student acolytes have seen a great deal of success and remarkably little resistance since they began working on the issue in the early 1990s. He and his team have had plenty of practice in other legal arenas: Banzhaf has worked on major cases against tobacco firms and fast-food restaurants, even going so far as to throw the book at "discriminatory" nightclubs that provide free drinks to women on ladies' nights.

The Women's Restroom Equity Bill, unanimously approved by the New York City Council last May, requires public facilities to uphold a 2-to-1 ratio of women's to men's toilets. The measure, which replaced a 1984 law requiring a 1-to-1 ratio, applies to all new public structures as well as renovations costing more than 50 percent of the value of the building.

"It would have only been a woman who would have embraced this issue, because men don't suffer those same types of struggles around this," says Councilwoman Yvette Clarke (D) of Brooklyn, chief sponsor of the legislation. "There's a conditioning that happens to young women and children because people just accept [waiting in line for the bathroom] as just the way it is."

Honolulu approved a similar measure Dec. 7, based on model legislation provided by the International Codes Council - still further evidence of the idea's widespread reach.

"It's one of those things that's a good idea," says Honolulu city councilman Charles Djou (R), who drafted and spearheaded the initiative for Hawaii's capital. "It's not going to solve our crime or homelessness problems, but it's a small, simple idea that's going to improve quality of life for people."

Thanks to the World Toilet Organization in Singapore, which acts as "a global voice on the issue of toilets," the issue is likely to gain even more attention as an agenda item in Moscow at the World Toilet Summit in September.

"It's long overdue," says Jack Sim, the organization's founder. "It can't get worse than what's already happening. It can only get better."

Full HTML version of this story which may include photos, graphics, and related links