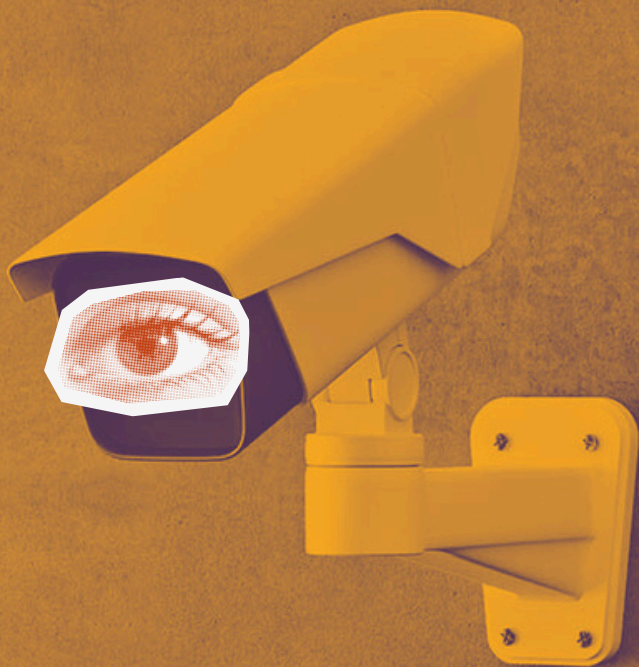


I SEE U  
PEE



# INTRO

## **Did you know you are being video-surveilled in the gender-neutral bathrooms?**

After years of students demanding more inclusive and accessible washroom spaces on campus, Concordia finally built a number of them. However, they also took the opportunity to deceptively install security cameras under the guise of “safety”. This zine originated from an open letter created by Concordia Against Gender & Queer Violence, which was supported by numerous organizations and individuals. The letter addresses the perpetuation of transphobia through video surveillance in the Concordia gender-neutral bathrooms, while sex-segregated bathrooms continue to be unmonitored. Our position as queer students is to recognize our responsibility in creating awareness, empowering all who want to use these bathrooms to assert autonomy over their personal data, and supporting the communities already challenging this serious issue.

## **DID YOU KNOW?**

- Did you know you are being filmed in the Concordia gender-neutral bathrooms, but not the gender binary bathrooms?
- Did you know it is your right to have informed consent to the practices of video camera use and its collection?
- Did you know you have a right to access your personal information, including all identifying data?
- Did you know you have a right to transparency and openness from those collecting personal information, along with the right to challenge compliance?
- Did you know that “The first public facilities for women were built in shopping areas so that women could go shop for longer periods of time” one of which was built in 1886 in the Colonial House in Montreal (Cavanagh, 2010)?

# WHY DOES THIS MATTER?

As Concordia students we understand that autonomy and privacy in our institutions are fundamental rights. The imposition of the gaze of surveillance from our institution encroaches on our private and intimate spaces is a practice we should not tolerate. The surveillance in the gender-neutral bathrooms matters because it perpetuates hostility, fear, and desire that amplifies violence onto queer and trans bodies. The presence of a camera tells bathroom users there is a perceived threat and behavior that needs to be monitored.

This mode of surveillance reproduces the normalization of socially constructed gender categories that attribute stereotypical ways of being in relation to gender.

Surveillance is so normalized in our everyday that it seems impossible to escape from. However, by not accepting these cameras in our bathroom spaces we are taking back control over our own bodies, institutions, intimate spaces and data.



# WHAT DO BATHROOMS MEAN TO YOU?



Bathrooms are enigmatic realms of our daily lives that unfold as multifaceted stages where human narratives intertwine with solitude, resistance, and violence. These temporal sanctuaries offer moments of introspection, offering comfort and respite from life's tumultuous currents. Yet, these sacred spaces are not devoid of complexities; they hold diverse expressions of identity and self-discovery. Here, individuals navigate gender and sexuality exploring ways of being.

Bathrooms, particularly in public spaces, have served as cruising spaces providing freedom and anonymity exploration of pleasure and sexuality. For individuals who may face societal stigma or discrimination based on their sexual orientation or gender identity, bathrooms offer a temporary refuge where people can explore their identity or sexuality freely. However, important to acknowledge public cruising spaces are easier to access by gay, white, able-bodied, and non-trans men (Cavanagh, 2010).

Exchanges of whispers, kisses, and drugs centers self-exploration and community-building that echoes on the tiled walls, standing witnesses to personal and collective transformations. Bathrooms harbor stories of defiance and resistance, offering glimpses into hidden worlds of exploration and identity assertion. They become sanctuaries for marginalized voices, providing shelter and security in moments of vulnerability. Amidst their functional design, bathrooms transcend their function, becoming vessels of empowerment.

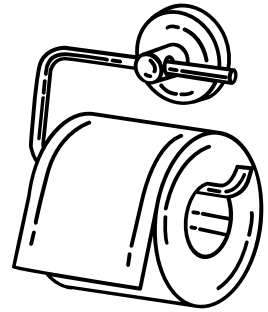


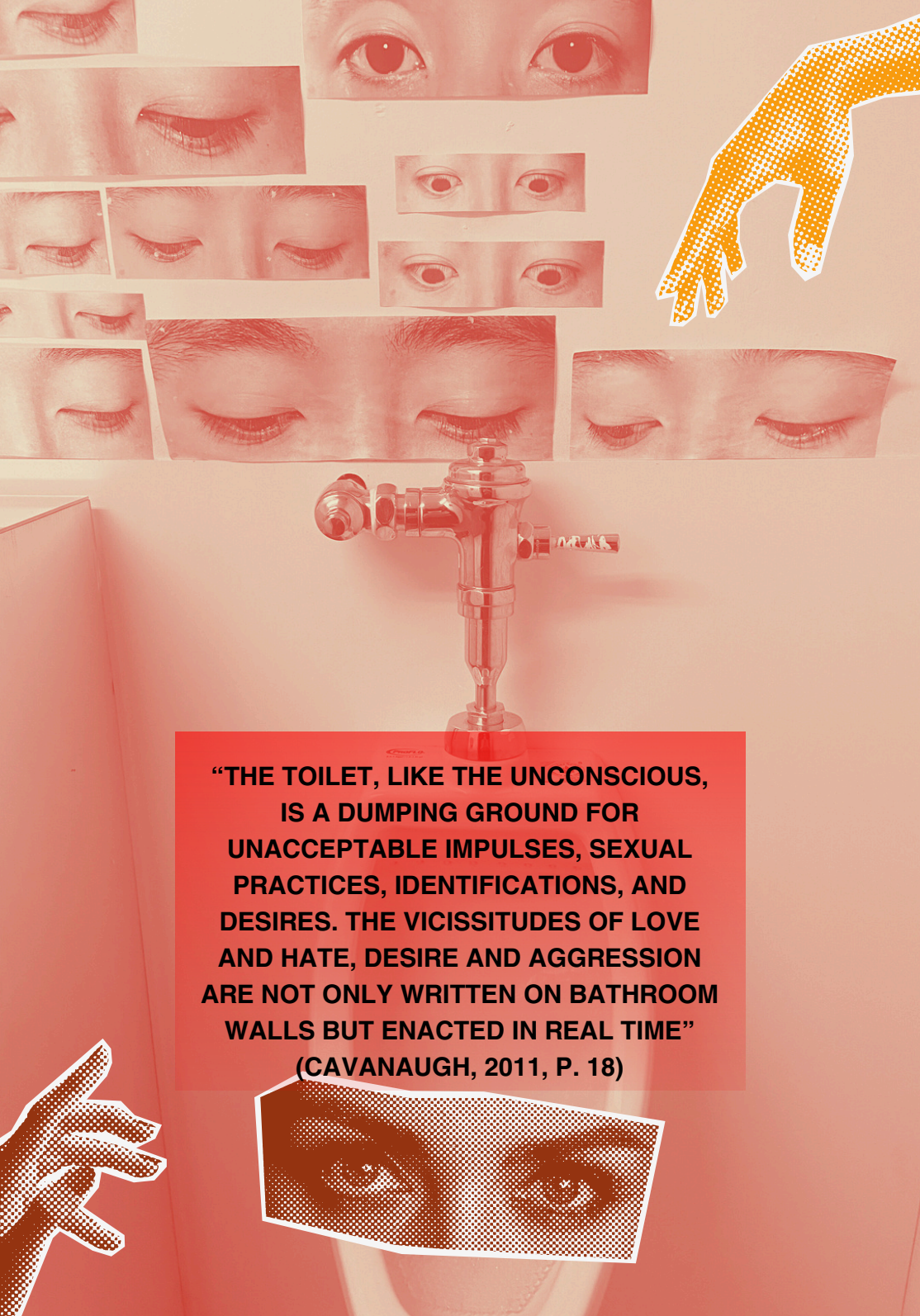


Yet, bathrooms have been constructed to reproduce and perpetuate violence and anxiety enacting social control of gender, class, and race within so-called Canada and the U.S. (Cavanagh, 2010). Now we experience fluorescent lights gleaming overhead, casting a clinical brightness over the bathroom's pristine white walls and reflective surfaces.

### **Did you know that sex-segregated toilets were introduced in the Victorian era?**

From the Middle Ages to the early modern period, “elimination was less organized and more communal” (Cavanagh, 2010, p.80). The Victorian era marked the use of washrooms as a private act that “was disciplined and socially regulated by Victorian reformers” (Cavanagh, 2010, p.80). Toiletry systems became controlled and monitored through panoptic design, where “The choreography of the body – how it shat and pisses– was a testimonial to one’s class and genital organisation” (Cavanagh, 2010, p.80). Today, the bathroom panopticon attributes individualism, hygiene and purity with whiteness and upper privilege class. The adoption of modern lavatories in what we now know as ‘Canada’ and the ‘U.S.’ extends the state's influence, serving as institutions that foster anxiety and fear toward marginalized community members labelling them as threats (Cavanagh, 2010).





**“THE TOILET, LIKE THE UNCONSCIOUS,  
IS A DUMPING GROUND FOR  
UNACCEPTABLE IMPULSES, SEXUAL  
PRACTICES, IDENTIFICATIONS, AND  
DESIRES. THE VICISSITUDES OF LOVE  
AND HATE, DESIRE AND AGGRESSION  
ARE NOT ONLY WRITTEN ON BATHROOM  
WALLS BUT ENACTED IN REAL TIME”  
(CAVANAUGH, 2011, P. 18)**

# SURVEILLANCE & BATHROOMS



As banal as bathrooms may seem in our everyday, they represent everything but a neutral space, rather bathrooms are areas where power is enacted, making them a target for surveillance of many forms (Bender-Baird, 2016, p.984). In Canada's history, private surveillance in institutions is far less researched and regulated than public surveillance, but nonetheless has tremendous ethical implications for those being surveyed. In the wake of 9/11 Canada's security became all the more pervasive and allowed for the state to instill surveillance practices into even more private spaces (Deisman et al., 2009). By being surveyed individuals aware of this gaze are inhibited by knowing a camera is capturing their behaviors and will self-impose various restriction on their bodies such a gender conformity (Slobogin, 2002). Surveillance in toilets spaces, excused under the façade of safety, is a method of social control and disciplinary power that perpetuate gender binaries in sex-segregated bathrooms, discrimination, classism and policing of queer and trans bodies. The systems also generate a "function creep" in which the surveillance of the cameras in the bathroom are also being used to track movements and collect students data.



# WHAT IS THE IMPACT OF CAMERA SURVEILLANCE ON VIOLENCE, BEHAVIOUR, AND PSYCHE?

Surveillance is a generative force, in washrooms its existence directly translates to violence, stigmatization, self-policing, and othering of certain types of bodies. Sex-segregated bathrooms are an example of binary systems that force people into choosing to categorize themselves as colonial understandings of “female” or “male.” This requires gender non-conforming individuals to do “self-surveillance of how they are presenting their gender” and decide if they will be safe entering a public restroom (Bender-Baird, 2016, p.986). The violence that many trans people have experienced in bathrooms shows that they are sites of heightened tension for those whose existence confront the fragility of cisgender norms. Instances of violence perpetrated against genderqueer and trans people reinforce the reality that using these facilities means putting one’s safety at risk.

At Concordia, they have claimed that the surveillance installed was to “reassure certain people who may not be comfortable using that space [gender-neutral washrooms]” and stated, they “don’t want to give people the impression that somebody’s sitting there and watching” (Daldalian, 2023). This is false. We have witnessed two instances of security guards watching the EV bathroom cameras. Again, the people whom this space was supposedly built for are the ones most affected by this breach of privacy. Not only does this measure come alone without any other measure of safety for genderqueer and trans individuals, but it further constructs fear and gives Concordia an excuse to collect data. It also conveys the idea that tech can solve any issue, known as “tech solutionism,” ironically the director of Campus Safety and Prevention Services himself said that there is no assurance that the cameras are preventative (Daldalian, 2023). All these cameras seem to achieve is to cloud Concordia’s responsibility to keep gender-neutral bathrooms safe spaces for all students.





# CONCORDIA SURVEILLANCE

Concordia University, a publicly funded institution, operates within a power structure that uses surveillance as a tool for control, echoing Foucault's insights into the productive nature of power in producing knowledge and identity categories. As Beauchamp (2019) notes, power is not merely repressive but also productive, shaping categories of identity and managing behaviors. Surveillance practices within institutions like schools contribute to the production of discursive categories, such as transgender identity, rather than identifying predetermined deviance.

In this context, surveillance at Concordia University takes on both visible and invisible forms. Visible surveillance, represented by security cameras and physical monitoring, is evident in spaces like the campus grounds, the metro tunnels, and buildings. As Foucault articulated visibility serves to assert control and enforce norms, stating "their visibility assures the hold of the power that is exercised over them."

Another surveillance tool used by Concordia security guards is the asking for identification as a way to legitimize your right to be in the space. Former student and Haitian community activist Chantal Lapointe's experienced surveillance by Concordia security guards at the University in July 2013, is the reality of how surveillance at Concordia has reinforced power dynamics and constructs categories of identity. Lapointe was racially and socially profiled by Concordia security while accessing the EV tunnels. Security demanded her ID, violently choose to call the police when she couldn't provide it; the police then forced her off campus. The discrimination was also evident in the Concordia security report, labelling her as "Madame Voodoo," and "black female homeless" (Miriam Lafontaine, 2017).

The Quebec Human Rights Commission, led by the Centre for Research-Action on Race Relations, charged Concordia University and the Montreal Commissionaires to pay Lapointe \$33,000. This case highlights how surveillance enforces control and perpetuates racial, class, and gender violence.

Concordia uses invisible surveillance through data collection, digital monitoring, and AI technologies, shaping behaviors and constructing identities subtly. The lack of transparency in Concordia's data and privacy policies regarding the extent of digital surveillance is concerning.



# OUR RIGHTS TO PEE IN PEACE & INFORMED CONSENT



Concordia University's approach to video surveillance in gender-neutral bathrooms raises significant ethical concerns that warrant careful examination, especially concerning informed consent, transparency, and respect for privacy as outlined in the *Quebec Act of Respecting the Protection of Personal Information* and guidelines from the *Office of the Privacy Commissioner of Canada*. Despite claims of adherence to these regulations, evident violations and gaps in ethical considerations are apparent.

Firstly, the lack of informed consent surrounding camera surveillance directly *violates Section 14 of the Quebec Act of Respecting the Protection of Personal Information*, mandating that consent must be clear, free, and informed, given for specific purposes, and requested separately in clear and simple language. Concordia's *failure* to adequately inform individuals about the implications and discussions regarding video surveillance, especially in sensitive areas like gender-neutral bathrooms, deprives individuals of the opportunity to make informed decisions about their privacy and consent to being recorded.

Furthermore, Concordia's surveillance practices violate *Section 8 of the Quebec Act*, which outlines individuals' rights regarding the collection of personal information. Filming individuals in private spaces meant for personal care and privacy, such as bathrooms, infringes upon their rights to privacy and autonomy, as emphasized by the *Act*. Concordia's surveillance policies lacks transparency and fails to align with the guidelines set by the *Office of the Privacy Commissioner of the Government of 'Canada'*. These guidelines emphasize public consultation, minimal privacy intrusion, informed consent, and adherence to applicable laws, areas where Concordia's practices fall short.

**SECTION 8. Any person who collects personal information from the person concerned must, when the information is collected and subsequently on request, inform that person**

- (1) of the purposes for which the information is collected;**
- (2) of the means by which the information is collected;**
- (3) of the rights of access and rectification provided by law; and**
- (4) of the person's right to withdraw consent to the communication or use of the information collected.**

**SECTION 14. Consent under this Act must be clear, free and informed and be given for specific purposes. It must be requested for each such purpose, in clear and simple language. If the request for consent is made in writing, it must be presented separately from any other information provided to the person concerned. If the person concerned so requests, assistance is provided to help him understand the scope of the consent requested.**

Additionally, *Section 27 of the Quebec Act* emphasizes the right of individuals to confirm the existence of personal information, access and obtain a copy of it. This further underscores the importance of respecting privacy rights and providing clear information to individuals about the handling of their data. Despite the Concordia website claiming that individuals can request their personal data, such as video recordings, this was described by a Concordia security officer as “a lengthy legal process”. This shows the limited transparency and access students and community members have to their data.

Ethical considerations also extend to the potential for harm and violence resulting from surveillance practices. While surveillance is often justified as a measure to deter violence, there is little evidence to support its effectiveness in preventing harm. Instead, constant monitoring can contribute to feelings of surveillance, anxiety, and a lack of safety, especially among marginalized groups who already face discrimination and violence.

In light of these ethical considerations, there is a pressing need for Concordia University to review and revise its surveillance policies, particularly concerning gender-neutral bathrooms. Transparent and ethical policies should prioritize informed consent, respect for privacy and dignity, evidence-based approaches to safety, and considerations for the well-being of all individuals within the university community, aligning with the Act's requirements for clear information dissemination and respect for individuals' rights.

**SECTION 27. Every person carrying on an enterprise who holds personal information on another person must, at the request of the person concerned, confirm the existence of the personal information, communicate it to the person and allow him to obtain a copy of it. At the applicant's request, computerized personal information must be communicated in the form of a written and intelligible transcript. If the person concerned is handicapped, reasonable accommodation must be provided on request to enable the person to exercise the right of access provided for in this division.**





## GUISE OF SAFETY: FEAR, HYSTERIA & DESIRE IN BATHROOM SPACES

The imposition of surveillance onto gender-neutral spaces brings into question the effectiveness of these systems and their reason for continuing to exist. The use of surveillance in 'Canada' has increased rapidly after 9/11, driven by fear of others and a assumption that surveillance creates safer environments. Research in Montreal and Kelowna instead find that the use of camera surveillance has "far more to do with its symbolic value in fostering the belief that something is being done about the problem" than the actual effectiveness of cameras which has yet to be significantly proven (Deisman et al., 2009, p.17). Moreover, the very foundation of these technologies is based on the flawed trust in technological determinism which falsely interprets connections between identity, gender, and identification from gender markers that are tracked in their systems (Heyena & Meu, 2016, p.194). This false use of data also generates the othering of anyone whose gender expression appears foreign to the camera surveilling them. Apart from the ineffectiveness of these surveillance methods, **we need to ask who they are meant to be keeping safe and why we regard safety as "something that requires losing – or willingly giving up – privacy"** (Beauchamp, 2019, p.10). We know that they police and harm anyone who "exceed the borderlands of gender legibility and sexual normalcy," therefore the only people being protected by the installation of surveillance in bathrooms are those who are typically already safe in sex-segregated washrooms (Heyena & Meu, 2016, p.199).

# NOW YOU KNOW... SO WHAT?

This zine isn't just a collection of words; it's a call to action, urging us to reject technological solutionism and support communities at the forefront of dismantling oppressive surveillance practices.

Let us help (re)imagine safety and care in our communities beyond those systems that work to harm them. Let us take back our toilet spaces and transform them into the potential they hold of sacred spaces of solitude and connection.

By reading and sharing this information, you are contributing to a conversation and the fight against the normalization of surveillance in gender-neutral bathrooms at Concordia University and in our broader community.

If you are looking to contribute to advocacy and community building amongst trans Concordia students visit:

@conutranscollective on Instagram  
or email [conutranscollective@gmail.com](mailto:conutranscollective@gmail.com)

To sign the Concordia Against Gender and Queer Violence open letter use the QR code:



**“IF THE TOILET IS A PRIVATE OASIS IN COMMUNAL SPACE, A FIELD OF INTIMACY IN PUBLIC, IT MIGHT ALSO BE THOUGHT OF AS A HOMELY ROOM WHERE WE PROJECT OURSELVES ONTO OTHERWISE COMMON SPACE.” (BEAUCHAMP, 2019, P. 45)**

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