

# BATHROOM OF PEOPLE: RESIGNIFICATION OF THE CLASSIFICATION OF BATHROOMS FROM THE EXPERIENCE OF THE BELFORD ROXO *CAMPUS* OF IFRJ

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## INTRODUCTION

It receives various technical and architectural designations (bathroom, toilet, washbasin, WC) and other popular ones (loo, john, can, restroom); it is present in music, the visual arts, literature, politics or the sciences; it is represented as a space of health, cleanliness, safety, impurity, risk or danger; its destination may be for public, common, private, individual, collective use, planned for a specific public in an open urban space (relief providing unit - UFA, Rio de Janeiro), or even to emerge from the floor of a public pedestrian path (Urilifts, London); you can count on toilet at ground level, intermediate, high, high tech, with automatic flush, vacuum flush, flush with two options of amount of water or you may depend on a bucket; may have towel, paper towel, hand dryer or no tap and no water available; it can provide distraction to users with ambient sound, magazines, works of art, or graffiti in the form of popular thoughts, command words, militancy speeches, biased, erotic or wishful phrases; it can be of collective use with cabins with partitions and doors, cabins with partitions and without doors or even with no cabins; it can be chemical, dry, be in a building, on wheels or wings; however, it is universally recognized as an indispensable space for personal hygiene care.

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Archaeological, anthropological and historical records indicate that probably the first spaces intended to some form of personal hygiene appeared around 3,000 BC in Harappan, Egyptian and Greek civilizations, later in the Roman empire. Under various denominations, conceptualizations, architectural configurations and rules of use, it has functioned and functions ranging from a collective space for cleaning, purification, relaxation and fraternization, to a private environment under surveillance, separated by biological sex and age, inevitably arousing the interest of both the State with its regulatory and coercive devices, and of religious morality, medical hygienist discourse, architecture, sanitary technologies, industry and commerce. In the Brazilian reality, marked by a long period of advancement in individual freedoms and sexual politics, followed by the conservative turn to the extreme right in matters of morals and customs, the bathroom has taken up space in different guidelines in recent years. At the same time, on the one hand, it promoted the technological sanitary development, the development of accessibility-promoting architectures and devices of inclusion and the investigations, in several areas of knowledge, about graffiti, behavior, habits, violence, erotic and sexual interactions, on the other promoted disputes and discourses based on stigma, prejudice and discrimination, fundamentally due to the recent visibility of the transgender<sup>3</sup> population and gender diversity in general. It is in this field that the present experience report is inscribed.

Without the configuration of an academic production, without the pretension of being an exhaustive or conclusive study, but with the purpose of sharing, stimulating debate and even replicating the model in other campuses and similar institutions, the process that culminated in the installation of individual bathrooms, without any form of classification and replacing the traditional collective ones of educational institutions, in the deployment of the Belford Roxo campus, of the Federal Institute of Education, Science and Technology of Rio de Janeiro (IFRJ). The initiative for the on-screen model of the then Directorate of Institutional Development and Expansion (DIEx) and the Direction of the Deployment Board of the Belford Roxo campus was permeated by speeches of rights as opposed to those of resistance that give emphasis to the reporting, whose narrative resorts to some resources of the metaphor, which despite being “old as death” (GEZ,

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<sup>3</sup> In this work the term trans refers to the multiplicity of transgenerity, encompassing transsexuals, transvestites, intersex, non-binary, and so on. Despite the great differences existing for each classification, the on-screen experience universally fits everyone.

DROZ, SOARES, 2012) occupies an important place in daily life, possessing cognitive value and epistemological status, being fundamental in the processes of conceptualization of the world (LAKOFF, JOHNSON, 2002).

The present report, in addition to this presentation, is organized in three other moments. The first one presents the problem, its intersections with the context of the campus deployment and the proposal for a solution. In the second one the controversy manifested by the technical-legal, hygienist-sanitary and moral arguments employed as justification for rejecting the proposal is analysed. And the third moment presents the concrete results and the authors' considerations.

## THE SCENARIO, THE TEXT AND THE CONTEXT

### First Act: about the expansion to the urban peripheries (2011)

Originating from the Schools of Apprentice Crafts, created in 1909, and going through various institutions, in 2008 the Federal Network of Professional Scientific and Technological Education (or Vocational and Technological Education, as denominated in part of the literature) was instituted and IFRJ was created, through the transformation of the Federal Center of Technological Education of Chemistry of Nilópolis<sup>4</sup> (article 5, XXVI, of Law 11,892 / 08), followed by the incorporation of the Nilo Peçanha Agricultural School<sup>5</sup>. On the occasion of its creation, IFRJ, as well as other pre-existing institutions, was in process of expansion with the deployment of new campuses, as a result of Phase I (2005) and Phase II (2007), which allowed an exponential growth of the units which would come to Federal Institutes (IFs) and, consequently, the Federal Network.

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<sup>4</sup> IFRJ originated in the Technical Course of Industrial Chemistry (CTQI), created in the 1940s, a time when the industrial chemistry was considered as an area of strategic national interest, initially working at the old National School of Chemistry at the University of Brazil (current UFRJ). In 1946 it was transferred to the facilities of the National Technical School (ETN), now CEFET Celso Suckow da Fonseca, where it remained for almost four decades. In 1959 the autonomous Technical Course of Industrial Chemistry (CTQI) was transformed into an autarchy as Technical School of Chemistry (ETQ), later going through successive denominations and institutionalities in sequence (Federal Technical School of Chemistry of Guanabara - ETFQ-GB, Federal Technical School of Chemistry of Rio de Janeiro - RJ-ETFQ, Decentralized Teaching Unit of Nilópolis- UNED and Federal Center of Technological Education of Chemistry of Nilópolis - CEFETQ). Based in Rio de Janeiro and later in Nilópolis, with the transformation into a federal institute, the rectory was installed in the city of Rio de Janeiro.

<sup>5</sup> Until then it was a unit of the Fluminense Federal University (UFF), being transformed into Pinheiral campus in the incorporation process.

The expansionist process, which was a result of the conjunction of transformations in the world of work, productive restructuring and technological advances (RIBEIRO; CARDOSO, 2014), was justified by the need for professional qualification through strengthening of the public character of professional education and the development of its close articulation with national, regional and local development policies (PACHECO, 2012). However, in addition to the discourse that IFs “respond to the need for the definitive institutionalization of professional and technological education as a public policy” (Brasil, 2010, p.19), there were several other meanders and connections with the nation project under construction since the Fernando Henrique Cardoso government (1995-2002), and the National Program for Access to Technical Education and Employment (Pronatec), through Law 12,513 / 11, is the most emblematic example of this scenario<sup>6</sup>.

Alongside Pronatec, the second half of 2011 was marked by the announcement of Phase III of the expansion, whose project provided the creation of 208 new campuses in the different Federal Network institutions by the end of 2014, through partnerships with the host municipalities whose responsibility would be the feasibility of the buildings<sup>7</sup>. As a result of a political movement of the then municipal government with the regional political leaderships, the federal government included an IFRJ campus for the municipality of Belford Roxo, among others that the institution would receive.

Formerly inhabited by the jacutinga Indians and with lands marked for the first time in cartographic records in the year 1566, the locality that received the denominations of “*Brejo farm, Ipueras, Calhamaço Brejo and Engenho do Brejo*” had belonged to the city of Rio de Janeiro until 1833 when it was integrated to the municipality of Iguaçu, now Nova Iguaçu. In 1990<sup>8</sup>,

<sup>6</sup> Despite being strategic in the expansionist process, the resources allocated to the FIs were not sufficient for the full deployment of the new campuses, one of the reasons being the allocation of a significant part of the resources in S-system and private institutions.

<sup>7</sup> Mayors and / or councilors, through political articulations, especially with federal deputies and senators, sought from the federal executive branch the deployment of a Federal Institute (IF) campus in their territory, but they should make a formal commitment to donate a building area or donation or assignment of a completed building in appropriate dimensions and conditions to receive the unit. Several announced campuses, due to non-fulfillment of the counterpart commitment, were not implemented or were provisionally implemented. Failure to comply with the term of commitment assumed by the mayors is often connected to local political disputes, business interests or other power groups, lack of understanding of the nature of the IFs, or even complex multifactorial reasons. In any analysis of the fulfillment or non-fulfillment of the counterpart, it implies considering the local and regional, economic, political and cultural reality, whose impacts are explicit according to the region of the country.

<sup>8</sup> Emancipation by State Law No. 1,640, of April 3, 1990, with installation on January 1, 1993. Therefore, one of the most populous Brazilian municipalities has only 25 years of installation.

already denominated Belford Roxo<sup>9</sup>, it was dismembered from Nova Iguaçu, becoming a municipality of the metropolitan region, known as Grande Rio, located in Baixada Fluminense.

With an area of 77.8km<sup>2</sup>, equivalent to 1.2% of the metropolitan region, and an estimated population of 508,614 inhabitants<sup>10</sup>, in the 2010 census it was designated as the municipality with the 16<sup>th</sup> highest population density in the country, occupying the 3<sup>rd</sup> place in the State<sup>11</sup>. The total population resides in an urban area, with 71.1% having access to water and 81.4% to the sewerage system<sup>12,13</sup>, in a territory with only 1% of preserved Atlantic forest<sup>14</sup>, marked by one of the worst indices of afforestation of public roads in the country, as well as their low urbanization<sup>15</sup>.

Economically it is classified as a municipality of medium human development<sup>16,17</sup>, possessing great dependence of revenues from external<sup>18,19</sup> sources, very low percentage of the formally occupied population<sup>20</sup> and

<sup>9</sup> The name of the city is attributed in honor of the Maranhão engineer Raimundo Teixeira Belford Roxo, collaborator of the engineer Paulo de Frontin in the solution of the problems of water supply in the capital in the late nineteenth century.

<sup>10</sup> Population estimated in 2018. In the 2010 census the registered population was 469,332 inhabitants. Source: IBGE *Cities*. Available from <https://cidades.ibge.gov.br/brasil/rj/belford-roxo/panorama>. Accessed on 20 mar. 2019.

<sup>11</sup> Demographic density of 6,031.38 inhab / km<sup>2</sup> considered by the 2010 Census. Source: IBGE *Cidades*. Available from <https://cidades.ibge.gov.br/brasil/rj/belford-roxo/panorama>. Accessed on 20 mar. 2019.

<sup>12</sup> Source: TCE / RJ. *Socioeconomic Studies of the State of Rio de Janeiro 2016*. Available from <http://www.tce.rj.gov.br/estudos-socioeconomicos1>. Accessed on 20 mar. 2019.

<sup>13</sup> According to TCE / RJ in 2016 “The water at the collection point located in Belford Roxo was improper for conventional treatment aiming at public supply.” TCE / RJ. *Socioeconomic Studies of the State of Rio de Janeiro 2016*. Available from <http://www.tce.rj.gov.br/estudos-socioeconomicos1>. Accessed on 20 mar. 2019.

<sup>14</sup> Source: TCE / RJ. *Socioeconomic Studies of the State of Rio de Janeiro 2016*. Available from <http://www.tce.rj.gov.br/estudos-socioeconomicos1>. Accessed on 20 mar. 2019.

<sup>15</sup> Source: IBGE *Cities*. Available from <https://cidades.ibge.gov.br/brasil/rj/belford-roxo/panorama>. Accessed on 20 mar. 2019.

<sup>16</sup> Municipal Human Development Index (IDHM) = 0.684 (2010). Source: IBGE *Cities*. Available from <https://cidades.ibge.gov.br/brasil/rj/belford-roxo/panorama>. Accessed on 20 mar. 2019.

<sup>17</sup> Belford Roxo ranks 70<sup>th</sup> among the 92 municipalities of Rio de Janeiro. Source: TCE / RJ. *Socioeconomic Studies of the State of Rio de Janeiro 2016*. Available from <http://www.tce.rj.gov.br/estudos-socioeconomicos1>. Accessed on 20 mar. 2019.

<sup>18</sup> Percentage of revenues from external sources: 77.3% (2015). Source: IBGE *Cities*. Available from <https://cidades.ibge.gov.br/brasil/rj/belford-roxo/panorama>. Accessed on 20 mar. 2019.

<sup>19</sup> The significant absence of large companies, the Brazilian culture of tax evasion and the low tax collection with Urban Land and Territorial Tax (IPTU) contribute to the dependence of the municipality. Socioeconomic Studies of the Municipalities of the State of Rio de Janeiro (2011), 31.10% were transfers from the Union and 40.90 transfers from the State. The municipality received revenues of 11.4% and contribution revenues of 4.70%. Source: TCE / RJ. *Socioeconomic Studies of the State of Rio de Janeiro 2016*. Available from <http://www.tce.rj.gov.br/estudos-socioeconomicos1>. Accessed on 20 mar. 2019.

<sup>20</sup> The formally occupied population is estimated at 7.6%. Source: IBGE *Cities*. Available from <https://cidades.ibge.gov.br/brasil/rj/belford-roxo/panorama>. Accessed on 20 mar. 2019.

low GDP per capita. Along with other surrounding municipalities, the municipality is marked by recurrent situations of extreme difficulty in accessing public health<sup>21</sup>, high quality<sup>22,23</sup> public education and the precariousness of road and rail transport services. There is also a high index of infant mortality<sup>24</sup>, low Basic Education Development Index (IDEB) with a worrying index of schooling of children and adolescents between 06 and 14 years old<sup>25</sup> and very high rates of violence, and it was pointed out by some national and international studies and indicators as one of the most violent cities in the world<sup>26</sup>. Violence is manifested at all its forms, especially by actions arising from drug trafficking, militias, political conflicts, religious intolerance and gender violence, notably LGBTIQ + phobia.

This breviary of indices and classifications that put Belford Roxo in a situation of underprivileged, besides being the result of a historical process of policies based on the lack of planning and abandonment of the troubled

<sup>21</sup> In 03/2019 the municipality counted on 01 public general hospital and agreements with hospitals and private maternity, being that there is no public maternity. 91 clinical and surgical adult, 120 neonatal and pediatric and 113 obstetric beds are available to SUS. The public network also has 16 clinics / polyclinics, 31 health center / basic health units, 01 ready care unit, 03 psychosocial care centers and 03 prehospital mobile units for urgency and emergency. The numbers are insufficient for the local population, demanding the search for service in other municipalities, especially Nova Iguaçu, Duque de Caxias and Rio de Janeiro. Source: National Register of Health Establishments (CNES / DataSUS). Available from <http://cnes2.datasus.gov.br>. Accessed on 30 mar. 2019.

<sup>22</sup> Higher Education in Belford Roxo is attended by a small private college, a medium-sized university center and a private university campus, which together offer less than 15 undergraduate courses and no stricto sensu graduate program. Several private institutions in the country maintain distance education hubs in the municipality. The Public Higher Education reaches the municipality only in the distance education mode, with a hub of the CEDERJ Consortium, with the offer of 08 undergraduate courses. To attend public and face-to-face Higher Education the resident needs to travel to the municipalities of Nova Iguaçu, Duque de Caxias, Seropédica or to the capital.

<sup>23</sup> The Professional Technical Education in High-school Level is also concentrated with private institutions, including the S System. The municipality hosts a unit of FAETEC, state institution of professional and technological education, but with local action focused on courses of basic professional qualification.

<sup>24</sup> 13.85 deaths in 1000 among live births (2010). Source: IBGE *Cities*. Available from <https://cidades.ibge.gov.br/brasil/rj/belford-roxo/panorama>. Accessed on 20 mar. 2019.

<sup>25</sup> Beginning Years of Elementary School (2015) = 4.1 and Final Years of Elementary School (2015) = 3.4. According to TCE / RJ, in 2016 "Belford Roxo's basic education (children, primary and secondary) had 86,271 students enrolled in 2015, a variation of -5.0% over the previous year. As for the Basic Education Development Index, the municipal network did not reach the goal established by the Ministry of Education for the initial and final years of elementary education. Regarding the state network, only the final years were evaluated, also not reaching the goal." TCE / RJ. *Socioeconomic Studies of the State of Rio de Janeiro 2016*. Available from <http://www.tce.rj.gov.br/estudos-socioeconomicos1>. Accessed on 20 mar. 2019.

<sup>26</sup> The analyzes depend on methodology, criminal typology and interval. In relation to the State of Rio de Janeiro, Belford Roxo presents high rates of cargo thefts, vehicle theft, robbery to passersby, homicides and homicides for police intervention. In the last decade the local reality has changed, but not significantly enough to leave the map of crime.

areas around the great centers, justified, in parts, the requirement of a campus in the municipality, as a collaborative entity in local development.

## Second Act: from the claim to the power of decision (2013)

It was the 2013 school year when a transsexual student from an IFRJ unnamed campus<sup>27</sup> pleaded for the right to use the social name and use of the bathroom according to her gender. While the question of the social name was dealt within the rectory<sup>28</sup>, the use of the bathroom was provisionally resolved on the campus, where the understanding was that the student should use those reserved for the servants. The situation caused several discomforts, veiled or not, both among those who defended the social practices of segregation according to a natural division of the sexes, and among those who defended inclusion in full sense.

<sup>27</sup> The choice should be not mentioning nor detailing because it is not relevant to this report, having only a sense of positioning the reader regarding the context of the emergence of the demand that led to the realization of the experience.

<sup>28</sup> Due to the absence of a federal law on the matter, in compliance with the Federal Constitution, the Federal Public Administration has now begun to regulate the matter, guaranteeing the use of a social name for specific situations and recipients, for example, in the medical records of SUS users (Letter of Rights of the Users of the Unified Health System, 2006), in the functional registers and identification of servants of the public, autarchic and foundational federal administration (MPOG Ordinance 233/2010), in the acts, procedures and information of the Ministry of Education (Ordinance MEC N° 1.612 / 2011). In the same way, in the constitutional fruition of university autonomy, several institutions have started to guarantee the use of the social name for students in their scope. In coordination with the efforts of educational councils and educational institutions in 2015, the Human Rights Secretariat of the Presidency of the Republic, as a result of the position of the National Council for Combating Discrimination and Promotion of Lesbian, Gay, Transsexual and Transgender Rights (CNDC) / LGBT, issued Resolution 12, recognizing the right to the adoption of the social name by institutions and educational networks at all levels and modalities. Subsequently, Federal Decree No. 8.727 / 2016 regulated the use of the social name and recognition of the gender identity of transvestites and transsexuals in acts and procedures within the direct, autarchic and foundational federal public administration. However, But, only with Resolution CNE / CP 1/2018 was guaranteed the use of the social name of transvestites and transsexuals in school records, regardless of age or level of schooling. The Resolution motivated the Federal Deputy Professor Victory Galli (Victorio Galli Filho, PSC / MT), then leader of the PSC, to approve Draft Legislative Decree No. 898, March 14, 2018, suspending the effects of the norm in order to “cease this aberration, re-establishing the previous status quo. “ In a more significant step, after nearly nine years of proceedings, on March 1, 2018, the Federal Supreme Court (STF) upheld the Direct Action of Unconstitutionality (ADI 4275), recognizing transgenders (transvestites, transsexuals and intersexes) who wish to do so, regardless of sex reassignment surgery (transgenitalization) or hormone therapy, the right to substitute the name and sex directly in the civil registry of natural persons. As a result, the National Council of Justice (CNJ) issued the Proceeding No. 73, on June 28, 2018, providing for the registration of the change of the name and gender in the birth and marriage seats of transgenders over 18 year old, and consequently in all other records / documents. The decision of the STF and the determination of the CNJ have partially resolved the matter, not serving minors under 18 years old and those who do not want to make changes in civil registries, which leads to the need to maintain the guarantee of the use of the social name.

It is a commonplace to say that institutions of schooling are part of society and that societies are disciplinary; but why are they? Interested in the origins of disciplinary power in Western society, Michel Foucault analyzed the relationship between domination and space planning or between architecture and power throughout the history of mankind, standing out with the classic *Surveiller et Punir: naissance of the prison* (1975), published in Brazil as *Vigiar e Punir: história da violência nas prisões* (1987). In the book, Foucault describes the history of the power to punish (punishment as a means of coercion and torture, a means of discipline and imprisonment) directly related to the prison history, revealing the multiple faces of a form of social control exercised in a building which has been planned for this purpose. The whole of Foucault's work is constantly concerned with the rupture with the Middle Ages and the emergence of specialized knowledge (medicine, psychiatry, education, judiciary, etc.), organized in new disciplinary institutions requiring specific buildings (hospital, asylum, school, prisons, etc.), for the exercise of power over individuals and collectives. The philosopher, however, did not devote himself to architecture, but used it as a resource of his genealogy to understand the relation of individuals to buildings and the power that is exercised through them, guaranteeing dominant interests, as in the case of shared bathrooms, but divided by biological sex that make up the most diverse buildings, especially those where the exercise of specialized knowledge, such as a school, occurs.

In this sense, the division of shared toilets by sex is the result of architecture and this is a language of power with unparalleled importance and ability to place the individuals in their proper places; therefore, what would the place of the student or the transvestite or transsexual servant, of the transhuman and the intersex be, in relation to the use of the bathroom for the satisfaction of some of their physiological needs over which there is no absolute control?

When the subject is not allowed to use a toilet due to an 'apparent gender / sex disagreement' while exercising the power to analyze the leniency petition for the right to exercise a physiological need, as a temporary<sup>29</sup> management exercises the power to decide and allocate the claim, it applies to the subject the penalty in the same way as it is applied to the condemned, the physical and psychic is subject to incessant and brutal suffering whose only justification is the denial of the recognition of the human person as subject of rights.

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<sup>29</sup> Refers to the short period of a campus or institutional management (04 years) where dimensions of management policies can be confused with institutional policies.



## Third Act: from the architecture of arguments to the construction of right (2014)

From the first referrals to the deployment of the Belford Roxo campus it was marked by mishaps that made its implementation difficult, consisting of a history of donation of an inappropriate area implying in its revocation, difficulties in expropriation of adequate area and consequent donation, impossibility of simple transfer of ownership due to inconsistencies in prior notarial records, abandonment of engineering projects by contractors, improper use of the property for private circus and musical activities, successive institutional difficulties in the relationship with municipal bodies responsible for new buildings, among other things, added to the 'natural' crossings of elections and management change both in the municipality (2012/13) and in the institution (2013/14), in addition to the drastic reduction in the budget and financial for the Federal Network, causing extreme difficulty in the planning and execution of constructions from 2015<sup>30</sup>.

The new management of IFRJ, continuing the expansion with the deployment of the new campuses, among them Belford Roxo, creates two process support dynamics: the establishment of feasibility studies commissions (CEV), specific per campus in deployment, and the scheduling of weekly meetings with the servants involved in the process of deployment of new campuses, named as 'expansion meeting'.

The Belford Roxo Campus Feasibility and Deployment Study Committee, chaired by the deployment director, had nominated members representing the municipality of Belford Roxo, organized civil society, the DIEx and the pro-rectors of teaching, research and extension. With activities generally happening biweekly, the committee collaborated in the delineation of the campus, defining the areas of action, the courses that would be offered, the profiles of the teachers that would constitute the unit, the demands of infrastructure and the like. At various times, guests from the municipal government, state government, business association and others were invited to participate, contributing to the mapping of demands and

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<sup>30</sup> In 2014 there was no transfer of all the resources planned and on 02/20/2015 MEC sent a circular to the leaders of the institutions reporting a block of 1/3 in resources. The practice has been recurrent, sometimes revised throughout the calendar year, but causing great damage and setbacks, especially in the area of works (in 2018 the media reported to society about the existence of more than 250 paralyzed works in FIs and universities).

feasibility analyzes of the proposals. It was within the committee that the first dialogues on the proposed construction of single toilets in the future campus building took place without any objection, perhaps due to their own academic profile and field of activity.

The group of expansion meetings, chaired by the rector, had representatives from the administration pro-rectory, DIEx, the directors of deployment of new campuses and the engineering sector. The participation of the engineering sector was fundamental, since it involved the most diverse demands of the campuses, both those occupying buildings undergoing renovations, and those that occupied provisional installations depending on the construction of the definitive campuses. This was the second space in which the proposed construction of single toilets in the future campus building was presented; but leading to certain discomforts and resistances, but without any discrimination or prejudice.

In this phase, several alternatives for the construction of the campus were presented, never succeeding for conceptual and / or technical reasons which, added to all kinds of setbacks in the deployment and to the classic slowness of the bureaucracy in the public management, led to the need for urgent decision. A clause on the donation law established a deadline for the start of campus activities in the donated land, and the reversibility penalty was applied in case of noncompliance. The campus had been working provisionally in the municipality since December 2014 and the time limit for the installation in the donated land, according to legal interpretation by the municipality, would be the end of 2016.

The set of difficulties pointed out, circumscribed in the national political tensions, that resulted in the impeachment of the then president of the Republic, and local, due to the municipal elections, in 2016, hindered any action in relation to new works. Thus, following the experiences of other FIs in the deployment of new campuses, research centers and public and private universities, concomitantly to the technical and legal studies, consensus is reached on the possibility of adopting modular civil construction<sup>31</sup>, because besides being a low cost technology, it provides quick solutions, adjustable to the available area and of easy expansion, with low environmental impact, dependence on weather and labor conditions, also having quality control still in the industry,

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<sup>31</sup> Although common in Europe and the United States since the end of World War II, they are little used in Brazil for cultural reasons. It is noteworthy that there are several modular civil construction technologies that should not be confused with the use of adapted 'containers'. The technology adopted by IFRJ was also used by 11 other federal educational institutions.

generating long warranty. Currently employed on a large scale in educational buildings, they provide high acoustic absorption, good thermal insulation, incombustibility, water resistance and are not subject to pest infestation.

Among the first measures, a new mapping of the demand was performed, when the campus proposal was reiterated, requiring that the initial proposal of bathrooms for individual use be observed, for the various reasons that have been reported. However, when the sketch – prepared according to the identified demands - was presented, the bathrooms were organized in two areas, one male and one female, in the traditional pattern.

in which a row of toilets is installed on the opposite side of a row of showers, designated to men or women, has been the rule in educational facilities over a hundred years. They involve plumbing, mechanical exhaustion, and predictable installation costs. Shortened doors and partition walls allow for passive user monitoring. Disclaiming this traditional bathroom model is scary, since individual bathrooms can significantly increase costs with additional plumbing, ventilation, partitions, doors and ware. These projects also require more space. In addition, public schools often have limited budgets, pre-established facilities, and deeply rooted social practices. (WILCOX; HAAPALA, 2016). [*free translation*].

As pointed out by the authors “waiving this model is scary” and with this the justifications regarding impossibilities arise, using technical-legal, hygienist-sanitary and moral arguments, both by those administrative and technically involved in the project and by other managers and servants of the institution as they became aware of the proposal. However, there are no generalizations, because they were considered punctual, fair, necessary and enriching resistances, in a plural society, motivating dialogues, investigations, reflections, deconstructions, re-readings and transformations.

## THE ARCHITECTURES OF CONTROVERSIES

As previously reported, there was no conflict during the experience, but arguments against the proposed model of toilets<sup>32</sup> allowed the

<sup>32</sup> Although in this report the name ‘bathroom’ is used, in the language of construction there are conceptual differences between bathroom and toilet. The standard ABNT NBR 9050: 2015 defines bathroom as “a room with a shower, bathtub, sanitary bowl, washbasin, mirror and other accessories” (3.1.12) and the toilet as the “room with sanitary bowl, washbasin, mirror and other accessories”, both of which may have changing rooms, which is defined as a room for changing clothes (3.1.39)

emergence of a succession of perceptions, beliefs and feelings that are transposed when doing public management.

- The law does not allow! It's written, it is not possible.
- It is technically unfeasible.
- It is costly from a financial point of view.

The first arguments that emerged were of a technical-legal nature, a kind of guard of the law, of the norm, of the technique as scopes consisting of invariably immutable, timeless elements, untied from the evolution of society. This rigid posture, recurrently found in the public service, may have a connection with the authoritarian origin of Administrative Law (DI PIETRO, 2015), in addition to the fact that the admission of the democratic principles and values of the Constitution in this field has not yet fully occurred (JUSTEN FILHO, 2008). That is, the legalist and normativist discourse that creates all barriers may come from the fact that "the content and interpretations of Administrative Law remain linked and referred to a socio-political reality that for many years ceased to exist. The instrument of Administrative Law is, in essence, the same as a century ago (JUSTEN FILHO, 2008, p.67).

The alleged legal or administrative impediments have never been formally presented, appearing as mere opinion or masking other reasons. As well as in mapping technical standards, only parameters, minimum amounts and accessibility issues have been found, without tacit or express prohibition of different configurations of these spaces. In this sense, the records on the need of bathrooms separated by sex have the right of ensuring that all have access to bathrooms in buildings of collective use. Likewise, no concrete information on the financial burden on the proposed model was presented, which does not seem to make much sense.

- Men are not hygienic. Women will not agree to share restrooms.
- Disease transmission may occur.
- Women like to have a company when going to the bathroom.

The second set of contrary arguments are circumscribed to the hygienist and sanitary scope, added to a notion of socialization, through the invocation of the binarisms cleaning / filth, purity / impurity and dependent / independent. For these speeches, women would be taken by an essence, uses and customs inherent to cleanliness, purity and dependence, the opposite being reserved for men.

There is no universal realization that men are less hygienic than women, even in relation to the use of toilets, nor are they major transmitters of diseases. But, being a fact in a given educational reality, it is up to the institution to educate them, after all, according to Law No. 9394/96, education “aims at the full development of the student, its preparation for the exercise of citizenship” (Article 2) being linked to “social practice” (Article 1, § 2), as well as being a privileged context to operate as a health promotion strategy.

On the other hand, it is true that toilets are not places that convey a sense of full cleanliness and may occasionally serve as propagators of some contamination; but even if it were a sterile environment, there is no sense in its use as a space for dialogue and socialization, nor any reason for people not carrying some incapacitating condition, temporarily or permanently, to use such facilities accompanied by.

- I can not share a bathroom with a woman with a penis. That did not exist.
- God made man and woman, each with its body and place.
- It's very dangerous, because acts of violence can occur.

The third set of arguments, the most compelling, are manifested in a kind of last instance with appeal to moral conservatism, Christian morality and the complete ignorance of human nature. Transgenderism has always existed, with more or less frequency and visibility according to culture; so, people enrolled in the trans universe have always used toilets. It happens that, in the Brazilian reality of the last two decades, the trans have become visible when demanding full rights, which include access to formal education, health, culture, safety, work and employment, among others necessary to any subject in a democratic society.

The notion of each one with its nature and consequently in its place, does not deserve to prosper; after all, what man and woman are you talking about? Is it an automatic association with the formula penis = man / male and vagina = woman / female? In the biological horizon there are differences between the sexes that explain the necessary male / female separation, especially in the reproductive perspective; but if morphologically it is a stable category, socially it is not what occurs, since sex is socially constructed with variables of time and place. All are born within a masculine or feminine labeling, even without space for ambiguous intersexuality, but it is in the social relations mediated by culture that a man or a woman is constituted (Bevour, 1970); In addition, the morphologically or socially identified sex is not determinant, it is only performative (BUTLER, 2003).

Actually, the bathrooms in educational institutions are spaces of physical, sexual and / or symbolic violence, caused precisely by its collective use. Toilets are intended for bodily eliminations and tailings, they are disadvantaged spaces that do not confer status to anyone (COUY, 2005). They are places “of excretions, of bodily taboos that should not even be mentioned, of physiological aspects denied by culture (...), a space of provisional use and to which nobody wants to belong (...) a space in which the subject can transgress and express its repressed desires “(SILVA; SARAIVA, 2014, p.64). The most recurrent form of violence manifestation in these spaces is the symbolic one, usually with graffiti that hold a “marginal language, receiving on its walls what has no space outside of it: cursing, confession, manifestation of desires. As opposed to organizational, aseptic, favored places, dedicated to what is socially accepted, the toilet can be the site for excluded messages “(SILVA; SARAIVA, 2014, p.64). According to Silva and Saraiva (2014), the graphites gather inscriptions that translate aggressions to individuals or groups, mainly because of the sexual orientation of objects that share that collective space.

## RESULTS AND FINAL CONSIDERATIONS

In December 2016, the first part of the campus construction was inaugurated and administrative and pedagogical activities<sup>33</sup> were transferred to the location. The new space now has, in its central area, two rows of toilets, available to any user, student or servant. Each unit, for individual use, has a fully enclosed door, a sink and a toilet, without urinals; in the units, there are also adapted facilities for people with disabilities or reduced mobility. The access is given by a wide circulation space, with total visibility, giving greater security. The signaling does not have any pictorial representation that refers to the he / she classic division, having only the denomination ‘bathroom of people’, name which arose among students and servants of the unit.

Despite the different levels of acceptance in everyday life, because it interfered in an ingrained logic, which is fully understandable, there was

<sup>33</sup> On 05/25/2017, the Municipality of Belford Roxo filed a donation reversal lawsuit, aiming at an *inadita altera pars* injunction for the party to stop or not start work on the donated land; and, at the end, requesting the revocation of the donation, for alleged noncompliance with the charge, without any possible improvements being indemnified. However, the deadline was fully fulfilled, and at the time the campus was inaugurated, it had a number of servants and courses in operation. The proposition of the action prevented the realization of complementary works (hydraulics, energy substation, landscaping, etc.).

no record of misuse, conflict or violence in the first two years of use of the facilities (2017 and 2018). Just as the arguments against the proposal were overcome in time, since they had no technical-legal and hygienist-sanitary basis, but were based on moral questions pervaded by notions of stigma, stereotypes, purity and danger, acceptance should also gradually break the few existing barriers.

The reported experience, based on the background of two managers, shows how the public educational management is circumscribed in a field of porous boundaries, marked by different crossings, power relationships and logics that run away from rationality, implying constant tensions and challenges to the concretization of inclusive actions in a broad sense. In this sense, it was necessary to recover the process of creation and deployment of the campus so that in connection with architecture, administrative law, inclusive education and sexual and gender diversity, it would be possible to understand the justification and course of the concretization of the re-reading of bathrooms in a certain reality. At no point was the proposal for the unrestricted use of bathrooms divided by sex, nor for the creation of the 'third' bathroom (for the LGBTIQ + population), but for the resolution of the demand through units of individual use, while there is no minimally acceptable justification for the widely used collective bath model.

If, over approximately 5,000 years, bathrooms have undergone continuous transformations in their denominations, conceptualizations, destinations, architectural configurations, sanitary technologies and use rules as a way of meeting the demands of a particular culture and the needs of individuals or groups, the model recommended and already tested in other realities is nothing more than a way of evolving towards full inclusion. After all, it does not seem reasonable to use the educational discourse of inclusion in a selective way. If it is urgent and necessary to guarantee toilets for use with the greatest possible independence by persons with disabilities or with reduced mobility, how will it not be for gender diversity? Transvestites and trans women are not men who think they are women; trans men are not men who consider themselves women; and intersex may not fit perfectly into the biological concepts of a man or a woman, so which sex-sorted toilet should they attend? Or should they not, exercising supernatural self-control over their physiological needs?

What risk would a cisgender trans woman, surgically reassigned or not, represent to other women while attending a women's room? Just to be the victim of all forms of prejudice and violence, just as a man, a

cisgender, of homosexual orientation, has when attending a men's room. Therefore, the question is broadened from the trans demand for the use of restrooms according to the actual, declared sex, to the demand for the end of collective toilets as a way of minimizing the different forms of discrimination, prejudice, stigmatization and violence, with which educational institutions can not condone.

It is up to the public management in a broad way, and to the educational public management in a strict way, the correct legal, normative and technical interpretation in tune with the reality in which the institutions are circumscribed, observing the demands of the cultural, social and political context, aiming at the concretization of the principle of the common good, a means for the realization of the dignity of the human person.

Because any findings are provisional, it is asked: what if the defended and implemented model does not work? If it does not work, which only time and reality will say, it will be up to management to hear the voices of the included and excluded to find a new path.

Finally, it is reiterated, the present report has the potential to stimulate other experiences or to replicate the experience in other units and institutions, finding operational ways to respect diversity, individualities and singularities.

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