



Banning Public Nudity: Images of Bodies as Sites of Contested Moral Values

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Abstract

The article takes as its starting point the debate around San Francisco's ban on public nudity, which came into effect on 1 February 2013. In a city known for its tolerance, the measure banning public nudity explicitly raises the issue of what kinds of images citizens ought to construct in public space, including those shown on their bodies. The example is helpful in explaining how the body can be understood as a site for displaying, and apprehending, images that are considered to carry particular moral values. The nude body, in contrast to the clothed, provides an image of the human body that defenders of the measure consider as a challenge to moral standards of social interaction. Some of those protesting against the ban underscore the naturalness of the naked body but just as much its role for making a political statement against wider societal values. Interestingly, photos taken of those appearing nude in public are used in widely available news media, blogs, and social network sites to draw attention to the debate. These photos make images of nude bodies in public available and are difficult for authorities to control. The discussion surrounding the measure banning public nudity, along with its pictorial representation, brings out the role of images in societal body politics.

Contributor Note

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Many complain that we are [too] old, fat, ugly, hairy, etc. My body carries the record of my lived experience, its triumphs and failures, its successes and tragedies. To assert that my body should be censored from public view is to assert that my lived experience, my very identity, should be censored [from] public view.

[Elwood Miller in SFBOS 2012: 1494]

Introduction

On 1 February 2013, an ordinance of the San Francisco Board of Supervisors banning public nudity came into effect. The ordinance amends the San Francisco Police Code and prohibits 'nudity on public streets, sidewalks, street medians, parklets, and plazas, and on public transit vehicles, stations, platforms, and stops, except as part of permitted parades, fairs, and festivals' (SFBOS 2012: 1388). The ban on public nudity is not directed toward those under five years of age or those taking part in the events mentioned above.

The ban passed by a vote of 6 to 5, the margin being an expression of the issue's nature as already contested within the Board of Supervisors and, not surprisingly, for San Francisco's residents and visitors at large. In a city known for its tolerance, the measure banning public nudity explicitly addresses which kinds of images citizens ought to construct in public space, including those they show on their bodies.

Rather than calmly accept the ban, various parties have taken action against this measure and have protested against it in diverse ways. Some of the leading figures in these protests have been convicted for violating the public-nudity ban, a few of them at least twice. These urban nudist activists devote a

considerable amount of time, energy, and attention to their attempts to argue for public nudity becoming accepted in San Francisco once more.

Naked protests

Bans on public nudity are nothing special in global terms. In contrast, one could argue that it is rather unusual that San Francisco did not have a general ban on public nudity in force before. But many who oppose the ban consider San Francisco to be special, a place where behaviour not tolerated elsewhere should be allowed. Although bans on public nudity prevail in many regions of the world, naked protests have become popular on a global scale, and people undress for diverse reasons (see Lunceford 2012). Often, nudity is used to draw attention to causes that are deemed important. For example, the animal-rights organisation People for the Ethical Treatment of Animals (PETA) have become widely known for their 'Naked' campaign, for which demonstrators, including celebrities, have stripped to draw media attention to the slogan 'go naked instead of wearing fur' (PETA 2013).

Anti-war demonstrators have used similar tactics – for example, with the 'Breasts Not Bombs' campaign, for which women and men alike have marched in order to draw attention to the atrocities of war (Glaser 2010). Activist groups such as FEMEN and Pussy Riot have become widely known for their nude protests against state politics in Ukraine and Russia, respectively, and women in South Africa and India have employed similar tactics to express their opposition to state brutality and slum clearances (Souweine 2005). In all of these examples, the naked body serves as a

focal point for centring attention and directing it toward issues of concern. Materials from PETA give a clear explanation as to why the group engages in these activities:

Our mission is to get the animal rights message to as many people as possible. Unfortunately, this is not always an easy task. Unlike our opposition, which is mostly composed of wealthy industries and corporations, PETA must rely on getting free 'advertising' through media coverage. This can be especially difficult with our fur campaign, since newspapers are often reluctant to cover our activities for fear of losing furriers' advertising dollars. But, not surprisingly, colorful and 'controversial' demonstrations and campaigns like activists stripping to 'go naked instead of wearing fur' consistently grab headlines. (PETA 2013)

This explanatory text could be applied to diverse other campaigns as well; one need only replace the words 'animal', 'PETA', and 'fur' with the appropriate ones from the campaigns in question.

Whereas political campaigns of these types have at times been very effective in gaining public attention and the messages of those engaging in them have been distributed widely, they tend to play with the nude body in media in order to get attention and, after that, to get their message through. Accordingly, the campaigns use spectacular forms of attention management known, for example, from advertising, but in these cases by relying explicitly on tactical forms of media use (autonome a.f.r.i.k.a. gruppe et al. 2001; Garcia and Lovink 1997; Kleiner 2005).

The controversy surrounding the San Francisco nudity ban is interesting because it does not focus on nudity primarily in order to address other forms of human behaviour – such as human use of animals for eating, experimenting, or clothing as in the case of PETA; human use of weapons and violence against other humans in the case of anti-war protesters; or human use of repressive methods in the name of the state in the case of the other examples offered. Instead, here the naked body itself becomes the centre of attention, both when capturing attention and when activists direct public attention to their cause. The activists in San Francisco argue for the acceptance of public nudity in its own right.

Contested images

Of particular interest for my discussion of the ban are ways in which the nude body becomes a contested site in relation to the circulation of appropriate images in public urban space. The example helps explain how the body can be understood as a site for displaying, and apprehending, images that are deemed to carry particular moral values. The nude body, in contrast to the clothed one, provides an image of the human body that defenders of the measure consider as challenging moral standards of social interaction. Some of those protesting against the ban underscore the naturalness of the naked body but, equally, its role for making a political statement against wider societal values.

The nudity visibly written on human bodies in public space is related to memories, aspirations, and associations that nudity awakens in beholders; it is never 'just' nudity. Public nudity is contested, even in places such as San

San Francisco, and, precisely because it is contested, nude bodies are depicted by tourists, interested passers-by, and journalists with a variety of cameras. Seeing nudity in public becomes news, something that excites and troubles the witnesses. The images captured are transmitted to diverse online environments, where public nudity can be perceived. The main difference between these images is that on a computer screen nudity is perceivable not directly on someone's body but via another kind of supporting medium. Nevertheless, in both cases, *images* of nudity prevail.

In his *An Anthropology of Images*, Hans Belting (2011) provides a useful distinction between images *in corpore* and images in effigy. Images *in corpore* are precisely those images that are displayed with and on our bodies, whereas images in effigy use other carriers than human bodies for display, such as photographic paper, statues, and computer screens. Images, in this understanding, need supporting media such as bodies or computer screens if they are to become visible, but they are not reducible to these media. Images of nudity thus live in our heads (as part of associations, memories, or dreams); on our bodies, available for others to see; and in a variety of material artefacts (such as paper photographs and computer screens).

The image of the naked body, with its accompanying heterogeneous associations, is displayed in a variety of ways, making appearances via a variety of media. Public protests, taking place, for example, in front of San Francisco's City Hall, show nude images on the bodies of the protesters, who appear naked, but also on their placards displayed during demonstrations, bearing photos of naked bodies known from contexts such as art

history. Protesters display their arguments, including photos of these protests, in blogs, on photo-sharing sites, and on news sites, thus creating a different form of accessibility and durability for images of nudity in San Francisco's public urban spaces. Also journalists deliberately take photos of those appearing nude in public and use these in news media to draw attention to the debate and attract visitors to their specific content. The images of nudity, depending on their supporting media, become available for different uses.

Although one might argue that there are more pressing social questions related to the use of San Francisco's spaces, with homelessness, drug addiction, violence, and gentrification being some of them, the ban on public nudity and the discussions surrounding it reveal some of the ways in which images become important in social interaction. The regulation of publicly available images is an important way of regulating behaviour, and, thereby, addressing what should be acceptable in terms of a general notion of 'the public'. The discussion about the measure and its pictorial representation both highlight the role of images in societal body politics, along with the difficulties legislators face when acting as iconoclasts, trying to ban particular kinds of images. Images in effigy, transmitted to online environments, are more difficult to control than are images *in corpore* gathered together in public urban space.

Method and analysis

The ban on public nudity is discussed through a focus on three ways in which images of nudity are played against each other. Firstly, by examining associations that public nudity awakens; then, by

looking at ways in which public nudity is performed *in corpore* in a demonstration; and, finally, by looking closely at nudity in images in effigy.

The material for this discussion comes from several sources. Legal files of court proceedings against protesters have been made available (DiEdoardo 2013), members of the San Francisco Board of Supervisors (SFBOS) update information on this issue (e.g., Wiener 2012), the activists provide regularly updated information online (David 2013; Taub 2013; Hightower 2013), local news blogs (e.g., BAR 2012), and news sources with a broader reach (e.g., Wollan 2012) report on questions regarding the public-nudity ban, at times allowing others to comment on the written text. After going through these sources, I have chosen to analyse more closely the arguments put forth in the legislative file (SFBOS 2012), along with those stated in a highly contested anonymous article published in *The Bay Area Reporter*. Taken together, they include the viewpoints I have been able to find in other publicly available media content. The legislative file consists of 157 pages, including the original ordinance, alongside written counter-arguments from those in opposition to it. The article in the *Bay Area Reporter* has been recommended on the paper's site by 766 people and commented on by more than 60 people, often in shorter form than by those who asked for their counter-arguments to be included in the legislative file. The ordinance and legislative file are referred to in this paper as 'SFBOS 2012', and the article and comments on *The Bay Area Reporter* text as 'BAR 2012'. These sources give a broad picture of views of both supporters and opponents of the ban.

How nude images travel is examined through various lenses, from being present at a public demonstration in front of San Francisco's City Hall to going through pictorial material published online and focusing on images found in newspaper coverage of the issue. Here both images *in corpore* and the ways in which they become images in effigy are examined more closely.

The textual analysis applied loosely follows established methods for qualitative analysis, suggested, for example, within writings of grounded theory, with the focus on identification of topics of concern and their grouping into *pro* and *contra* arguments until saturation in arguments seems to have been reached. The topics of relevance are grouped into broader categories and discussed with reference to related literature. The image analysis follows a content-analysis approach, which involves differentiation among contexts: the ways bodies are shown during a demonstration, how they are shown by supporters in their blogs, and how they are depicted in news coverage available in online versions of selected newspapers. The present article provides synthesis, triangulating textual analysis, image analysis, and related research to provide a discussion of how the nude body in public becomes a contested site.

Reasons for the call for a ban on public nudity

Below, I give a brief overview of developments that have led to the ban on public nudity and its enforcement in court. For the broader discussion, the accusations levelled at public nudity, just as much as arguments raised in its defence, are of special interest. Here I focus first on the question of morals and

decency, as addressed on both sides of the fence. Then I turn my attention to the question of the nude form and the kinds of images and associations it awakens among discussants. Since the context of this nudity ban is of particular importance, I will introduce arguments as to the role San Francisco in general and one of its districts in particular, the Castro, play with regard to public nudity. This leads me to focus on mediations of urban space as experienced via the medium-specific forms nudity takes, whether in front of City Hall, printed on a newspaper page, or available in a blog.

A brief recap of events leading to the ban

San Francisco is known, as is the Bay Area in general, for a variety of counter-cultural and alternative movements and communities. Hippies, yippies, beatniks, LGBT movements, black power movements, anti-war movements, food movements, and various others have long given San Francisco a particular flair that draws many people from within the US and abroad to live there. The IT industry, with one of its most important global nodes operating close to and ever more within San Francisco, has particular historical relationships to many of these movements (Turner 2006), providing for an interesting backdrop to the appearance and banning of public nudity in SF, especially with regard to facilitation of some of the mediations in effigy discussed later.

Various social experiments in the San Francisco Bay Area have included nudity. Some of these have taken public form. After a few of these experiments, prohibitions were put in place. For example, the San Francisco Park Code prohibits exposure of 'his or her genitals,

pubic hair, buttocks, perineum, anal region or pubic hair region or any portion of the female breast at or below the areola thereof'. This prohibition seems to have been put into effect in 1970 to counter hippies' regular nude dancing in Speedway Meadow, a popular place for events and gatherings in SF's Golden Gate Park.¹

Public nudity should be distinguished from lewd behaviour, since behaviour considered sexually offensive was already prohibited in San Francisco. Although public nudity was prohibited in parks, a general ban was not put into place until after Supervisor Scott Wiener, representing District 8, suggested to the San Francisco Board of Supervisors an amendment to existing legislation. Wiener had received complaints of nude men and women spending time at the Castro district's Jane Warner Plaza, and, representing that district, he decided to act (Wiener 2012). At a community meeting, he took time to listen to viewpoints of local nudists but soon afterward introduced a new draft ordinance. Before the San Francisco Board of Supervisors voted on it, others could propose amendments to the ordinance and make counter-arguments, to be recorded in a legislative file. The file includes written counter-arguments that could influence supervisors' votes (SFBOS 2012).

The proposed ordinance quickly became a target of protest, and since its acceptance in a close (6 to 5) vote and the ordinance's later entry into effect, some of the protesters have been

¹ The reason for the ordinance is suggested in a Wikipedia article (2012). The current code is available via American Legal Publishing Corporation, see http://www.amlegal.com/nxt/gateway.dll?f=templates&fn=default.htm&vid=amlegal:sanfrancisco_ca. [Accessed 30 September 2013]

convicted for violating the ban. Nevertheless, public nudity remains present in public form, during demonstrations, in online environments, and in news coverage. Importantly, as Wiener himself points out, the ban is intended to limit public nudity, not completely ban it: 'I introduced legislation to limit nudity in public spaces, allowing it at street fairs, parades, beaches and private property, but not on streets or plazas' (Wiener 2012).

Questioning public images in corpore

For a better understanding of the feelings and viewpoints evoked by nude bodies in public, it is useful to take a closer look at the explicit associations articulated in conversations regarding the nudity ban. Here, the image of the nude in public remains an issue of concern, a nexus for voicing different understandings of proper behaviour. The image of the nude does not fit within one single line of interpretation. Additionally, as I will later show, the legal ban on public nudity has not been able to eradicate the *image* of the nude from San Francisco's public space, since photos and videos of nudes are made available on various online platforms, as much as in newspapers and books. Here images of the nude are transformed from images *in corpore* into ones in effigy.

The concerns of the ban's supporters are associated with stances they take toward the image of the naked body in public space. The nude body they see, or fear to see in public space, is an image *in corpore*, a somatic entity between an image and the body that is used to show and display it. The nude image is seen on a human body, and the image seen triggers itself an array of images and

associations by the beholder. The main fear nudity awakens is that it might be harmful to those seeing it. Seeing the nude body, or, more accurately, the *image* of the nude *in corpore*, is considered a threat to morals in social interaction; a threat to the role of sexuality in public space; and, to some, a threat to children. Here, the image of the nude is feared to contaminate morals in social interaction, including how sexuality should be lived out and what children ought to see.

This fear can be contrasted against dominant forms of everyday social interaction in public space, which often do not involve nudity and which remain fairly restricted. Most people in somewhat larger cities, San Francisco among them, pass each other on streets, in cars, and at food stores and restaurants without much interaction apart from throwing quick glances at each other and keeping their distance. Here, other people fit into one's course of action if they look, and in their actions are, somewhat predictable. If these people do not confront each other, they look and act in ways that support and maintain social order, a normalised everyday behaviour. In their interaction, be it while quickly passing each other or when engaging, for example, in conversation, people tend to provide predictability by performing in line with social attributes they consider to be mutually approved. This includes dressing up in particular ways; limiting the duration, intensity, and frequency of looking at each other; and regulating whom to talk to, in what ways, and about which topics (Collins 2004; Goffman 2005).

Thus, the presentation of self, as a cascade of images in interaction, as an image of self (Goffman 2005), is usually

done in ways that do not contest mutually approved ways of interacting, ways that are supported by wider societal discourses regarding morals, acceptability, and proper behaviour (Foucault 1977; 1991). When mutually approved ways are contested, one or more of those participating in the interaction feel emotionally contested, with their understandings of how to act, perform, and display self being challenged: the images in interaction become sources of distress (cf. Collins 2004).

From this standpoint, it is understandable why public nudity becomes a matter of concern. Supporters of the ban emphasise appropriate behaviour as a reason for a ban on public nudity. As one commentator puts it: '[T]here is also a concept of decency that does not seem to be adhered to' (Channing Luke-Savant in BAR 2012), emphasising the connection between the image of a nude body and decency. The decency alluded to has to do with the decency that supporters of the ban want to be re-established through a ban of public nudity from everyday interaction. The nude body therefore carries understandings of moral conventions, including decency. Being able to participate in defining moral conventions is a matter of access to power that may be used to regulate behaviour (Foucault 1991).

In the debated *The Bay Area Reporter* article, supportive of the nudity ban, the anonymous author of the main text claims: 'We don't think the Castro nudists are exercising the judgment expected among naturist groups themselves, such as respect and decorum. Wiener's legislation is reasonable regulation' (BAR 2012). The urban nudists' presence in public space is questioned through

distancing of an anonymous 'we' from the urban nudists, a 'we' that knows which conventions, and which cascades of images, are appropriate in interaction: '[W]e say enough is enough. It's time for everyone to enjoy the Castro, including its parklets, plazas, and businesses' (Anonymous in BAR 2012).

Similar language can be found in the legal documents regarding the public-nudity ban, in which 'the People of the City and County of San Francisco' (SFBOS 2012: 1388) ordain the prohibition, and after the nudists have broken the ordinance, the 'People of the State of California' are the plaintiff against individual nudists caught violating the ban (see Trial Brief available via DiEduardo 2013). Social conflict, including divergences in understandings of how to live everyday life in public space, gets added weight when the 'People of the State of California' question the morals of those who do not adhere to the rule of law.

In this case, the question of accepted morals in social interaction, of what kinds of images *in corpore* to show each other and how to act accordingly, quickly becomes one of who is allowed to speak in the name of a general 'we', or 'the People'. With the aid of a legal apparatus, the supporters of the ban have been able to change the conversation from one of relative symmetry into an asymmetrical one. Those in favour of public nudity, if they want to challenge the ordinance, must now interact regularly with intermediaries in power relations, such as law enforcement bodies and courts of law, instead of discussing issues of concern directly with those who do not share their morals.

Sexuality and nudity

The question of decency, morals, and appropriate behaviour in interaction includes in this case the role of sexuality in everyday interaction, especially the tight association some discussants have created between nudity and specific, unwanted forms of sexuality in public. Some supporters of the ban associate nudity with sexuality, especially of the kind they would like to see prohibited. Before the ban, sexually offensive behaviour had already been criminalised in San Francisco, but what exactly constitutes lewd behaviour is not always clear.

Several commentators explicitly state that the urban nudists' behaviour counts as lewd, something that should be regulated and put out of sight. Wearable artefacts, such as genital jewellery, arouse negative emotions, as does exhibitionist behaviour carried out explicitly in seeking of attention to the nude body parts displayed. Sexualisation of public space, and thus of social interaction within that space, become an issue, especially in the ways in which this sexualisation takes place. Proper behaviour, suggest those supporting the ban, cannot encompass sexual behaviour in public space, even if it is not directed in offensive ways at anyone in particular.

This sexualisation of urban public space is gendered. Although some urban nudists are women, it seems that quite a few of those at the Jane Warner Plaza in the Castro before the ban were men. Male nudity evokes questions of gendered differences (cf. Sutton 2007), in both public and private spaces:

[F]or many many women and I'm sure some men who have been

sexually abused it is assaulting to see naked men in a public place when you are just trying to enjoy the Castro and get your errands done. These men are aggressively naked and it creates many unsafe feelings. [...They] are not 'doing no harm'. They are. There are many places where being nude outside is ok and expected and so those of us who really truly don't want to see naked male body parts, we can avoid these places. (Fontana Butterfield Guzman in BAR 2012)

Merely seeing nudity in public awakens unpleasant memories of previous behaviour encountered, along with fears of being assaulted. For the commentator quoted above, public nudity awakes 'unsafe feelings'. The nude body, seen *in corpore*, thus becomes a source of ideas considered unpleasant, something aggressive that seems to be directed against at least some of those passing by, perhaps deliberately. The question becomes one of images, of their control and distribution, of the power to decide how to act in everyday life. The conflict is helpful for posing questions such as: Which cascades of images should be available where, and to whom? Who needs refuge, and who should be able to decide on manners of social interaction?

Nudity and its contexts

A third major contention, besides those focusing on morals in general and sexuality in particular, is that displaying nudity should be contextually bound, as is suggested in the ban itself. The ban *does* permit public nudity at approved parades, fairs, and festivals, many of which San Francisco is known for. The Bay to Breakers Race, Gay Pride Weekend, and the Folsom Street Fair are

examples of events at which participants are used to seeing nude people and, even with the ban in effect, can continue to do so.

Additionally, what constitutes nudity is a fairly contextual affair. Nudity within the limits of the ban has to do with exposure of 'his or her genitals, perineum, or anal region', focusing the concern over nudity on very particular body parts. Displaying the breasts or spending one's time wearing only limited coverings, remains permitted. And, while the First Amendment to the US Constitution states a guarantee of freedom of expression, under which public nudity as an image act (Bakewell 1998) could be considered to fall, supporters of the ban argue for contextuality of this freedom:

People can't play loud music all night long; protest zones are established for demonstrations. A fundamental tenet of the First Amendment is the regulation of time, place, and manner. For the nudists, that time might be the Folsom Street Fair or the Pride Parade. The place might be Baker Beach, part of which is clothing optional. And manner means lots of notice. There is no advance notice when you're exiting the Castro Muni station or walking in the Castro and immediately confronted by a bunch of nudists. (Anon. in BAR 2012)

Morals of being nude in urban space

Nudity, here, becomes a site of contested morals, of different understandings of how to live life together in public. For proponents of the ban, public nudity is scary, threatening, and (to some) disgusting; something that is difficult to cope with in everyday life.

Nudity does not fit into a dominant discourse wanting to ban it from 'decent', 'appropriate', and 'acceptable' behaviour, a discourse that is now also legally upheld within San Francisco. Sexually 'offensive' nudes had already been banned from general public view, but now also a partially desexualised nude becomes an image that proponents of the ban want to bar from public view in urban space. This normative influence on norms of interaction becomes visible for scrutiny because it is contested by some who do not share the subject positions suggested within this discourse.

By having a supervisor behind their cause, and now a legal regulation enforcing it, the proponents of the ban have traditional, legally accepted ways of enforcing their understandings of a common morale, and thus of the kinds of images and associations to be distributed in public. Enshrined here is an asymmetrical power relationship, in which those who are able to gain support from mechanisms of social regulation have means to gain power of discourse while at the same time being able to silence other points of view. If the proponents are successful, the nude body receives fixed, naturalised meanings and its contestability is later easily forgotten (Shapiro 1988).

Responses to accusations

The supporters of the ban bring to the table a compelling set of arguments, and they have been successful in convincing legislators to promote their point of view to the status of legal regulation. Nevertheless, the question of public nudity becomes interesting because it is contested, since the contestation shows how nudity as an image *in corpore* is an

image that provokes a variety of readings, on account of the variety of associations that various people have with nude bodies in public. Additionally, the cascades of images displayed during demonstrations and later in mass media and online become difficult to control. The discipline of the legal gaze (Foucault 1991) provided meets resistance that is rooted in the actions of those protesting against the ban, just as much as in the medium-specific differences (Lanzara 2009) that images take on in social interaction. Because of the legal regulation, the nude body banned from public display *in corpore* becomes a body that is ever more available as images in effigy.

The role of legal rulings

Protesters against the ban point out that a city-wide legal ruling is the wrong tool for tackling a local conflict surrounding nudity. The asymmetries provoked by a legal regulation are not in line with the conflict. The urban nudists spending time especially at the Jane Warner Plaza in the Castro are, according to several news and blog sources, the main reason some residents and visitors have complained about public nudity, leading supervisor Scott Wiener to propose the public-nudity ban.

Additionally, legislation already exists that addresses public behaviour considered inappropriate. One contributor states:

There's nothing reasonable about a city-wide restriction of everybody's freedoms to solve a neighborhood 'problem' that, if it really exists at all, is already covered by existing lewdness laws. (Joshua Alexander in BAR 2012)

And opponents of the ban refer to a poll commissioned from Zogby by the Naturist Education Foundation (NEF) in 2009, which shows that San Franciscans as a whole are not opposed to public nudity, with more than 63 percent claiming not to be offended by it (NEF 2009). Alexander continues:

How does this proposed ban represent the voices of any except those who have now whined long and hard for this? If this ban were put to a popular vote it would not pass. San Franciscans as a whole are not opposed to public nudity. (Joshua Alexander in BAR 2012)

The legal ruling, according to these arguments, provides unnecessary support for a vocal minority – although a poll commissioned by the NEF is not necessarily the best, or only, source for knowing what San Franciscans think about the case.

Differences in morals

Many opponents of the ban fear that it is only a step in a broader move toward more restrictions, feeding conservative stances in San Francisco, instead of allowing for more liberal and experimental ones:

If this proposed ban on nudity is approved, I believe it will be more of a threat to our society than a few views of exposed penises, buttocks, and breasts can ever be. (Jason Wood in SFBOS 2012: 1397)

This argument stresses the need for accepting different morals, for accepting possibly unpleasant cascades of images in social interaction, instead of limiting

the ones to live by. The images *in corpore* displayed by men and some women on their bodies in public space are considered available for multiple, intersecting readings, instead of suggesting mainly associations of lewdness, obscenity, or other connections supporters of the ban make:

The human body is only offensive and obscene if you see it as such, offense and obscenity rests in the mind. (Elwood Miller in SFBOS 2012: 1494)

The relational character of the offensive and obscene, the differences in morals, and the differences in what is considered to be acceptable in social interaction become visible in the examples of offending public acts that commentators bring into the discussion:

I'm sorry but its 1000× more visually insulting to watch your dog take a shit and watch you clean it up afterward, five feet away from where I'm sitting and eating. (Salvador Flores in BAR 2012)

Me, I'm offended by loud drunk women, so I just don't travel to those parts of town. I don't think we should outlaw loud drunk women from the Castro. They offend me, but I just avoid them when I can. (Derekk Cook in BAR 2012)

Both Flores and Cook provide examples of acts they consider offending, in order to underscore that public urban spaces are not only constituted of things, people, and acts that seem pleasing to everyone in public space. Public settings always allow for controversies. Jason Wood suggests that acknowledging these differences brings about tolerance:

We don't always enjoy what we see in the World but the difference invokes tolerance, which is a core value that more of us need to observe in life. (Jason Wood in SFBOS 2012: 1501)

Feelings aroused by one's nudity

Whereas the above arguments are made by a more general public opposing the ban, quite a few of the urban nudists themselves describe how being nude in public feels and what kinds of implications it has for their understanding of their bodies.

According to these nudists, a naked body encourages the body's acceptance, thereby countering a tendency to feel ashamed of one's body especially in comparison to nude or partially nude bodies seen in advertising and mass media. A nudist explains the feelings he had when spending time naked in the Castro thus:

We relaxed in Jane Warner Plaza with a few fellow nudists and quite a number of clothed folks. What struck me most was how 'normal' it felt and how at ease everyone was. There was no feeling at all of us being 'freaks' and everyone appeared to be enjoying the warm afternoon. (Peter Sferra in SFBOS 2012: 1505)

Another assures that nudists do not want to promote sexually offensive behaviour in public space. He says that 'we all agree that if we see any individual using nudity to disturb anyone or to use it for sexual purposes, [...] we should tell that individual to stop immediately' (Wil Nolan in SFBOS 2012: 1493).

Being nude is here explained as a way to express oneself on one's own terms, without intention to insult others. Indeed, many nudists assure that passers-by either do not notice them or make positive comments:

I have been photographed hundreds of times at the Castro with my arm around a smiling tourist. It really makes my day! They make comments like, wow! 'they will never believe this at home! San Francisco is such a great City!' The tourists LOVE the nudists! it is like going to the Circus for them. it is all good fun!
(Wil Nolan in SFBOS 2012: 1493)

Here, public nudity is regarded not as offensive at all but, rather, as something both the nudists and passers-by enjoy. The images of nude bodies awaken become part of a counter-discourse, with body acceptance, freedom of self-expression, and ways to connect with passers-by being underscored in positive terms.

Questions about body image, along with the cascade of images in social interaction that nudists awaken, are complemented with valuations of the beauty or desirability of these nude bodies. Those spending time nude in public seem – according to news coverage and in my own experience with urban nudists in San Francisco – to be middle-aged and older. They are usually white-skinned and often men, although news coverage shows younger participants too and I have seen a few female nudists in San Francisco also. In the BAR discussion, a few comment-writers engage in interesting banter:

I like nudity. Can some hot musclemen PLEASE take their clothes off?

Ha! That's never the case, maybe if it were – this wouldn't be an issue! Lol

Here, the body as a site of individual and societal struggles and the images bodies are allowed to display become pressing issues. Some nudists argue that they contribute to this discussion by celebrating the human body and by not being ashamed of it, thus empowering the public instead of provoking a culture of fear. The right to 'live' one's body and to decide how to display it are key concerns.

Nudity and hetero-normativity

As I have shown, some nudists argue that nudity and sexuality are distinct from each other and that these do not go hand in hand. The sexualisation of nudity in public space is considered to lie in the eyes, or minds, of the beholders. Another strand of argumentation points out that not all supporters of public nudity agree with this desexualisation of nude behaviour, showing that understandings of nudity are contested also among those opposing the ban:

This is part of an effort to make the Castro heteronormative. Desexualize it. Wash it of open sexuality. (Matt Smith in BAR 2012)

Smith makes his point even clearer by continuing thus:

This is a law that is the result of straight parents and developers. Gay images will be next and we wash away any reminder that the Castro used to be a sex positive place for gay men. Saying that the Castro is for 'everybody' is code for less in your face gay. We are now

all required to act like the gay couple from Modern Family. Sexless. Gay Uncle Toms. (Matt Smith in BAR 2012)

The uneasiness with open sexuality is considered to be hetero-normative, and the legal regulation offensive to historical and continuing struggles of sexual minorities against a dominant hetero-normative discourse. Within the dominant discourse, sexuality is lived out in private, in the bedroom, without other people being affected by it.

I find [the nudity ban] regressive, disheartening, and unnecessary; [...] it appears to pander to a new upscale heterocentric element in the Castro community with a penchant for waving the 'Save the Children!' flag. (Patrick Mulcahey in SFBOS 2012: 1487)

The uneasiness with public nudity is thus equated with unease over sexuality. Joseph Mott makes this point by stating the following:

I'd like to register my opposition to the proposed new legislation banning nudity. I believe in people's right to free expression, and I think that our society's discomfort with the nude human form, and with sexuality, is unhealthy. (SFBOS 2012: 1481)

The role of the economy

Both supporters and opponents of the ban argue in terms of the economic benefits that should arise if their views are adhered to. Supporters suggest that urban nudists scare customers away, because customers would not want to spend their money in areas where

people do not appear clothed in public or adhere to those customers' understandings of morality.

Some nudists, meanwhile, argue in terms of their own purchasing power, as well as the role played in the local economy by tourism to see people in the nude, coupling their pro-nudity arguments with a dominant discourse suggesting that consumption would benefit urban areas:

The nude-friendliness also draws in folks like Laura and me who not only want to experience the unique freedom but [...] also feel strongly about supporting the many small businesses up there. (Peter Sferra in SFBOS 2012: 1504)

Whereas exchange of money and supporting the economy have been brought up by several people as important arguments for or against the ban, some see the ban as part of a larger pattern of gentrification, an attempt to eliminate previous forms of behaviour from the Castro.

People, look at many of the ads in their paper or online, nothing but a bunch [of] right-wing (...) commercial real estates and corporations wanting to buy into our world. (Jack Mou in BAR 2012)

The Castro, San Francisco

Many who oppose the ban are not nudists themselves; rather, they feel that public nudity is one of the expressions of human behaviour that should be allowed, especially in San Francisco – that tolerance for diverse lifestyles should be a fundamental concern in that city. San Francisco's colourful history is alluded to, the personality of the city

itself, along with its model character as accepting:

Please Refuse to Ban Public Nudity
This is freakin' SAN FRANCISCO!
(Kenneth McBride in SFBOS 2012:
1490)

The freedoms that people have in San Francisco are one of the many things that make San Francisco a special place in America, especially considering that America is supposed to be the most free place in the world and that we, above all other nations, value FREEDOM (Glenn Moor in SFBOS 2012: 1495)

In these arguments, other parts of the world are brought up, places in which personal freedoms are restricted and in which people get punished for being immodest, behaving in some way outside the suggested social norms. Freedom, a value the USA underscores in its actions around the world, is considered especially visible in San Francisco and should include acceptance of different lifestyles.

Of all neighbourhoods, the Castro in particular is considered to be open to various kinds of people who might have faced hard times where they grew up:

The Castro in particular has been a neighbourhood where many have flocked from around the world to live their lives free from judgment and ridicule. The nudists remind me of this when I see them around the City enjoying the elements in whatever 'fashion' they see fit. (Jason Wood in SFBOS 2012: 1501)

With public nudity being outlawed almost everywhere, there are not many places left for nudists to live their ways of life. The nudity ban makes this form of

human behaviour more difficult within San Francisco.

Mediations of urban space

A matter that opponents of the ban rarely raise is that the ban on public nudity in San Francisco is contextual. The regulation follows an understanding of urban space as being something containable in separate spheres, such as geographical locations (e.g., a public street, sidewalk, street median, parklet, or plaza), or bounded by temporary uses of these locations (parades, fairs, or festivals). The actual use of these spaces is complicated by nested mediations in everyday experience. With the introduction of novel communication technologies, social performances acquire a new elasticity (Coudry 2012). The cascades of images presented in everyday interaction do not remain in just one geographical location, such as a sidewalk, or one temporary use, such as a parade; instead, they are conveyed by mediators such as cameras and information technology to a wide array of other spheres, remaining accessible after particular temporary uses. These mediations in effigy differ from those *in corpore*, but they continue to present images of nudity, and thus allow for conflicting readings.

Protests against the ban

Examining one of the protests against the nudity ban held in front of San Francisco City Hall provides a good example of these nested mediations, alongside the roles images play in enabling them. On 20 June 2013, urban nudists call for a protest starting at noon in front of City Hall, and they choose a fence opposite City Hall's main entrance

as a place to erect their signs and posters. The posters include images of nudity known from the history of art, including Greek and Roman sculptures and Gustave Courbet's *L'Origine du monde*, which focuses on the abdomen and pelvis of a nude woman and shows her genitalia. Other posters use text, with slogans such as 'Body Freedom', 'Human body is not a crime', and 'War is obscene not nudity', some of these, such as 'Occupy Castro', being coupled with pictures. The posters provide a backdrop for the protesters, who thus have created a visually distinguishable space with images that speak for them in effigy even while they themselves remain silent.

The protesters use their bodies too as images for protest. A woman arrives in prison wear, displaying on it the text 'Garment prisoner', clothing that she removes during the protest. Two men are nearly nude, both wearing a little more than a cover for their penises. Another woman and a man arrive, the woman displaying her breasts and the clothed man carrying a poster with the slogan 'Dare 2 Bare 4 Freedom + Peace', which can be opened up to reveal nude anti-war protest photographs of women.

During the protest, the participants set up and deliver their speeches to the rather small crowd that has gathered. The whole event is recorded by two additional protesters in headwear similar to that of the woman in prison dress. One of them takes photographs of the event, while the other uses a video camera. Additionally, before the protest speeches start, the woman in prison uniform sets up a tripod with a further video camera, which records the entire event from a stationary perspective (see Figure 1).

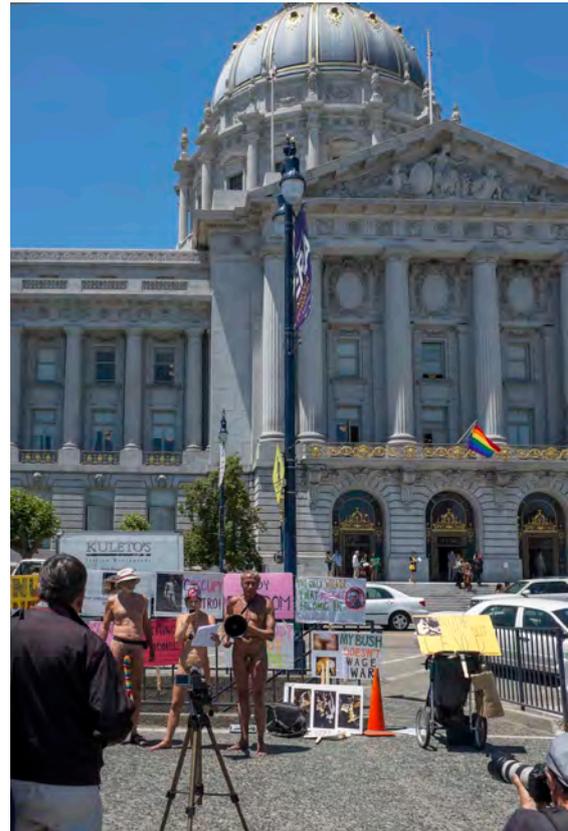


Figure 1. *The demonstration as a site for transforming nude images in corpore into images in effigy. Photo by author.*

This set-up already shows complex nestings in the mediations of protest images. We have the protest signs, some of which carry images created by others earlier, among them images of recognised works of art. Then there are the bodies of the protesters, which are decorated in order to be recognised as protesting bodies in the context of the nudity ban. And the cameras of the protesters record images and audio of the unfolding events.

Especially in the beginning, the crowd consists of people equipped with cameras. Some carry more elaborate DSLR gear, while others have smaller devices. The protest itself becomes a kind of photo event, created by the protesters to be one but also understood as such by those present, with almost everyone in the crowd depicting the

event. The protesting images *in corpore* are explicitly presented and prepared to be depicted in effigy. The legal regulation is fought with political imagery that challenges the moral values borne by said regulation.

While giving their speeches, the protesters refer explicitly to their various mediations, including books they have written but just as often Web sites they work with and blogs in which they talk about issues of concern. The blogs also show imagery from earlier protests, displaying nude bodies in San Francisco.



Figure 2. *Two photo events merging: A newly married couple are depicted in front of nude protestors. After a time, the nude protestors and the married couple pose together. Photo by author.*

After the first two speeches, a somewhat larger crowd has gathered to listen to the points made by the protesters. After the last speech, the image work done by the protesters becomes effective in a novel way, as a married couple arrive from City Hall with their wedding group, including a photographer. Initially, the newlyweds pose for photos somewhat far from the protest but including it as a background for their wedding pictures. After a while, one of the protesters recognises this photo opportunity and goes to pose with the wedding party, being accepted quickly for depiction with the newlyweds. The wedding, an important photo event for familial and

snapshot photography, merges with another photo event, the image-sawy political protest. The merging itself is heavily documented by both the wedding party with their official photographer and the cameramen working for the protesters along with the protest crowd (see Figure 2).

Mediated pictures

This protest is one in a series of protests against the nudity ban, of which several have gained wider media coverage and so more attention than the relatively small crowd gathered on 20 June. Newspapers including *The New York Times*, *The Guardian* from the UK, and the *San Francisco Chronicle* have written about the issue, as have quite diverse less visible news outlets, such as the *Castro Biscuit* and *The Bay Area Reporter*. In addition, the protesters' own Web sites – with George Davis's urban nudism blog, Gypsy Taub's My Naked Truth TV, Mitch Hightower's Nude In, etc. – feature material on it.

The photographs displayed in these fora take several forms. Some are explicitly framed so as not to show the prohibited body parts, others display photographed nude bodies, and a category in between blurs the parts of the otherwise sharp images whose display is prohibited. Both the partially blurred images and those displaying the body parts otherwise not to be displayed (often taken at events at which showing nude body parts is still accepted) contest the ban, as pictures. They embody protest, pictures reminding citizens, protesters, and legislators of the liveliness of images and the difficulties of erasing specific kinds of images. The public-nudity ban, intended to erase particular kinds of images from social interaction, remains unsuccessful

because of social contexts in which image use is embedded, allowing for elasticity of social performance. These findings confirm what Mitchell (2005), among others, has shown: images continue to live on, regardless of bans' attempts to eradicate them. The only thing needed is carriers of images that can be used to keep images alive, be they on bodies, placards, or cameras. As Alaimo (2010) argues, naked protestors carve out spaces for their issues of concern within and against more dominant discourses. And by images of nakedness in effigy being mediated in a variety of ways, these spaces are nested and become difficult to contain.

The public-nudity ban was originally put in place because of the kinds of images and associations some people have when seeing people, especially older men, without clothes in public. Supporters and opponents of the ban carry different associations but share the fact that images displayed *in corpore* provide a basis for images and associations spectators see. The mediation of the matter of concern, with the aid of cameras, photographs, videos, and various publication genres, itself calls the ban into question by providing access to prohibited imagery. But this questioning of the ban is anything else but straightforward, rather, it shows what Emerling (2012: 140) calls the 'dichotomy of photographic discourse'. Photography, and 'its visual traces are capable of being read both repressively and progressively'. The public spaces barred to nude bodies do not exclude them totally; they instead shift the imagery seen from images *in corpore* to images in effigy. Possibly, at some point, photos of nude bodies in public places may translate again to images *in corpore*, depending on the moral values shared and the kinds of stances that the ban's

supporters and opponents can take in their argumentation.

Through its availability as images in effigy, public nudity gains different status. Although images of nude bodies depicted in public space remain available in newspapers and in online fora, they are less visible *in corpore*. The images in effigy remain articulations of protest, depicting – and thus reminding their viewers of – the conflicting understandings of nudity. Due to the absence of images *in corpore*, public nudity itself remains a 'ghost', an association that some continue to carry when passing sites of former public nudity.

Conclusions

We have learned to use our bodies as images in interaction, presenting a certain face as an image of self, using mutually shared attributes of acceptable behaviour. These attributes refer to a common morality that is challenged if these attributes are not replicated. That is why images of bodies readily become contested, 'sensitive' images, since not everyone shares the same understandings of morality and 'proper' behaviour. Nudity itself, as an image in interaction, carries a wide range of associations, of which some have been socially normalised in consequence of legal rulings. The nude body, as an image *in corpore*, is considered by the supporters of the nudity ban to be threatening, offensive, and sexually unpleasant. It awakens associations and memories of distressing actions, and it is considered a threat to a set of common morals.

In San Francisco, this discourse is becoming dominant because of the legal ruling, yet it is contested by nudists and

by various others who support alternative ways of life. Nudity is by them understood to reflect diverse other moral values, such as freedom of self-expression, body acceptance, and accepting forms of connection in public social interaction.

The images of nude bodies in effigy, transmitted to various online sites and available in newspapers, carry with them traces of the conflict. The photos and videos show bodies nude in public, bodies that are no longer seen nude *in corpore* except as part of 'permitted parades, fairs, and festivals'.

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