Student’s Name: Elena L. Cohen  (ecohen1@gradcenter.cuny.edu)

Banner ID: 000106862

Title of Proposal: Valuing Sexual Protest

Sponsor: Professor Alyson Cole (ACole@gc.cuny.edu)

Readers: Professor Linda Alcoff (LAlcoff@gc.cuny.edu); Professor Paisley Currah (pcurrah@brooklyn.cuny.edu)

Abstract:

Nude bodies are not always sexual, and sexual bodies are not always nude. Yet, on their face, discussions in the media, amongst scholars, and in courtrooms conflate nudity with sexuality, treating these two distinct but interrelated methods of protest as one. However, once this veil is pierced and the actual nude/sexual protests are examined, it becomes clear that nude/non-sexual protests are valorized, while sexual activism is harshly critiqued. In short, there is a consensus amongst the media, academics and courts that sexual protesting bodies are not legitimate sites of protest, whereas naked protesting bodies can be politically and ethically justified. My work will argue that sexual protest should be conceptually distinguished from nude protest, and will posit the ways in which sexual protests may be politically valuable. In so doing, this dissertation will open avenues for subversive readings and constitutional protections of sexual protest, advance a politics of sexuality in which women can claim pleasure, and explore how these public political displays of nudity can be sites of conflict, contradiction and resistance.
Introduction

Nude bodies are not always sexual, and sexual bodies are not always nude. Yet, on their face, discussions in the media, amongst scholars, and in courtrooms conflate nudity with sexuality, treating these two distinct but interrelated methods of protest as one. However, once this veil is pierced and the actual nude/sexual protests are examined, it becomes clear that nude/non-sexual protests are valorized, while sexual are harshly critiqued. This is particularly striking as many sexual protests explicitly self-identify as feminist and link their sexual methods to their larger messages about gendered and marginalized (human and non-human animal) bodies, and yet are subject to virulent critique and denounced as sexist, whereas many nude/non-sexual protests that do not link themselves to gender issues are lauded in the media, feminist scholarship and court opinions. As but one example, a PETA advertisement featuring Pamela Anderson in a bikini, marked like an animal meant for human consumption and proclaiming that “All Animals Have the Same Parts” has been the subject of significant feminist critique, for example as objectifying women and perpetuating patriarchy [see Figure 1], whereas a Green Peace protest in which 600 people stood nude on a glacier to protest global warming has been applauded in feminist literature and mainstream newspapers for highlighting the body’s vulnerability [see Figure 2]. In short, there is a consensus amongst the media, academics and courts that sexual protesting bodies are not legitimate sites of protest, whereas naked protesting bodies can be politically and ethically justified.

Given this divide between sexual protests that are denounced as sexist/illegitimate and nude/non-sexual protests that are celebrated as feminist/valuable, this dissertation will argue that sexual protests should be seen as legitimate and politically valuable. In
order to do so, this dissertation will argue that we must analyze sexual and nude/non-sexual protests as conceptually distinct, if related, modes of political expression. Once this is done, the debate about sexual protests can be properly situated within larger feminist and queer discourses around sexuality, pornography, and prostitution/sex work, thus shedding light on part of why sexual activism is such a polarizing topic amongst feminists. Indeed, I hypothesize that many of the arguments critiquing sexual protests have been important from the anti-pornography discourse of the Sex Wars, despite the often unpaid and volunteer nature of the sexual activism.

Specifically, I intend to complicate understandings of the sexual protesting body, by arguing that sexiness can be a valuable form of political expression. In so locating sexuality as a legitimate tool for activism, this dissertation will push back against the conflation of sexuality and objectification. Instead, it will seek to determine how we might change the terms of the sexual protesting body, such through it that women’s objectification might be challenged. Further, recognizing sexuality as a legitimate and important site for protest has repercussions for what should be constitutionally protected as core political speech. In so doing, this dissertation will advance a politics of sexuality based on the sexual pleasure experienced by those sexually protesting, and will explore how sex-protest in public can be(come) a strategy of resistance and queer culture making.

**Theoretical Framework and Substantive Focus**

**Feminist Debates on Representation, Sexuality and Body Activism**

That feminism has an intimate and debated relationship with sex should not be surprising. As Gayle S. Rubin notes, “much of the oppression of women is borne by, mediated through, and constituted within, sexuality” (1984, 173-74). Indeed, since the
mid 1960s, conflicts over sexuality, particularly among those identifying as feminists, have been prominent in the United States. Reaching their height in the “sex-wars” of the mid 1970’s to mid 1980’s, bitter political battles over sexuality took the forms of regulating pornography, the scope of legal protections for lesbian and gay communities and people, the funding of “obscene” art, safe-sex education (particularly as it related to AIDS prevention), sexual child abuse in churches and day care, and teaching about sex in public school (Duggan 1995, 1-2).

However, far from an isolated decade of “sex panics,” divisions over sexuality within contemporary feminism began in the Nineteenth century and continue now, although the issues panicked over have (in some, but not all cases) changed. The issues of power, violence, danger, pleasure, representation, consent, agency, autonomy, and diversity debated by feminists amongst themselves in the late 1960’s and early 1970’s, and brought to the mass media and high-visibility electoral and judicial politics in the mid 1970’s- mid 1980’s, continue to this day in debates on gay marriage, the developments and contributions of queer thinking, and transnational efforts around the “trafficking” of women. (Hunter 2005, 15, 26-28; Duggan 2006, xiv-xv; Rubin 2007).

Indeed, as part of larger processes of globalization and neoliberalism, the 2000’s saw a wide-spread exportation of U.S.-style “feminist” politics across the world, facilitating the expansion of neo-liberal capitalism and imperialism, and often with

---

1 It should be noted that although the majority of literature discussing feminist divisions over sexuality poses the issue as two distinct and oppositional camps, feminist and queer theorizations on this topic are often more nuanced than binary “pro” or “anti” sex positions. See, e.g., Meghan Murphy, “Legalization, Morality, and the Myth of the Feminist Sex Wars,” Feminist Current (Nov. 27, 2010), available at http://www.feministcurrent.com/2010/11/27/legalization-morality-and-the-myth-of-the-feminist-sex-wars/. Following the dominant approach of the literature, this proposal will refer to “pro” and “anti” sex feminism.

devastating consequences for women, in particular women of color and women from the Global South (Duggan 2006, xiii; Eisenstein 2009, 196-97). In particular, the U.S.-developed feminist tenet that paid work outside the home equates liberation for women has been used to eviscerate state-led development and social welfare programs, while at the same time being a powerful tool for corporations seeking (and seeking to justify) cheap labor (Eisenstein 2009, 133). In such ways, the women’s movement has been/is being used, often with the consent and participation of those who describe themselves as “feminists,” to make gains for White middle and upper class women in the Global North, while at the same time removing state protections for women of color and women of the Global South and instead forcing them into exploitative labor conditions (Eisenstein 2009, 15-16). In the specific realm of debates over sexuality, anti-pornography and anti-prostitution arguments have been transported into global contexts by “anti-trafficking” activists (Duggan 2006, xiv).

Although the tensions within feminism have been varied, and many facets of sexuality debated, the most public and bitter divide has been over sexual materials deemed “pornographic.” On this issue, Duggan and Hunter’s Sex Wars anthology is representative of pro-sex feminists in arguing that pornography should not be seen as a single, unified patriarchal discourse with a singular misogynistic impact. Instead, pro-sex feminists argue that the sexual representations referred to as “pornography” carry

---

3 As Lisa Duggan discerningly noted in 2006, “[a]s neoliberal policies have widened the political and economic gaps between rich and poor, empowered and marginalized, gains for the few have increasingly meant losses for the many.” Lisa Duggan, “Introduction to the 10th Anniversary Edition of Sex Wars,” in Sex Wars: Sexual Dissent and Political Culture (New York: Routledge, orig. 1995, 10th anniversary edition 2006), xiii.

multiple meanings, which may contradict each other, and are dependent upon context (see e.g. Duggan 1996, 6). Not only are the meanings “elastic,” so too is pornography’s reception dependent upon complicated and unpredictable uses by a variety of audiences (including women) (Duggan 1996, 7). This complexity and uncertainty is increased by the many possibilities for (re)appropriation. In short, “pornography” does not only tell one story, and it does not only tell it to men.

Further, pro-sex/anti-censorship feminists argue that anti-pornography rhetoric itself constructs gender, portraying “potentially violent, dominant men and subordinated, silenced women” (Duggan 1996, 7). In this way, it has been argued that anti-pornography feminists further entrench a rigid gender binary system, in which all women are passive victims and all men are active aggressors.

One last concept from Duggan and Hunter’s *Sex Wars* anthology, central to their analysis and to this dissertation’s, is that of “sexual dissent,” which for them “invokes a unity of speech, politics and practices, and forges a connection among sexual expressions, oppositional politics, and claims to public space” (Duggan 1995, 5). For Duggan, sexual representations do not merely reflect pre-existing identities, but can themselves construct identities. In this way, public expression of sexuality is a political act, and regulating/restricting these expressions are forms of *political* repression (1995, 5). Therefore, Duggan’s strategy becomes one of advocating for expanding the right to “sexual dissent,” as opposed to appeals for protecting privacy or ending discrimination (Ibid.). Through this framework, Duggan sees the work of anti-pornography feminists, and their alliances with conservative groups, as “political repression masquerading as a safety patrol” (1996, 10). Similarly, Hunter argues that we should move away from
invoking concepts of identity, privacy, speech, and equality, and instead focus on defending the right to public political sexual expression (Hunter 1993).

Another method for navigating the tensions raised by sexuality for feminism is through a framework of pleasure and danger. Arising from a conference held at Barnard College in 1982, and edited by Carol S. Vance into the volume *Pleasure and Danger: Exploring Female Sexuality*, the concepts of “sexual pleasure” and “sexual danger” work towards a political understanding of sexuality which acknowledges the patriarchal structures that cause sexuality to be a domain of restriction, repression, oppression, violence, exploitation, coercion and danger for women, while also recognizing the exploration, pleasure, intimacy, connection, satisfaction and agency that can also be part of sexuality.

Working from the premise that anti-pornography feminism of the time had developed a thorough critique of the dangers of sexuality, this conference and the resulting papers, poems and images sought to expand the analysis of sexual pleasure, by looking to women’s sexual experiences of pleasure and to the ways in which patriarchy restricts women’s sexuality and causes sexuality (outside of circumscribed areas of “safe sexuality” such as within marriage) to be seen as so dangerous. In short, the essays in this volume, which will be analyzed at length in this dissertation, seek to “put forward a politics that resists deprivation and supports pleasure” (Vance 1992, 23) - a project that this dissertation will also seek to support.

**Feminist Debates on Sexual and Nude Protests**

Although there is a long history of nude and sexual bodies as parts of protest, dating back at least to Ancient Greece (see Lunceford 2012), there has been a recent
flurry of academic and popular attention to nude and sexual protest. In an age of FEMEN, Pussy Riot, and Aliaa Magda Elmahdy, at least two complete volumes and numerous articles have been published recently, exploring the role (in their words) of nudity/nakedness and protest (see e.g. Alaimo 2010; Eileraas 2014; Lunceford 2012; Maier and Rudbeck, forthcoming 2016; and Misri 2011). Additionally, Femen and Pussy Riot have published their own volumes detailing their use of nudity/sexuality in protest (FEMEN 2014; Pussy Riot 2012). These works show a tremendous variety of theoretical approaches and are nearly always global and/or transnational in their scope, although most focus exclusively on women’s bodies. For example, the forthcoming volume edited by Silvia Maier and Jens Rudbeck, titled Women, Nudity and Social Protest, includes chapters on women’s use of nudity in peace protests in Africa (Jane Freeman); gender, the body (specifically bare breasts) and extractive development in Bontok and Kalinga, Cordillera, Philippines (Melisa Casumbal-Salazar); sexuality, cyberspace and transnational feminist body politics (Karina Eileeras); nudity in contemporary Danish protests (Helle Rytkonen); SlutWalks and the privilege of nudity (Theresa Hunt); nude women protesting in India (Sushree Panigrahi); Pussy Riot and the branding/marketing of feminist movements (Bianca Gebelin); FEMEN and the “sextremism of Amazon warriors” (Sylvia Maier and Jens Rudbeck); and a piece I authored on PETA’s


6 It is striking that nearly all of these works use the terms “nude” and “naked” to describe their areas of inquiry, yet many focus on protests that, this dissertation will argue, would be better understood as sexual. Indeed, especially in the context of PETA and PETA, the demonstrations in these volumes on “nude” protest involve fully clothed people.
advertisements and demonstrations as forms of sex work. The works in this volume, along with other recent scholarship on nude/sexual protest, show that the contemporary terrain of women’s body activism in the forms of sexual/nude protest is a site of incredible variation, contestation, and an intimate (pun intended) part of dialogues of neo-liberalism and globalization.

One major and continued site of contestation around sexual activism, debated a decade before the emergence of FEMEN or Pussy Riot, is the People for the Ethical Treatment of Animals (hereinafter “PETA”) and their live demonstrations and celebrity print advertisements. Indeed, PETA is currently the largest animal advocacy organization in the world and has major offices in the United States, United Kingdom, the Netherlands, France and India, as well as sister organizations of PETA Latino and PETA Asia-Pacific. An overwhelming majority of both the members and leaders of PETA around the world are women, and PETA itself was co-founded by a woman, Ingrid Newkirk. Additionally, my dissertation will discuss how PETA’s messages and strategies specifically focus on the treatment of female animals, in ways that draw attention to the similarities between discrimination against women and against animals, and how female animals are mistreated in ways that relate to their gender. Further, many women who work for PETA self-identify as feminists and are involved in other feminist activisms in addition to their work for PETA.

Yet despite PETA’s insistence that it is a feminist organization working to help female animals, it has often been accused of being sexist due to its use of sexual

\footnote{Note that this proposal will use the term “animals” to refer to non-human animals. Humans are themselves a type of animal, and it speaks to the speciesism of Western society that this fact is obscured through this linguistic division. See, among many, Lisa Kemmerer, “Introduction,” in Lisa Kemmerer (ed), \textit{Sister Species: Women, Animals and Social Justice} (2011), 38-38 (“I hope readers will remember that humans are also animals, lest we falsely distance ourselves from others.”).}
advertisements and demonstrations in order to promote their animal liberation agenda. There are countless websites,\(^8\) articles,\(^9\) and book chapters\(^10\) devoted to PETA’s “sexism.” Indeed, to nearly all feminist commentators, PETA’s sexism is a given and objective fact, for which there is no room or need for debate.\(^11\)

For example, Emily Gaarder’s new work, *Women and the Animal Rights Movement*, dedicates an entire chapter to “using sex(ism) to sell animal rights” (2011, 117-147), in which she breaks down the opposition by her interviewees to PETA’s sexualized tactics into five main categories, which are also representative of the more general feminist literature as regards to PETA. Specifically, she argues that PETA’s tactics (1) are demeaning to women, (2) personally insulted the women activists interviewed, (3) are not consistent with fighting objectification, (4) are not effective and (5) damage the animal rights movement (120). These interviewees felt that PETA was inconsistent, capitalizing on the oppression of women in a patriarchal society in order to stop the oppression of women (121). Most assumed that people would just look at these women and not see any of the messages behind these images. For example, one interviewee remarked “do they really think they’re going to get a bunch of jocks to go vegan just by showing a naked woman?” (122). There is much to unpack in Gaarder’s work, and other feminist critiques PETA, as my dissertation will go into at length.

Important to note here is that Gaarder’s work and others criticizing PETA for

---

\(^8\) See as but one example Nikki Craft, “PETA: Where Only Women are Treated Like Meat,” http://www.nostatusquo.com/ACLU/PETA/peta.html. Any Internet search of “PETA and sexism” comes up with hundreds of thousands of blogs and sites denouncing PETA as sexist.

\(^9\) See e.g. Glasser 2011.

\(^10\) Indeed, Lunceford’s 2102 volume dedicates an entire chapter, out of only four substantive chapters, to PETA.

\(^11\) Note that I am not asserting that PETA’s advertisements are completely unproblematic from a feminist perspective. Instead, this project seeks to unpack the critiques of PETA as sexist, in order to see what discursive work these critiques are doing, and how these critiques might be improved by an understanding of the value of sexual protest.
objectifying women do not consider the views of the sexily protesting women who are supposedly at the forefront of this “exploitation.”

PETA’s sexual tactics are not without their defenders. However, in the works of those complicating the feminist tirades against sexual protests, there is a lack of distinction between nude and sexual protests, which has repercussions for the arguments advanced. Stacey Alaimo, for example, forcefully argues that some naked protests by women “seek to contest ‘the parameters of the political domain,’ by exhibiting and thus seeking an ethical recognition of the vulnerable, interwoven, human and non-human flesh” (2010, 31). Thus, it is not solely an issue of nudity being an effective way to draw attention. Instead, Alaimo concludes that “the naked protests do something more. They embody an urgent sense of conviction, as well as an alternate ethos that acknowledges not only that discourse has material effects but that the material realm is always already imbricated with, and sometimes against, the discursive, however veiled corporeality may be” (32). Yet although Alaimo refers to these protests as “nude” and “naked,” she analyzes several protests, including ones by PETA, that were not completely nude, and devotes an entire section to “performing pro-sex environmentalism,” without discussing these bodies as sexual.

Similarly, in writing on the “Hooters for Neuters” campaign, in which Hooters servers advocated for neutering of cats and dogs, Julia Urbanik fails to distinguish the sexuality of this campaign from the nudity of other forms of women’s “body activism” that she compares it to. In arguing for the transgressive possibilities of the Hooters campaign, Urbanik references several highly-controversial animal advocacy campaigns done by the “Vegan Vixens,” the “Suicide Girls,” and the “Barbi Twins,” all of whom
Urbanik sees as “choosing a self-defined empowered sexuality as an explicit part of their animal advocacy work” (50-51). As Urbanik notes, these advocacy campaigns by groups and people who are known publicly as posing for Playboy, posting pornographic pictures of themselves on the Internet, or just working at Hooters were so sharply criticized to the point where Los Angeles Animal Services was forced to publicly declare that they would not accept any funds raised for them through the Hooters for Neuters campaign (46).

Yet Urbanik, in trying to defend this sexual activism, references two groups that use nudity in their campaigns and that have been seen as legitimate in ways that Urbanik’s sexual examples have not. In so doing, Urbanik joins Alaimo in attempting to counter critiques of sexual protests by referring to nude and non-sexual protests, which are seen as more legitimate and less troubling from a feminist perspective. As elaborated in the Statement of the Argument section below, I will fill this scholarly lacuna by advancing a justification for sexual protest, which focuses on the sexual aspects, and does not try to legitimize sexiness through a conflation with nudity.

Meaning in Advertising

In Decoding Advertisements: Ideology and Meaning in Advertising (1994), Judith Williamson uses a structural semiotic approach to interpret contemporary advertising. Starting from the premise that meanings are not essential, fixed or simply part of social systems, Williamson argues that meaning is mutable and can be produced through social relations, and that one such method of producing meaning is advertising. For Williamson, advertisements form a cross-platform autonomous world of their own, in

---

12 Specifically, Urbanik discusses a California organization, “Breasts not Bombs,” who are dedicated to empowering women to “speak out for a world that remembers what is sacred and honors the mothers,” and who “bare their breasts in public,” they argue, in order to “speak about the vulnerability of humanity and the earth” (51), as well as “Unreasonable Women Baring Witness,” which has “used nudity to protest the war in Iraq” (52).
which they are public, but influence us privately, both in relation to others and to ourselves, by a dual process in which objects are connected to people and then people connected back to objects, to the point where people and objects are interchangeable and advertising ends up selling us both goods and ourselves (10-13).

Working from a Marxist model, Williamson argues that ideology, or “the meaning made necessary by the conditions of society while helping to perpetuate those conditions,” arises through this process, as advertising urges people to identify with what they consume (as opposed to what they produce), such that people feel as if their class in society depends on what they can buy (13). Although noting that we are constantly bombarded with advertising and its ever-more-explicit production of ideology, Williamson leaves open space for radical societal change, particularly if the human need for relationships and meaning can be diverted away from advertising.

In order to understand the radical potentialities of sexual “advertising” as a form of activism, this dissertation will consider these issues of how meaning is constructed through advertising, and how these processes of meaning-making might be (re)appropriated. This dissertation will also explore how advertising for political change may involve different processes than other types of advertising.

The Body and Sexuality in Constitutional Protections of Free Speech

In the context of the United States, several major cases have been litigated at the

---

13 In the context of this dissertation, it should be noted that PETA’s advertisements featuring celebrities and Super Bowl commercials are not the only type of “advertising” that will be analyzed. So, too, might some public protests be seen as ways of advertising messages of political goals. PETA, for one, is explicit that it considers its live demonstrations to be forms of “free advertising,” via the media coverage of its nude/sexual protests. See http://www.peta.org/about-peta/faq/why-does-peta-sometimes-use-nudity-in-its-campaigns/. Interesting, PETA puts “naked” in quotation marks in this statement about why it uses nudity, to highlight that very few of its protests are actually nude.
Supreme Court level as to whether nudity\textsuperscript{14} should be constitutionally protected as part of First Amendment guarantees to freedom of speech. Brought mainly within the context of state regulations on strip clubs, the U.S. Supreme Court held in its landmark decision \textit{Barnes v. Glen Theatre}, 501 U.S. 560 (1991) that states may constitutionally ban public nudity, even as part of conduct otherwise considered politically expressive such as nude dancing, because such a ban could further the substantial government interest in protecting the morality and order of society (Ibid. 569). The Court reaffirmed that nudity is not itself inherently politically expressive in the \textit{City of Erie v. Pap’s A.M.}, 529 U.S. 277 (2000) decision, also brought by a strip club seeking to challenge a state ban on fully nude dancing. Even the dissenting justices in the \textit{Barnes}, who argued that fully nude dancing is expressive speech protected by the U.S. Constitution, made a distinction between nude dancing in theaters/strip clubs and nudity “in parks, beaches, hot dog stands, and like public places,” which was proscribed “to protect others from offense.” (\textit{Barnes}, 501 U.S. at 591, White, J., Marshall, J., Blackmun, J., and Stevens, J., dissenting).

These cases have been interpreted by lower courts in the U.S. to stand for the proposition that nudity is protected as expressive conduct only if it is (a) combined with other conduct that is protected by the First Amendment, (b) the nudity carries a particularized message related to the protected conduct, and (c) there is a great likelihood that those who see view this conduct will understand the particular political message conveyed by the nudity (see e.g. \textit{See Bush v. City of San Diego}, No. 10CV1188-LAB

\textsuperscript{14} As is discussed further below, and will be analyzed at length in this dissertation, that although those bringing these cases sought to have nudity constitutionally protected, the cases nearly always dealt with state attempts to regulate nude dancers and thus might be better framed as constitutional rights to public sexuality. Thus, case law shares the same conflation and confusion of nudity and sexuality as the academic literature.
Constitutional courts outside of the United States follow a similar framework when considering litigation brought by strip clubs, in which nude dancing is considered to have some low amount of expressive value, such that regulations by the state can be easily justified (see Barendt 2012, 895-96, referring to the South African case *Philips v DPP, Witwatersrand Local Division* 2003 (3) SA 345 (Constitutional Court SA)). Thus, in the jurisprudence of the United States Supreme Court and other constitutional courts, cases that (this dissertation will argue) are about sexuality are analyzed within the framework of nudity, leading to theoretical confusion and decisions in which the nudity of these bodies is found to be minimally expressive of political conduct.

Queering Spaces as Means of Resistance

Queer theory has been particularly attuned to conceptions of space, and the ways in which “public” spaces can be sites of conflict, contradiction and resistance. Particularly influential on queer conceptualizations of space is Lauren Berlant and Michael Warner’s work on “Sex in Public” (1998). Writing within a larger project of “queer culture building,” or the “the changed possibilities of identity, intelligibility, publics, culture and sex that appear when the heterosexual couple is no longer the referent or the privileged example of sexual culture” (548), Berlant and Warner discuss how public spaces can fit into this project. Through displays of sex in public, social meanings can be transformed such that sex is de-coupled of both the heteronormative conventions of (male-female) intimacy and of that of monetary exchanges (for example,
pornography) (565-66). That Berlant and Warner are primarily concerned with urban spaces is relevant here, as this dissertation will argue that much sexual (as opposed to nude) protest takes place in urban spaces.

**Statement of the Argument**

Some protests are nude but not sexual, while others are sexual (and may or may not involve nudity). My first principal claim is that *nude/non-sexual* activism is different in conceptually important ways from *sexual* activism, and that nude/sexual protest has been valorized while sexual protest has been harshly criticized. This is particularly striking as many sexual protests explicitly self-identify as feminist and link their sexual methods to their larger messages about gendered and marginalized (human and non-human animal) bodies, and yet are subject to virulent critique and denounced as sexist, whereas many nude/non-sexual protests that do not link themselves to gender issues are lauded in the media, feminist scholarship and court opinions (*see* Introduction above). The few academics defending sexual protest liken it to nude/non-sexual protest, in order to argue for legitimacy for the former based on the higher standing of the latter (*see* discussion of Alaimo and Urbanik, *supra* pages 11-12). Instead of analogizing sexual protests to nude ones, and arguing that sexual protests are valid because/like nude protests are, this dissertation will argue that sexual protests are doing conceptually different work than nude ones, and that their validity and importance can stand on their own.

Given this divide between sexual protests that are seen on a scale from worthless to actively harmful for women, and nude/non-sexual protests that are seen as valuable from a feminist standpoint, my second claim is that in order to understand the landscape
of nude and sexual protests coherently, we must look to feminist debates on representation and sexuality. Through this framework, I hypothesize that many of the critiques of sexual protest have been imported from critiques of pornography and sex work, despite the fact that the men and women in these advertisements and demonstrations are often unpaid volunteers who are using their bodies sexually for explicitly political reasons, crucial factors that one would think would disassociate sexual protest from (other) sex work.15

Once the arguments against the legitimacy of sexual protests are understood contextually within the framework of feminist debates over sexuality, this dissertation will argue that sexual protest can be a valuable form of political activity. To do so, I will offer readings of sexual activism that highlight the subversive potentialities of sexual protest, including their ability to challenge (as opposed to reinforce) women’s objectification. Crucially, this dissertation will not argue that all forms of sexuality within protests are un-problematic. Images such as Anderson’s advertisement represent conventions of sexiness that many argue are harmful to women in various ways, and I am not contesting this. Instead, this dissertation seeks to find alternatives to how otherwise-problematic advertisements might be read and possibilities for other meanings to be made.

Further, the recognition of sexual bodies as core sites of political protest has repercussions for the protections that should be afforded by constitutional guarantees of free political speech. Specifically, I will argue that courts should switch their frame of analysis from public nudity/naked and instead focus on the political expressiveness of

---

15 Note that the “unpaid”/ “volunteer” notion is complicated in the case of PETA’s celebrity ads, appearance in which might in some cases be calculated and measured in terms of the effect it would have on their celebrity value.
public sexuality. Not only will this cure the dissonance and discomfort produced when courts try to discuss sexual issues, such as strip clubs, through the lens of nudity, a shift in focus from nude to sexual political bodies would provide courts with an avenue to protect protesting bodies through existing commitments (and commitments that should be further developed) to sexuality as inherently expressive. In the alternate, this dissertation will consider whether sexual activism would still be a politics of resistance if it was given these constitutional protections, and I will argue that caution should be exercised before advocating for the domestication/legal sanctioning of sexual dissent.

Additionally, this dissertation will argue that analyzing women’s experiences with sexual protest helps the project of advancing the pleasurable domain of sexuality, by recognizing how using one’s body sexually as a site and method of protest can be empowering and life-affirming.

Lastly, this dissertation will argue that sexual protest can be a valuable tool for queer culture building, in that is disassociates sex in public with intimacy or money. Indeed, this dissertation will argue that sexual protest should be seen as a new referent of sexual culture and a tool of resistance, de-coupled from couples and re-associated with politics and activism for social change.

**Research Design**

My methodology will incorporate ethnographic research, along with textual and discourse analysis. I will closely analyze written and audio-visual media reactions to sexual and nude protests, scholarly publications, court opinions, and self-documentation of protests by those protesting, in addition to the discourses surrounding these sources. The sources will include traditional media of magazines and newspapers, in addition to
social media, such as Instagram and Facebook posts and tweets on Twitter. Through this textual and discursive analysis, I will build upon my tentative definitional framework for conceptually distinguishing “sexual” and “nude/non-sexual” protests and provide accounts of the production, reception and possible sites of subversion surrounding sexual activism.

Distinguishing and Defining “Nude/Non-Sexual” and “Sexual” Protests

Although it seems obvious that Pamela Anderson posed in a bikini is different from 600 anonymous people naked on a glacier, what makes these situations different and where the line between “sexual” and “nude” (or both) should be drawn is much less clear. Instead of positing fixed definitions for “nude” versus “sexual” from the outset of this project, I will examine how these concepts are used and defined by protestors, commentators, the media, academics and courts (see Latour 2010). I hypothesize that these concepts will be best understood as essentially contested. Under Gallie’s formulation, when analyzing the different uses of essentially contested concepts, “we soon see that there is no one clearly definable general use of any of them which can be set up as the correct or standard use” (168). I hypothesize that “sexual” and “nude/non-sexual,” in particular when used within commentary on protesting bodies, will each lack a single, clearly definable use.

For example, although “nude” might seem to be an objective state of not wearing clothing, nearly every single PETA protest involves underwear and/or objects/body parts covering genitalia. Yet, these protests are referred to by the media, scholars, and PETA itself as “nude” (as one example of many, see, a page from the Philadelphia Metro covering a PETA demonstration in which I am described as “naked” even though I am
visibly wearing underwear). What is considered “sexual,” and what being sexual means, is also relative and dependent on context. I hypothesize that some protests may be considered nude and/or sexual by some commentators, but neither nude nor sexual by others. So, too, do I hypothesize that the line between a “nude and non-sexual” and a “sexual and nude” protest will be drawn in different places by different people/institutions with differing agendas and methods. Further adding to the essentially contested nature of these concepts is the variety of modifiers to and variations of “nude” and “sexual” used by media, scholars and protesters/organizations themselves, such as “sexy” and “sexualized”, and “naked,” “nearly naked” and “mostly nude” (see, e.g., Figure 4, an article from a Syracuse newspaper covering a PETA demonstration in which I am referred to as “nearly naked”).

Although the definitions (or undefineability) for “nude” and “sexual” will arise from my research, as a place of departure I will consider potentially “sexual” protests to be those in which either: (a) the protestors themselves, media, academics or courts explicitly describe the protest as “sexy” or “sexual”; (b) the protestors are pre-marked as particularly sexual or sexy for reasons outside of their methods of protest (e.g. the protestors act in pornographic films, work at Hooters, perform in strip clubs, are known for their roles on Baywatch); (c) the protest involves sexual acts (e.g. having sex in a museum); or (d) features clothing and/or accessories understood as sexual in the relevant dominant culture (e.g. wearing a bikini, high heels or short skirt). “Nude/non-sexual” protests would not involve any of these factors. One example of possible contestation that is not covered by this framework is that of protests that do not involve any of the factors listed, but feature protestors considered to be conventionally attractive within
patriarchal societies (e.g. thin with blonde hair, perky breasts and blue eyes), such as members of FEMEN. This dissertation will explore whether people who fit dominant dictates of appearance under patriarchy (or are otherwise pre-marked as sexual in my category b above) can ever be in a “nude/non-sexual” protest, or whether their protests will always be “sexual”.

Selection of Specific Nude and Sexual Protests

In order to provide accounts of meaning and identify possible sites of subversion, I will analyze protests (and the discourses surrounding them) that, under my above framework, would most likely be understood as (a) sexual, (b) nude/non-sexual and (c) likely to be contested. For the first group, I will select approximately four types of protest: (1) advertisements by PETA featuring male and female celebrities, including the infamous Pamela Anderson ad for PETA, several ads and commercials featuring well-known porn stars, and several commercials that were not allowed to be played during the Super Bowl because they were deemed sexually inappropriate; (2) live demonstrations in which I have been a model for PETA; (3) Pussy Riot actions, including the action at Moscow’s Cathedral of Christ the Savior, for which several members served prison terms, and (4) actions by the Russian anarchist art collective Voina, including the 2008 action “Fuck for the Heir Puppy Bear, in which members actually had sex with each other in Moscow’s Biology Museum.

Secondly, I will also analyze several types of activism that would likely be seen as nude/non-sexual under my tentative framework, including Greenpeace protests, actions by the group Bare Witness: Protests for Peace, and the annual World Naked Bike Ride. Lastly, my dissertation will analyze activism where its (non)sexuality is most likely
to be contested, such as actions by FEMEN, indigenous women demonstrating with their breasts uncovered to protest extractive development in the Philippines, Aliaa Magda Elmahdy’s nude viral blog post, and the group “Woman-Shoufouch” (“SlutWalk Morocco”), whose activities include members posting photographs of their vaginas along with political captions on their Facebook page.

I have selected these examples as they are the most discussed by scholars, receive the most media attention, span both conventional advertising and in-person demonstrations, involve a range of people from high profile international celebrities to anarchists from Russia and indigenous women in Southeast Asia, and occur in a variety of cultural contexts and urban/rural settings. In terms of the discourses to be studied, many of these protesters have published books (see e.g. FEMEN 2014; Pussy Riot 2012), run websites, blogs, Twitter accounts and Instagram accounts that document and discuss their actions. Also studied will be the reactions and reflections published by popular media, academics and court opinions.

The Experiences of Sexual Protesters

Another method utilized by this dissertation will be ethnography, as I have participated in protests with PETA as a volunteer since October of 2010. Ethnography is particularly appropriate and important in this context, as much of the critique of sexual protests does not engage with the people involved in these protests at all. Indeed, ethnographic research is sorely lacking from most critical theory of critical social science (Latour 2010, Pachirat 2013). To date, I have participated in approximately eleven demonstrations with PETA across the Northeast of the United States, eight of which might be considered nude and/or sexual. In these sexual/nude demonstrations, I have
been painted/dressed as a bunny, a tiger, an orca, the French flag, the Earth, and a piece of meat. For two demonstrations, I wore a giant fish costume (that did not involve nudity/sexuality). I have only been to one PETA demonstration in which I held a sign and was not in costume or less-than-dressed, and I had attended this demo because I thought I was going to be in a non-sexy cow costume. I intend to continue participating in these demonstrations, and have participated in four sexual/nude demonstrations thus far in 2015. For out of town demonstrations, a coordinator from PETA arranges group transportation with volunteers from NYC, who travel and stay in hotels together while on the “tour.” Body painting and getting in costume is also done together. Often the group travelling from NYC meets up with local activists, who will sometimes also be models or who meet just for the demonstration to hand out flyers or hold signs. PETA sends out press releases, and demonstrations nearly always receive some press. Demonstrations typically involve being outside for about an hour in the costume/partial nudity, often in crowded areas. Thus, when volunteering in this way with PETA, there are many opportunities for sustained interactions between other models, organizers for PETA, local activists, members of the press, and members of the local public. As I participate in these demonstrations, I will take note of and later analyze how I feel, how those protesting with me discuss how they feel, general conversations before, during and after the protests, any major occurrences during the demonstrations, reactions by people at the demonstrations, and media coverage post demonstrations. In analyzing feelings and protest through my own experiences, I will follow the methodologies of Mel Chen (2012) and Ann

---

16 I have discussed this methodology with the Human Research Protection Program (HRPP) Coordinator at the Graduate Center, Kay Powell, who stated that I do not need Institutional Review Board (IRB) approval.
Cvetkovich (2012), who incorporate auto-ethnographic approaches to theorizing affect and emotion.

**Bridge Discourses and Reparative Readings**

Much like the essays in Duggan and Hunter’s *Sex Wars: Sexual Dissent and Political Culture*, I intend for my dissertation to intervene in multiple dialogues and among different participants and audiences. Critique and (non)valuation of sexual protest emanate from and reach many areas: feminists and queer theorization/reaction in scholarly journals and personal blogs, in global mass media directed to general populations, and in constitutional courts and jurisprudence in many different countries.

In order to effectively engage with all of these actors in these very different contexts, and to understand how they engage with each other, my dissertation will be engaged with the production of “bridge discourses” (Duggan 1995; Anzaldúa and Moraga 1984). Defined by Lisa Duggan as “political languages and strategies that can open dialogue across discursive gaps, general critical challenges from one location to another, and produce negotiated interventions and actions” (Duggan 1995, 2-3), my dissertation will utilize this strategy of “polymorphous political engagement,” in which problems and insights are transported between arenas, in order to suggest ways in which sexual protest can be valued in the differing contexts of popular media, the academy and judicial systems.

Further, this dissertation will intervene with a reparative reading, following the work of Eve Kosofsky Sedgwick (2003). This dissertation will argue that the academic, popular and legal debates around sexual protest are often filled with “paranoid readings,” in which “to theorize out of anything but a paranoid critical stance has come to seem
 naïve, pious or complaisant” (Sedgwick 2003, 126). As described in the Feminist Debates on Sexual and Nude Protests section above, anyone who suggests that PETA (or Hooters) might not be a sexist organization that consistently hurts women is seen as not having a “complex understanding of women’s sexual agency and empowerment in a patriarchal society” (Gaarder 2011, 123). Reparative readings are particularly important in the context of this dissertation, as queer theorizing around sexuality has an intimate and frequently used relationship with paranoia-as-method (Sedgwick 2003, 127). Instead, my reparative reading (and ethnographic approach) will allow for closeness instead of maintaining a critical distance, for the possibilities of being surprised, and for hope.

These methods are particularly important for me as an activist and an academic, as I am constantly trying to conduct my activism work in line with my theoretical beliefs, and have my theory guided by my desired political outcomes. I very much feel the conflict, for example, between thinking that the liberal/Enlightenment rights narrative is theoretically unsound and harmful, yet I often identify as an animal rights activist, and support many rights-based approaches to social change. In other (or Giles Delueze and Felix Guattari’s) words, I do not know how to align my views of the world as molecular and my support of molar approaches to social change. For example, Michel Le Doeuff writes, in relation to rights-based movements, that things can go on “without solving metaphysical problems,” and that she despairs at “[h]aving seen philosophy and its rigor being used to undermine a language of demands, despite the efficacy of that language where it was being used” (2007, 21). This statement (and despair) resonates with me, and it is my intention that this dissertation will work to solve some of the metaphysical
problems of sexual protest, give validity and legitimacy to this form of activism, while also seeking to maintain sexual protest’s ability to be a site of resistance.

**Tentative Chapter Outline**

**Introduction**

This dissertation will begin by attempting to distinguish between *nude/non-sexual* activism and *sexual* activism, looking to how these concepts are used and defined by protesters, commentators, the media, academics and courts. Once a framework for understanding and disentangling the landscape of sexual and nude activism is elucidated, this introduction will show how protest that would likely be considered nude/non-sexual has been valorized, while protest seen as sexual has been harshly criticized. The introduction will then examine how sexual protests have been analogized to non-sexual nude ones, in order to argue that sexual protests are valid because/like nude protests are. Lastly, the introduction will argue that sexual protests are doing conceptually different work than nude ones, and that their validity and importance can stand on their own.

**Chapter 1: Decoding PETA: Ideology and Meaning in Sexual/Political Advertising**

Beginning with perhaps the hardest cases first, chapter 1 will analyze PETA’s sexual print advertisements and television commercials that feature celebrities. This chapter will explore how meaning is produced through advertising, and how these processes of meaning-making might be (re)appropriated in the context of PETA’s sexual advertising. This chapter will also explore how advertising for political change may involve different processes than other types of advertising.

**Chapter 2: “Once You’ve Been Naked in Public, You Can Do Anything”: Pleasurable Sexuality in Experiences of Sexy Protestors**

Chapter 2 will first lay out theorizations of sexual pleasure, which look to women’s sexual experiences of pleasure and to the ways in which patriarchy restricts women’s sexuality and causes sexuality (outside of circumscribed areas of “safe sexuality” such as within marriage) to be seen as so dangerous. This chapter will then work towards a politics that resists deprivation and supports pleasure by discussing my ethnographic research and experiences with/as a sexual protester. This chapter will also discuss the affectivity and emotionality of my auto-ethnographic research, in exploring whether/how using one’s body sexually as a site and method of protest can be empowering and life-affirming.

**Chapter 3: Protecting Sexual Protest as Core Expressive Political Speech**
Chapter 3 will comparatively analyze constitutional decisions from a variety of countries on nudity and sexuality in public. This chapter will argue that courts should switch their frame of analysis from public nudity/naked and instead focus on the political expressiveness of public sexuality. Not only will this cure the dissonance and discomfort produced when courts try to discuss sexual issues, such as strip clubs, through the lens of nudity, a shift in focus from nude to sexual political bodies would provide courts with an avenue to protect protesting bodies through existing commitments (and commitments that should be further developed) to sexuality as inherently expressive. In the alternate, this chapter will consider whether sexual activism would still be a politics of resistance if it was given these constitutional protections, and will argue that caution should be exercised before advocating for the domestication/legal sanctioning of sexual dissent.

Chapter 4: Sexual Protest and Queering Public Space

Chapter 4 will first discuss the queer politics of sex in public. This chapter will then explore how sexual protest can be a valuable tool for queer culture building, in that is disassociates sex in public with intimacy or money. Chapter 5 will then consider how sexual protest might be seen as a new referent of sexual culture and a tool of resistance, de-coupled from couples and re-associated with politics and activism for social change.

Preliminary Bibliography

Beckwith, Karen. “Beyond Compare? Women’s Movements in Comparative


Frank, Katherine. G-strings and Sympathy: Strip Club Regulars and Male Desire


Sexist Meat Market.

Via Malorie Klein on Jul 15, 2010

Pamela Anderson’s Newest Ad Campaign for PETA.

Ah, PETA is at it again.

Here is their latest installment in a series of sexist, degrading ads featuring an objectified, nearly nude woman.

This time long-time animal rights activist, Pamela Anderson, is “carved” up like any other hunk of meat.

PETA utilizes images of nude or near nude women as a “catchy” way to raise awareness about animal cruelty, factory farming and the benefits of a vegetarian diet.

In PETA’s ongoing efforts to raise consciousness about these important issues, including the exploitation of animals, they in turn continue to exploit women.

Read more here:

Pamela Anderson’s new ad: Sexist or Sexy?

Figure 1. Screenshot from http://www.elephantjournal.com/2010/07/sexiest-meat-market/
600 strip naked on glacier in global warming protest
Chilling message from wear-nothing activists to do-nothing politicians

An emergency provokes extreme responses: human beings in danger will abandon social niceties, etiquette, and the norms of acceptable behaviour to raise an alarm any way they can when lives are in danger. Today, six hundred people shed their clothes on a glacier in the Swiss Alps to bodily cry out for help against a planetary emergency: global warming. Parental warning: the story below contains nudity.

The nude volunteers posed for us and renowned installation artist Spencer Tunick on the Aletsch Glacier.

Without clothes, the human body is vulnerable, exposed, its life or death at the whim of the elements. Global warming is stripping away our glaciers and leaving our entire planet vulnerable to extreme weather, floods, sea-level rise, global decreases in carrying capacity and agricultural production, fresh water shortages, disease and mass human dislocations.

If global warming continues at its current rate, most glaciers in Switzerland will completely disappear by 2080, leaving nothing but valleys and slopes strewn with rock debris. Over the last 150 years, alpine glaciers have reduced in size by approximately one third of their surface and half of their mass, and this melting is accelerating. The Aletsch Glacier retreated 115 meters (377 feet) in a single year from 2005 to 2006.

Figure 2. Screenshot from http://www.greenpeace.org/international/en/news/features/naked-glacier-tunick-08182007/
The Short Answer: School funding plan

Schools. The mayor and his finance director have called your school finance plans inadequate. Convince voters that education in Philadelphia will be different.

"Before increasing taxes, I'd allow the governor's budget to provide us some assistance. As mayor, I'd work with educational experts and others to create a school system that we believe will educate kids before trying to permanently fund something that we all generally agree wouldn't work, with or without money."  Doug Oliver

"Unlike my fellow candidates' proposals, my plan will provide $1.05 million to schools from recurring revenue sources that are under mayoral control. Through reverse auctioning, procurement, zero-based budgeting and increasing the land value of tax abated properties, we will fund schools by asking the wealthy to pay their fair share."  Jim Kenney

"I want to change to a K-14 education model, giving high schoolers extra time to graduate with skills/certifications or an associate degree, so they'll be prepared — upon graduation — for a career or college. I believe we need an integrated approach that prioritizes quality, centers on students and families and values educators."  Tony Williams

"I have a comprehensive plan on my website to appropriately fund education; that's why The Inquirer said that my detailed proposals come closest to what our schools need. We need to invest hundreds of millions more in schools and shift the tax burden off the poor and middle class."  Lynne Abraham

"Local revenue streams are a crucial priority. The focus must be on the real culprit — separate but equal funding from the state. It's wrong that Philadelphia gets less state funding than more affluent areas. That's the biggest problem. I'll take Harrisburg to federal court if we don't get equal funding."  Jim Kenney

Cable. Six US Senators call to reject Comcast-TWC merger

"These benefits all come with no reduction in competition for consumers."  Ron Wyden

"Should the transaction survive the FCC's and DOJ's reviews, we believe that Comcast-TWC's unmatched power in the telecommunications industry would lead to higher prices, fewer choices and poorer quality services for lower-income Americans."  Elizabeth Warren

Listen to Mother Nature and go vegan

From left, Randi Fair, Elena Cohen and Ashley Byrne, all members of PETA, turned heads on Independence Mall Tuesday as they appeared naked covered only in body paint to raise awareness about a vegan diet the day before Earth Day.

"Should the transaction survive the FCC's and DOJ's reviews, we believe that Comcast-TWC's unmatched power in the telecommunications industry would lead to higher prices, fewer choices and poorer quality services for lower-income Americans."  Elizabeth Warren
Nearly naked PETA supporters skate in Clinton Square to protest fur, leather industries

PETA volunteers Elena Cohen (fox) Cassandra Callaghan (rabbit) skate nearly naked in Clinton Square on Wednesday, March 11, 2015, to raise awareness about animal cruelty in the fur industry. (Katrina Tulloch | ktulloch@syracuse.com)

Figure 4. Screenshot from Syracuse.com