ANDREW MARTINEZ, “THE NAKED GUY”: PROPHET OF THE BODY FREEDOM MOVEMENT

Elwood Miller

On a hot California summer day in 1990, a tall, athletic, seventeen year old Chicano boy walked along Highway 9. He was wearing nothing but a backpack and a sign that read, “I was born naked and so were you.” Before venturing on his walk, he first went door to door, fully clothed, to ask his neighbors if they would object. He made it about a mile and a half before the police stopped him and asked him to put his clothes on, which he did. This was the first time Andrew Martinez was naked in public. Two years later he would achieve no small amount of media fame when he began attending classes naked at the University of California at Berkeley, an act that gained him the moniker “The Naked Guy.” Not only did he attend classes naked, he ate his lunch naked; and few people took offense. Fourteen years later, Martinez would be found dead in his cell in the Santa Clara County Jail in San Jose—an apparent suicide. In the intervening years between Martinez’s first naked excursion and his death, he helped to inspire a movement for Body Freedom in Berkeley. This movement focused on the right of an individual to choose not to hide their body under coverings. Body Freedom movements would subsequently arise in Seattle, Washington; Portland, Oregon; and London, England. Activists such as Vincent Bethell, Terri Sue Webb, Daniel Johnson, Mark Storey, and Stephen Gough have continued the work of advocating for the normalization of the human body in the public sphere. How much Martinez’s example has inspired these other activists is difficult to measure, but it is safe to say that Martinez was a pioneer in the growing Body Freedom movement. The story of Andrew Martinez is a worthy touchstone to begin the project of examining the history of the Body Freedom movement. Certainly, others came before him, but his spectacular rise to international media fame in such a brief time, followed by an explosion of Body Freedom activism on a global scale, marks him as holding a place of special significance in the history of the Body Freedom movement.

To date, historians of social justice movements have paid little attention to the Body Freedom movement. Although scholars of philosophy, sociology, cultural studies, and rhetoric have written about humanity’s relationship to our naked bodies, most people—academics included—question Body Freedom as a legitimate social justice movement. People’s feelings and beliefs regarding their naked bodies are ambiguous and deep seated. As a result, most academics prove unable to rise above their own biases and prejudices. As Davina Cooper explains, the non-nudist public tends to attach a negative view onto how it imagines nudists practice their lifestyle, a view that places nudists at a significant disadvantage. Public beaches set aside for nude recreation are extremely limited in number, typically very difficult to access, and under frequent legal attack. Nudists are restricted to recreating on private spaces set aside for them, which are concealed from public view and, because they must be private, generally expensive to attend. This difficulty of access to space, combined with the negative status attached to the nudist lifestyle, places nudists in a position of disadvantage that is explicitly and firmly unequal.

Some nudists claim compulsory clothing is responsible for accentuating class, gender, and racialized forms of inequality. Cooper does not believe clothing is responsible for these forms of inequality, but she argues that clothing gives these concepts a particular form and force. What clothing does do, according to Cooper, is contribute to the structure and representation of mainstream life: the delimiting of what counts as domestic space and intimate relations and what counts as “public,” while also framing norms of discipline, containment, and self-control. What is evident to Cooper are the contemporary values associated with nudist inequality: body shame, sexual restraint, modesty, “stranger contamination,” and alienation—suggesting a normative outlook that she calls “strikingly at odds with contemporary progressive thinking.”

Nudist literature has continued unabated since the 1920s and

3 Ibid., 334.
1930s, when it first flourished in Europe and America, falling into either pro-nudist or deviance paradigms. Recently there has emerged a small but growing body of literature tracing nudism’s historical roots in Germany. This literature proposes two basic arguments: that nudism appeared as a back-to-nature reaction against modernism or, conversely, that nudism developed as a way to reconcile and harmonize deep divisions within the nation, often exacerbated by industry, politics, and religion.6

Historical studies of nakedness that examine questions of nude embodiment—the actual look and feel of nudity in different contexts—are surprisingly rare. One of the first to do so is Paul Ableman’s Beyond Nakedness, which examines what nakedness means to different peoples, and particularly what it has meant throughout time when concealment has been customary. Ableman uses a broad array of sources from religion, literature, eighteenth-century travel narratives, anthropology, sociology, and history to conclude that “Our clothes symbolize the walls of the Garden of Eden…clothes, in psychological terms, symbolize instinctual repression. Sexuality has provided the power to generate our cultural and scientific progress.” We tolerate violence, but censor sexuality, according to Ableman, either because we truly abhor life and wish for death, or because sexual energy is repressed by authorities to maintain order. Ableman clearly sees the Western legacy of nakedness as one primarily of loss.

Unlike Ableman, Ruth Barcan, In Nudity: a Cultural Anatomy, seeks to free nudity from the confines of the reductive shame-based theological frame in which it all too often is understood, as well as shed critical light on a range of common cultural practices.8 Barcan agrees with Ableman, in that nudity and sex are linked, but “sexuality is itself embedded in larger questions about subjectivity, power, and human identity.” Sexual knowledge is inseparable from other forms of knowledge, according to Barcan, whose work is informed by Mario Parniola’s essay, “Between Clothing and Nudity.” Parniola names two distinct metaphysical traditions that have been major factors behind the ambiguous nature of nudity in the Modern West: the Judaic and the Greek. The Judaic tradition envisaged transcendent divinity as clothed or veiled, and hence nudity is seen as a loss or deprivation. The Greek tradition saw in nudity the state of the ideal human. These two traditions have interwoven, with the result that nudity is ambivalent and multivalent both as metaphor and physical state.9

Examining some of the major impacts of Western heritage on the meanings of nakedness and modern experiences of the naked body through the cultural lenses of the Judeo-Christian tradition, the Western philosophical lineage, and the European fine art tradition, Barcan does not see nudity as loss primarily, but as something quite complex and contradictory. Barcan concludes that because nudity cannot be contained at any given moment by any one meaning it remains “a slippery, ambiguous, ‘dangerous’ category, culturally speaking.”10

With recent trends in naked protest and public social nudity—the World Naked Bike Ride, the photographic work of Spencer Tunick, and the activism of Stephen Gough—coupled with subsequent allegations of disgust leveled at them from both the public and the law, it is not surprising that academics would examine what it means to communicate using the naked body, what about the naked body engenders disgust and shame, and whether these feelings are legitimate reasons for legislative action.11 Martha C. Nussbaum argues against using disgust as a basis for legislation because “disgust embodies ‘magical ideas’ of contamination, aspirations to purity, immortality, and nonanimality that are not in line with human life.”12 Disgust and shame, Nussbaum contends, arise from our anxious obsession with “normal” and our deluded belief in our superiority. Nussbaum concludes that a liberal society should cherish and further develop the ability to enjoy relations of interdependence rather than domination.

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7 Paul Ableman, Beyond Nakedness (Elysium Growth Press, 1985), 102.
8 Ruth Barcan, Nudity, 7.
9 Ruth Barcan, Nudity, 7.
10 Ibid., 284.
11 Spencer Tunick was arrested five times in New York City in 1992. After the United States Supreme Court affirmed Tunick's first amendment right to work, New York City denied him a work permit. Stephen Gough walked the length of Great Britain naked in 2005. Gough was arrested in Scotland for breach of peace. He refuses to get dressed and now has spent more than seven years in prison.
as well as the ability to acknowledge incompleteness, animality, and mortality in oneself and others. Yet Nussbaum also states that even though the rationale for laws against public nudity are weak, “many people really do believe that premature exposure to the sight of adult genitals harms children, and the intrusion on personal liberty that is involved in restricting public nudity is probably not great enough to worry about.” Nussbaum offers no concrete objective evidence to support her argument for a widely held belief in harm to children or proof that exposure to adult nudity causes harm. She dismisses the right of the body to exist in public space as inconsequential although she sees no logical reason for its prohibition, resorting to the unproven and overwrought argument of protecting children, thereby revealing her own biases and learned prejudices.

Examining how the nude body functions in the public sphere and is employed rhetorically as a strategy for social change, Brett Lunceford agrees with Barcan that the meanings of nudity are contradictory and complex, and that therefore crafting a coherent narrative using nudity proves difficult. To perform nude embodiment—to appear in public naked—is to make explicit the performance of self, Lunceford explains. The question of what the body symbolizes remains a difficult one to answer because different groups employ the body to different ends. The body’s power to induce discomfort and arousal arise from its polysemic nature. Lunceford concludes by telling us that, “So long as the naked body remains taboo, it will be viewed with an uncomfortable mixture of disgust at those uncouth enough to expose it.” By labeling those who appear naked as uncouth, Lunceford the rhetorician uses judgmental language that serves to expose his own biases and prejudices.

Contemporary Western culture displays an inability to come to terms with the cultural meanings attached to our naked human bodies and many academics have shown an inability to rise above their own biases and prejudices in order to critically examine our complex relationship to our bodies in spite of the rise in public social nudity and Body Freedom protest. For these reasons, I believe the time has arrived for historians to begin to study the Body Freedom movement, what it means for the larger Social Justice Project, as well as where it fits within its history.

During the summer of 1990, between his junior and senior year at Monte Vista High School in Cupertino, Luis “Andrew” Martinez began to ponder his role in life. Standing 6’4”, Martinez played on his high school football team, wrestled, and held a black belt in Judo. He was a popular student with many friends. Sitting on a park bench next to his best friend on a very hot day, Martinez thought about the total inanity of having to wear clothing in such weather. He realized that, in spite of the obviousness of this truth, he was prohibited with the full force of an entire nation, and of virtually every person he could conceive of from taking the next seemingly logical step. For Martinez, this moment would have lasting repercussions; he would begin to question and critique the entire structure of Western capitalist values. Indeed, he came to the realization that nudity could be used to illustrate an entire system of unquestioned and thus rarely challenged political beliefs. In his mind, “the relationship between the self, politics, the state and nudity was so telling that [he] could pick [that] one symbol to sustain his critique.”

Martinez was raised in a household that did not place much value on the usual popular symbols of success. Martinez’s mother, Esther Krenn, enjoyed dressing up and owning attractive things, yet it was not important to her to have designer labels. Having a Coach bag or Nike shoes was not important to the Martinez family, and Krenn hoped those values would be instilled in Martinez. “I think he did [incorporate those values],” relates Krenn, “but he just took them to a deeper level.” Indeed, Martinez did take things to a deeper level. Martinez loved to read and speak and debate. He was heavily influenced by Joseph

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13 Nussbaum, Hiding From Humanity. 304. Italics are mine.
Campbell, Henry David Thoreau, and Allen Ginsberg. In thinking about why he could not be naked, why he must wear clothing at all times, Martinez contemplated how the body and self were defined and controlled by the institutions and structures through which they moved.

That summer, Martinez questioned why it was indecent to be naked. He did research, looking at what the law said. What he discovered was that mere nudity itself was not illegal; it was only illegal when combined with some sort of indecent or sexual behavior. When Martinez planned his first nude walk along Highway 9, he wanted to have his girlfriend and his three-year-old sister accompany him, believing his message would have more force with the presence of a naked man, woman and child. Either Martinez's girlfriend or her parents objected to the idea, for Martinez went on his first naked walk alone.

During Martinez's freshman year, he would go to classes fully dressed. At one point during that year, he started taking off his shirt in class or just going about shirtless. People reacted strongly to Martinez's going about without a shirt. Martinez explained how, "It would create a scene, walking with no shirt down a big lecture hall aisle. I'd be walking around and people would whisper 'No shirt! No shirt!' And maybe some guy would say [in deep, disapproving voice] 'Put a shirt on, man!' Just the lack of a shirt was enough to set them off, inside a classroom." Getting naked on campus happened for Martinez in a small series of steps. Martinez wrote that he hoped, on September 10, 1992, to begin an "enormous struggle for body liberation" by appearing naked on the University of California, Berkeley campus except for sandals, the ubiquitous student backpack, and a peace sign and house key that dangled from a chain around his neck. Once the commotion from his initial appearance died down, he became a standard fixture on campus, even acquiring the moniker of "the naked guy." No one really seemed to notice and, according to one of Martinez's professors, John Tinkler, not noticing was something of an unwritten law on campus. But someone must have noticed because, according to Jesus Mena, Berkeley University's media director, "his behavior really was beginning to disrupt the educational process," because some students and staff felt "very offended.

Disappointed with the legacy of the 1960s student social justice movements and what he viewed as that generation's selling out for middle-class values, Martinez's first priority was to show people that they need not be restrained by normalcy and socialization, that they could just enjoy themselves and have fun. Martinez's three major focuses were the freedom to be nude, the freedom to masturbate, and the freedom to use marijuana. He believed in enjoying life, living in the moment. Along with the six-member erotic drama group named the X-Plicit Players and some of Martinez's housemates from Le Chateau Residence Club where he lived, Martinez organized a Nude-In on Sproul Plaza on September 29, 1992. Distributing flyers featuring an anatomically-correct male Cal bear and the messages "smoke pot," "take acid," and "sex," Martinez's purpose was to prove that people could define normalcy on their own terms. He wanted people to come to grips with their own sexual shame. Martinez's actions were an extension of the sexual revolution. He wanted people to acknowledge and embrace their sexuality and
their bodies—to realize that the repression of sex and the categorization of sexual acts into a hierarchy of acceptability was no more than a means of control by the powerful, institutional elite. This echoes Ableman’s idea of an authoritative state that maintains order by the repression of sexual energy.

Martinez also viewed the shame and repression that controlled people and kept them from fulfilling themselves as a form of colonialism—a mental slavery. Quoting Malcolm X, Martinez said, “You’re socialized to buy into something you don’t want to buy into.”29 Martinez saw the Nude-In as a “historical turning point” and vowed to keep appearing nude until he was arrested.30

Getting arrested did not take long. Only four days after his historic Nude-In, on October 3, 1992, Martinez was stopped and arrested while jogging near the Unit 1 resident hall complex located at College and Durant Avenues clad only in jogging shoes. Then, on October 5, 1992, Martinez was again arrested for walking through Sproul Plaza naked at 10:45 p.m. Martinez said he was out to pick up a copy of The Daily Californian and was only wearing sandals at the time of his arrest.31 Charges against Martinez were dismissed by the Alameda County prosecutor because, as Martinez was aware, nudity without lewd conduct was not illegal. Martinez was more informed about the actual law than the police who, by applying their own sense of morality, constructed and attempted to enforce an imaginary law.

Following the Nude-In, Martinez appeared on the pages of Newsweek and Time and on television programs like Hard Copy and the Maury Povich show.32 Then, on November 4, 1992, University of California at Berkeley Chancellor Chang-Lin Tien issued a new policy which banned “lewd or sexually offensive conduct, including indecent exposure and public nudity” on the Berkeley campus.33 It took the institutions and structures which were established to define and control the student’s sexuality and their relations with each other through the process of education, the very institutions that Martinez wanted to critique, only one month to attempt to silence Martinez’s critique. Martinez’s freedom, as expressed by his nakedness, must have been seen as very dangerous to the existing power structure’s need for regimentation and control through education at U.C. Berkeley.

Debbie Moore, a member of the X-Plicit Players who assisted Martinez with his Nude-In, related how Martinez would regularly walk around Berkeley wearing only his sandals, his house key and peace symbol necklace, and a small backpack containing bumper-stickers he had made that read “HEY MAN, IT’S JUST A DICK!” and “Militant Nudist Revolution.” He would walk at a slow pace, with abandonment and openness, in such a way that if anyone wanted to chat, he would stop and chat. Moore related how most people reacted very positively, but some of the men who would stop him were really angry. Moore commented on the fact that it was always men who would confront Martinez with anger. They would say to him, “Put something on,” or “Cover that up,” with a very aggressive tone. Debbie said that Martinez would stop, and look at them, very relaxed, and ask, “Hey man, what’s up with this, it’s just a dick,” and hand them a bumper-sticker. He would start laughing, almost dancing a little bit, somewhat like a jester. By the time he had finished his graceful, benign gestures, the scene would be pacified and the aggression would disappear. Debbie Moore asked him what this meant to him, what his nudity was all about. Martinez told her it was his own personal martial art form. He was practicing with it, developing an approach to his body and its relation to everything he passed through and everyone he encountered.34

Like his hero Thoreau, who went to jail rather than pay a tax that would have supported the “Mexican-American” war that he believed unjust, Martinez would not obey Chancellor Tien’s new policy. Shortly after...

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29 James Donald, “Real Men Don’t Wear Clothes.”
30 Alex Karasik, “Golden Bares! Strut on Sproul.”
34 Debbie Moore and Marty Kent, Nov 14, 2013.
11:30 a.m. on Saturday, November 7, 1992, someone spotted a naked Martinez on the west side of Wheeler Hall and complained to the University police. Martinez was given a fourteen-day exclusion notice and escorted by police off school grounds. Martinez expressed dismay with the way the university had handled his nudity. “I feel the university could have gone about this in a lot more productive way. If they really wanted to protect the students that were bothered by it, maybe we could get in some dialogue between [the students and myself].”\(^{35}\) Martinez suggested several compromises, including sitting behind those students who were offended as well as arriving early to class. Martinez was interested in challenging the unquestioned notions of conformity through his nudity, but he wanted to do it in a peaceful way. His self-described militancy was a way of questioning through engagement, which was similar to the dancing, graceful, benign gestures he used to diffuse masculine aggression on the street. This is why he was willing to compromise. He made it clear that he was not willing to wear clothing, but he acknowledged that his nudity could be seen by others as dangerous, and was interested in, as Nussbaum put it, relations of interdependence rather than domination.

The following Tuesday, November 10, three days after his expulsion, Martinez was back on campus. According to university procedural regulations, the vice chancellor must review a decision to remove a student from campus within twenty-four hours; something he had not done. The next day, officials held a hearing in California Hall regarding the school’s nudity policy and Martinez’s exclusion from campus. Martinez attempted to attend the hearing, but officials refused to speak with him because he was only wearing his sandals and a backpack. “We won’t talk unless you put some clothes on,” Martinez was told by officials at the hearing.\(^{36}\) By refusing to talk with the naked Martinez, the school officials were determining which bodies were heard and which bodies had legitimacy in the public sphere. As Nussbaum and Cooper have pointed out, rejection of the naked body results in concepts not in line with human life and creates a position of disadvantage or inequality. While in the building, Martinez spotted Chancellor Tien and attempted to speak with him, but Tien smiled, waved, and took off.

On the day of Martinez’s return to campus, the *Daily Californian*, the University’s independent, student-run newspaper, published an editorial calling the University’s decision to ban Martinez from campus an “extreme and authoritarian response to an issue of civil liberty.”\(^{37}\) The paper questioned the University’s real reasons for instigating the ban, suggesting that, “if the policy was aimed at curbing any public offense…they could have handled things more intelligently and justly by calling a public forum to see if anybody really found Martinez’s nudity offensive. If they wrote the policy to assert their power and reduce the number of times the words ‘UC Berkeley’ appear in the same sentence as the word ‘nudity’ in the national press, then we have nothing to say.”\(^{38}\) The editorial then offered Martinez some free advice, asking Martinez to weigh the importance of being nude against the importance of being a responsible member of the community he chose to join. The editorial asked, “If people find your nudity disruptive, is it so important to exercise it?”\(^{39}\) The editor appeared to not be able to decide if he was pro-nudist rights or anti-nudist rights. Acknowledging Martinez’s right to nudity, the editor then suggested one should abandon one’s rights if people object—just like Nussbaum does in *Hiding From Humanity: Disgust, Shame, and the Law* when she argues that although there is no rationale for prohibiting nudity. Because people believe it is dangerous, it should be controlled.

Two days later, the “Question Van” column, which questions students about their opinions, asked, “What do you think of ‘The Naked Guy’ [asked at Sproul Plaza].” Of the four responses published, only one student said Martinez violated the laws of decency. Sam Myung, a senior majoring in English and rhetoric, felt he knew what Martinez’s motivations were. “He must like to shock people,” he said, but added that Martinez’s nudity was not a major problem. Pia Jara, a junior majoring in Spanish and anthropology, felt he was making an obvious point because he had a nice body. “If he had an ugly body, it’d be different.”


\(^{38}\) Ibid.

\(^{39}\) Ibid.
she said.  

Myung, in claiming to know Martinez’s motivations, affirms Davina Cooper’s point that the non-nudist public tends to attach a negative status to how they imagine nudists to practice their lifestyle, while Jara’s response attests to the commodification of the body by neoliberal capitalism, which will only give voice to what it defines as attractive by the terms of its own commodification.

Debbie Moore, Nina Shilling, and Marty Kent, members of the X-Plicit Players, staged a nude protest on Tuesday, November 17, 1992, to protest the University’s ban on public nudity. Originally, they were to perform the previous evening for a drama class, but they were barred from doing so by the new policy. After Moore, Shilling, and Kent were handcuffed by the police, their supporters shouted in protest. According to reporter Nicole Wong, “Chancellor Chang-Lin Tien banned ‘indecent exposure, public nudity and lewd or sexually offensive conduct’ on campus…following the media attention on student nudist Martinez.” However, most students who were watching the protest said they disagreed with the anti-nudity policy.

Thursday, November 19, 1992, a guest column appeared in the Daily Californian authored by Romney Cummings, a Fulbright Scholar with a Master of Fine Arts from Columbia University entitled “Lay off Nude Dude.” Cumming’s lucid analysis of the controversy deserves to be quoted at length: The November 10th article about “Nude Dude” (“New policy sends Martinez off campus”) was enough to make me want to strip. Those petty enough to be offended by a bright, healthy person who obviously cares for his body don’t deserve to call themselves “students” of any real depth. Perhaps if they were to “study” their fear or disgust, they might learn something about themselves and their own bodies. To them I ask, what if I am offended by your clothing, or your perhaps not so well cared for body? Should I complain to the police about people who expose their flacid minds since I find them offensive? They are no more easily covered up than a human body, and yet I am subjected to them every day with no recourse.

Tien issued the [anti-nudity] policy after consulting with, among others, the campus sexual harassment officer. What sexual harassment? Has Mr. Martinez ever even come close to sexually harassing someone? The policy bans indecent exposure, public nudity and (once again the SEXUAL thing) “lewd or sexually offensive conduct” on campus. Is having a body sexually offensive? Is uncovering it more likely to lead to behavior that is? Does the offense lie in the man’s nudity or in the imaginative minds of the offended?

Romney Cummings gets right to the point when she asks, “Is having a body sexually offensive?” Is sexual offense a behavior, an act, or can sexual offense be conveyed visually? Of course the answer is yes; it is both a behavior and it can be conveyed visually. What Romney Cummings asks is: why have we sexualized our bodies to the point that the mere sight of them can constitute sexual offense? This is the very idea that Nussbaum gives credence to when she argues that because people believe that the sight of adult non-sexual nudity harms children, a belief with no basis in fact, that belief justifies restricting a person’s rights. These are the very questions that Martinez would address the following year when he wrote his manuscript “Militant Nudist Revolution.” Martinez would ask, “Should we limit the freedom of certain groups of adults in order to keep lies and exaggerations from being exposed?” For Martinez, like Romney, the lies and exaggerations were the ones which teach society that bodies are shameful, disgusting, and sexuality is something which must be avoided and denied.

It would appear from the letters, editorials, and other columns appearing in the Daily Californian that most students did not find Martinez’s nudity

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41 Ibid.
42 Ibid.
offensive or problematic.45 Martinez told Debbie Moore and Marty Kent, members of the X-Plicit Players performance group and friends with Martinez, that the campus officials searched for weeks before they were able to find someone to register a sexual harassment complaint against Martinez. Apparently campus officials kept asking students if they were offended and kept receiving negative responses.46 The Daily Californian stated that “the [nudity banning] policy stems from numerous complaints by students, faculty and staff who have been offended by Martinez attending class and walking around campus in the buff.”47 The article did not attribute this claim to anyone; however, the writer may have had in mind the complaints of the University spokesperson.

Martinez always felt a responsibility to change the world. It was the only thing he saw as really worthwhile in life.48 Martinez’s disappointment in the student activists of the 1960s and what he saw as selling out for middle-class values was reflected in conversations he had with his mother. When Martinez was in the eighth grade, he put a poster on his bedroom wall showing a blond model posing seductively with a Lamborghini. At the time, that was Martinez’s goal, to someday own that Lamborghini. Later, Martinez would confront his mother about allowing him to express an interest in owning a Lamborghini and letting him put the poster on his wall. Martinez’s mother remembered how he told her, “You never told me that that wasn’t a good goal, you never asked me why that is your goal?” And I never thought of it as that serious. I mean, how do you tell an eighth-grade kid, don’t put that Lamborghini on your wall because that’s not reality.” Esther Krenn brought home a poster for a school fundraiser she had helped to design. The poster showed a beautiful house with a four-car garage with a tag line that read 46 “Opinion,” Daily Californian (Berkeley, CA), Nov. 19, 1992. Two letters appear in this edition, “Inhibitionism,” where the writer complains about being forced to see someone wearing clothing, and “Right to be nude,” where the writer states that “the human body is not dirty.”; Romney Cummings, “Lay off Nude Dude,” Daily Californian (Berkeley, CA), Nov. 19, 1992.; Alphonso Van Marsh, “Question Van: What do you think of ‘The Naked Guy?‘ (asked at Sproul Plaza),” Daily Californian (Berkeley, CA), Nov. 12, 1992.; Nicole Wong, “Their bodies, their cells: players go to jail,” Daily Californian (Berkeley, CA) Nov. 18, 1992. 47 Henry K. Lee, “UC nudist temporarily suspended.” 48 Jack Chang, “Overexposed.”

“This is what education can do for you.” Martinez told his mother he thought the poster was disgusting. He told Krenn, “Education is for gaining knowledge, not materialistic things.” Krenn acknowledged that her son was correct.49

During the winter break, Martinez told his mother that he thought he might be expelled and asked for her opinion. She told him she did not think it was worth being expelled to prove a point. When Martinez left to return to school that spring, Esther Krenn could tell by the look on his face that he was going to push his beliefs to the limit.50

On January 23, 1993, Martinez received an expulsion letter from the University of California at Berkeley. According to UC spokesperson Jesus Mena, student and faculty complaints played a role in Martinez’s expulsion. Students felt they were being harassed and complained about it, Mena claimed. Some were threatening to drop out of classes. Mena said there were complaints of the same type from staff as well. Martinez said no one ever complained face-to-face to him. He felt students who were offended should have talked to him about it or “gone to a psychologist. It’s just the human body.”51 According to reporter Julie Aquilar of the Daily Californian, many students were unhappy about Martinez’s expulsion. Students expressed such sentiments as: Martinez did not bother the student body, the expulsion was evidence of how much the university controlled everything they did, and it was unfair, considering how Berkeley was known for supporting individual rights.52

Martinez continued to live at Le Chateau in Berkeley after his expulsion and continued to live a very naked life in Berkeley. Martinez and The X-Plicit Players established, through a series of arrests followed by the dismissal of charges, that nudity was in fact not illegal.53 Then, in the spring of 1993, when they returned to the streets naked, people began to realize that public nudity was legal and that they could also try it out. Mar-
Elwood Miller

Martinez, Kent, and Moore had established that Berkeley was a free zone for nudity. Consequently, people increasingly began appearing naked on the streets of Berkeley. For months and months, Martinez, Kent, and Moore spent their lives naked, whether it was at home or in the streets.54

Martinez began to collect arrests, not for nudity, but for other actions he was involved in. One was a “Kill your TV” event in People’s Park, where he and other activists were throwing televisions off the stage and smashing them to try to communicate to people to stop watching television. Martinez was involved in a whole range of issues. He had said that nudity was only thirty percent of what he was about, but everyone only wanted to talk about the nudity.55 Moore explained that he had taken on many issues, but refused any help offered. “We met with attorneys…who would say to us, ‘Try to pick your battles.’ We had seven trials going on, so we were pretty busy with one justice movement. Andy had so many things going, that after a while he seemed like he was having to retreat a bit.”56

Eventually the City of Berkeley followed in the footsteps of the University. When Berkeley started pursuing an anti-nudity ordinance, Martinez became very upset and worked very hard at preventing it from happening. He even appeared naked at the council meetings to try to convince the council there was nothing harmful or shameful with the human body. In July of 1993, the Berkeley City Council passed an anti-nudity ordinance, making public nudity in the City of Berkeley punishable as a misdemeanor, which would at least allow people arrested the right to a trial by jury. In 1997, after a nudity trial ended in a hung jury, the city began to enforce the law as an infraction, which, like a traffic ticket, is not eligible to a trial by jury. In 1998, the mayor, the city attorney, and city manager proposed a revision that would allow the ordinance to be charged as either a misdemeanor or an infraction at the discretion of the prosecutor. No longer would anyone arrest-

Martinez wrote a manuscript in 1993 where he expressly sought to answer people who wanted him to justify his actions as well as his life, to justify the act of nudity as well as his “choice” of nudity as a cause. Primarily, Martinez wrote that he saw himself as being what he referred to as a “thought criminal” and saw the distance between himself and mainstream culture as his “thought crime.”58 For Martinez, this “thought crime” was the political consciousness behind his acts of nudity. He believed that no matter what he said or did, he was ultimately a criminal under the Christian moral structure which he saw as being the supporting structure for mainstream American culture. The Christian moral structure that Martinez saw is a direct consequence of the Judaic metaphysical tradition which, according to Parniola, envisioned divinity as veiled and nudity as deprivation, as opposed to Greek tradition, which saw in nudity the state of the ideal human. Martinez saw his revolution as being larger than just nudity, however, and he felt he needed to reveal what exactly that entailed, or he would spend the rest of his life justifying individual acts of nudity. Martinez understood the necessity in altering the balance of power involved in social space; moreover, he believed that to articulate his political consciousness, he would need to offend more people than he could with just his simple act of nudity.59

Martinez wrote that his revolution would occur not by force, but by persuading people to uphold a “new articulation of the rules governing the social world.”60 Once people accepted and began to practice these new rules, the old regime would be left powerless, obsolete. This is very similar to the call for revolution pinned to the main entrance of the embattled Sorbonne in May 1968: The revolution which is beginning will call in question not only capitalist society but industrial society. The consumer’s society must perish of a violent death. The society of alienation must disappear from

59 Ibid., 3.
60 Ibid., I. 5.
Martinez perceived the training for middle class life as beginning at birth, with the first tests of intense competition occurring in high school. In this way, he believed that the body was shaped through competition and reward for capitalist production, leaving the person unable to shape or to define their own conception of an appropriate public self. This is not unlike what Foucault writes of in *Discipline and Punish*, when he tells us docility is achieved by training the body using schools, hospitals, and eventually prisons. By breaking down actions such as marching into minute steps that can be taught and reproduced by other bodies, bodies are created which are ideal for the new economics, politics, and warfare of the modern state. The body is fixed in space and time to give it an identity, a mark, a rank. This may only happen through constant observation and correction. For Foucault, as well as for Martinez, this marks the reversal of the political axis of individualization. Thus, the individual is rendered unable to define their own conception of an appropriate public self. Martinez wrote:

Mr. Allen Ginsberg—
Will the hippies revert to the middle class as they grow older?
No, impossible…That way's been barred by beatings and arrests. What bridges they haven't burned behind them have been burned for them with pot busts. What's happened to young people is a sudden breakthrough catalyzed in part by psychedelic drugs. Another factor was the deconditioning caused by alienation from social authority as it proved itself completely incomprehensible and mad and burned its own bridges from Hiroshima to Vietnam.

Martinez was critical of his elders, whom he referred to as the “ex-hippies,” for being blind to the serious levels of police control and abuse exerted upon the African-American and Chicana/o communities in the name of eliminating drug use. Martinez believed that the war on drugs was just one in a long series of excuses used by the white power structure to dominate the laboring classes. Martinez saw a double standard in the way police treated drug buyers (mostly white college students) and the way they treated drug sellers (mostly poor men of color). His call was for everyone to realize that all drug users were equal, to acknowledge the usage of drugs, to acknowledge our sexual selves, to accept our bodies as natural and nudity as good, and to realize that we are ultimately free to define normalcy on our own terms.

Martinez received a medical diagnosis of schizophrenia in 1997. He would spend the next decade being shuttled between jails and mental-health facilities. In January of 2006, he was living in a half-way house when he was charged with battery and assault with a deadly weapon and was placed in solitary confinement in the maximum-security section of the Santa Clara County jail, awaiting trial. His mother, Esther Krenn visited him in early May 2006, and Martinez told her how very tired he was. He had had enough. Krenn called the prison when she got home and asked them to check on Martinez. The prison informed Krenn that he was fine. She called repeatedly and each time received the same answer. Martinez was found dead in his cell on May 18, 2006, with a plastic bag tied around his head, an apparent suicide. Esther Krenn filed a wrongful death suit against the county of Santa Clara for ignoring her repeated calls warning of Martinez’s despondency. The County of Santa Clara settled for $1 million and altered

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64 Andrew Martinez, “Militant Nudist Revolution,” V, I.

65 Esther Krenn, Nov. 21, 2013.
its policies regarding notification of family members for suicide attempts.\footnote{66}{Chip Johnson, “How Berkeley’s ‘Naked Guy’ met a tragic end,” \textit{San Francisco Chronicle}, May 19, 2009.}

Martinez did not want his legacy to be just “the Naked Guy.”\footnote{67}{Esther Krenn, Nov. 21, 2013.} For Martinez, nudity was the perfect symbol through which he felt he could communicate all that he saw wrong with current political and social constructs: the capitalist fueled madness of unlimited consumption and resource exploitation from a resource limited planet, humanity’s unwillingness to accept and recognize ourselves as mammals whose survival depends on our relationship with all other species on the planet, and humanity’s inability to live in the moment—to realize that our lives are not what we remember of our past or plan for our future, but right now.\footnote{68}{Andrew Martinez, “Militant Nudist Revolution,” I, 1.}

Yet because of the media’s exploitation of a subject with so many intersecting possibilities for “infotainment:” nudity, youth, beauty, sex, and the “craziness” the media views as quintessential Berkeley, Martinez quickly became known globally as “the Naked Guy.” Thirteen years later, his death received media notice for those same reasons. Since 1992, the Body Freedom movement has emerged on a global scale with activists like Stephen Gough, known as “the Naked Rambler” for having walked the length of Great Britain naked in 2005. In Scotland, Gough was arrested for breach of the peace for refusing to get dressed. Since then, he has been released and rearrested when he steps outside the prison gates naked, so that now he has spent nearly seven years incarcerated for refusing to get dressed. According to Gough, “The human body isn’t offensive, if that’s what we’re saying, as human beings, then it’s not rational.”\footnote{69}{Neil Forsyth, “The Naked Rambler: the Man Prepared to Go to Prison for Nudity,” \textit{Guardian} (UK), Mar. 23, 2012.}

In 2003, Conrad Schmidt conceived of the World Naked Bike Ride (WNBR), which has grown into an international clothing-optional bike ride in which participants plan, meet, and ride together to deliver a message of a cleaner, safer, body positive world. In 2010, the WNBR occurred in seventy four cities, in seventeen countries around the globe.\footnote{70}{Spencer Turnick, “Biography,” Accessed March 27, 2015, \url{http://spencertunick.com/biography}.} Body Freedom is a movement that is not going away, but rather seems to gain strength each year. Growing concern about climate change and species extinction has resulted in many questioning the efficacy of global capitalism in its current form with its patterns of unlimited consumption and unlimited growth.\footnote{71}{World Naked Bike Ride, Accessed March 27, 2015, \url{http://www.worldnakedbikeride.org/}.} Martinez showed how all of these issues could be critiqued through the lens of nudity and body acceptance. Examining our place within the closed ecosystem we inhabit, how we view it, and how we view ourselves is so imperative to our survival that even historians must face this challenge. Martinez, his vision and his message, were prophetic.

Photographer Spencer Tunick travels the globe photographing women and men naked against various backdrops, from civic centers to deserts, to glaciers. In 1992, while working in New York City, he was arrested five times, after which the artist filed a Federal Civil Rights Law Suit against the city, which wound its way up to the Supreme Court on appeals. The Court affirmed Tunick’s first amendment right to make his work. However, the City of New York has subsequently denied Tunick a permit to work there; as a result he has since taken his work abroad to avoid arrest.\footnote{70}{Spencer Turnick, “Biography,” Accessed March 27, 2015, \url{http://spencertunick.com/biography}.}
Elwood Miller is a graduate student of U.S. History at San Francisco State University. He received his BA in U.S. History from San Francisco State University in 2012. His interests include the history of sexuality and body culture studies in the 19th- and 20th- century United States with an emphasis on the naked public body. He has volunteered with the San Francisco GLBT Historical Society and is active in the San Francisco Body Freedom Movement.

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**Portrait of an Afternoon Class in S:**

Students silently  
Sit, sleep, solemnly snoozing  
Some snore subtly

- Casey Ungar