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**Citation for published version:**

Cowan, S 2010, 'The Elvis We Deserve: The Social Regulation of Sex/Gender and sexuality through Cultural Representations of 'The King'', *Law, Culture and the Humanities*, vol. 6, no. 2, pp. 221-24. <https://doi.org/10.1177/1743872109358514>

**Digital Object Identifier (DOI):**

[10.1177/1743872109358514](https://doi.org/10.1177/1743872109358514)

**Link:**

[Link to publication record in Edinburgh Research Explorer](#)

**Document Version:**

Peer reviewed version

**Published In:**

Law, Culture and the Humanities

**Publisher Rights Statement:**

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***THE ELVIS WE DESERVE: THE SOCIAL REGULATION OF SEX/ GENDER  
AND SEXUALITY THROUGH CULTURAL REPRESENTATIONS OF 'THE  
KING'***

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**ABSTRACT**

This paper analyses the way in which the image, masculinity and sexual identity of Elvis Presley have been recently culturally deployed by particular social groups. It explores the way in which the image of Elvis is used by lesbian drag king performers who try to queer the cultural stereotypes which form the basis of the social regulation of gender roles; and the use of Elvis's image by the U.K. fathers' rights campaign group 'Fathers 4 Justice' as a sign of unthreatening familiarity to support traditional heteronormative ideas of masculinity and gender roles. These cultural re-appropriations of Elvis raises questions for contemporary understandings of sex/gender and sexuality; as the motto of the San Francisco based Elvis impersonator 'Extreme Elvis' suggests, "Every generation gets the Elvis it deserves".

**KEYWORDS:** drag kings, Elvis, gender, masculinity, performance, sexuality.

***THE ELVIS WE DESERVE: THE SOCIAL REGULATION OF SEX/ GENDER AND SEXUALITY THROUGH CULTURAL REPRESENTATIONS OF ‘THE KING’\****

**I. Introduction**

The legal regulation of sex/gender is one of the most obvious ways in which sexuality and sexual identity are subjected to formal social control. For example, the legal status of sex/gender has recently been debated in the public domain in the U.K. in the context of new legislation governing transgendered people (the Gender Recognition Act 2004) and same-sex partnerships (the Civil Partnerships Act 2004). However regulation of sex/gender is not only achieved through legislation, but also through social regulatory systems which introduce and perpetuate sex/gender norms, including cultural representations and images which support hegemonic norms of sex roles and gendered behaviour, and undermine non-dichotomous or queer alternatives. It is in this sense that I would argue that law is “not radically distinct from culture and politics, but is simply one of a number of ordering mechanisms and is thoroughly imbued with the dominant philosophies”<sup>1</sup>. Engaging with law therefore means engaging also with the social regulatory norms underpinning law, since these norms may in fact have a much more direct and immediate regulatory effect on the self than the positive laws they construct and are constructed by.

The discussion that follows focuses on a particular example of socio-political and cultural conflict over the regulation and meaning of sex/gender and, implicitly,

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\* A version of this article will appear in the journal *Law, Culture and the Humanities* in 2010.

<sup>1</sup> Margaret Davies ‘Taking the Inside Out’, in Ngaire Naffine and Rosemary Owen, eds., *Sexing the Subject of Law* (Sydney, Law Book Company, 1997), p. 32-3.

sexuality. I will examine social regulation of sex/gender roles, and the implications of this for the negotiation of sexuality, through various cultural/political appropriations of the image of Elvis Presley.<sup>2</sup>

Images of Elvis are often deployed commercially, as explored by Dave Wall<sup>3</sup>, who examines the intellectual property rights claims made regarding images and representations of 'The King'. Indeed, Elvis was, until he was overtaken in 2006 by Kurt Cobain, the deceased lead singer of the band 'Nirvana', who was branded as number one in the list of 'Top-earning Dead Celebrities'.<sup>4</sup> This paper goes beyond commercial uses of the image of Elvis to discuss the ways in which the iconic masculinity and sexual identity of Elvis have been redeployed by particular individuals and social groups, and the implications this has for the socio-political meaning of sex/gender and sexuality. In particular the paper explores how the image of Elvis is used by some to try to queer the cultural stereotypes which form the basis of the social regulation of gender roles (for example by lesbian drag king performers) and yet is also often used as a sign of unthreatening familiarity to support traditional heteronormative ideas of masculinity and gender roles (for example by the campaign group Fathers 4 Justice).

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<sup>2</sup> "An image is a sight which has been recreated or reproduced... detached from the place and time in which it first made its appearance and preserved – for a few moments or a few centuries. Every image embodies a way of seeing... Gradually it became evident that an image could outlast what it represented" John Berger *Ways of Seeing* (London: British Broadcasting Corporation, Hammondsworth Penguin, 1972), p. 9-10.

<sup>3</sup> See David Wall 'Policing Elvis: Legal Action and the Shaping of Post-Mortem Celebrity Culture as Contested Space' *Entertainment Law*, 2 (3), 2003, pp. 35-69; 'Reconstructing the Soul of Elvis: the Social Development and Legal Maintenance of Elvis Presley as Intellectual Property' *International Journal of the Sociology of Law* 24, 1996, pp. 117-143.

<sup>4</sup> <http://abcnews.go.com/Entertainment/WolfFiles/story?id=2619535&page=1>, last visited 9 February, 2007.

I will argue that these re-appropriations of Elvis have both shored up and also undermined traditional constructions of sex/gender and sexuality. One might say that this is not surprising given this particular moment in the genealogy of sexuality and sex/gender, which appears to be marked by fierce debate over the social practice and meaning of sex/gender, including masculinity, as discussed below. In that sense, similar strategies can be used by very different social groups to support competing and even antithetical notions of how sex/gender should play out in cultural and political life. While many LGBT groups across the globe are campaigning for formal legal equality and civil rights such as the right to marry or adopt children, there is an ever-burgeoning radical queer and performative politics of sexuality focusing on for example intersexuality and transgender issues, highlighting also the importance of the relationship between these radical political movements and other critical political actors such as feminists and queer theorists.<sup>5</sup> Similarly, while masculinity is reasserting itself through for example the formal equality claims of fathers' rights groups such as Fathers 4 Justice, it is also clear that, as Collier argues, traditional roles for men in society generally as well as in the family are contested and in flux.<sup>6</sup> In this socio-political context then, it is perhaps unsurprising that battles are waged over the representation and meaning of certain cultural images of sex/gender.

The motto of the San Francisco-based Elvis impersonator 'Extreme Elvis' is: "Every generation gets the Elvis it deserves".<sup>7</sup> My aim in this paper is to examine the Elvis currently invoked in this particular moment in the evolution of sex/gender and sexuality discourse and politics, and to argue that this tells us something about the

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<sup>5</sup> Judith Butler *Undoing Gender* (New York, Routledge, 2004), p.4.

<sup>6</sup> Richard Collier 'Fathers 4 Justice, Law and the New Politics of Fatherhood' *Child and Family Law Quarterly*, 17 (4) 2005, pp. 1-29.

<sup>7</sup> The Extreme Elvis website has apparently been "permanently shut down" by the FBI and U.S. customs for investigation into copyright infringement (last visited August 30, 2005).

Elvis we deserve. Indeed, perhaps the Elvis we deserve is not one Elvis but many different Elvises; this is evident from not only the proliferation of Elvis images, impersonators and fan club members but also the many different meanings and representations of sex/gender that can be “read off” the bodies and practices of mimicking individuals or groups. The argument that follows examines two specific cultural representations of sex/gender and sexuality in which the use of the image of Elvis has been noteworthy. Initially I will begin with a discussion of the ubiquity of the image of Elvis in general cultural life, as well as in relation to sex/gender and sexuality, particularly in the U.S., before moving on to examine two particular ways in which the image of Elvis is currently discursively deployed in the social performance and representation of sex/gender and sexuality.

## II. Who is Elvis?

The Official Elvis Fan Club of Great Britain has more than 20,000 members, and as such is one of the largest fan clubs in the world.<sup>8</sup> Annually, there is an Elvis Week, culminating in the “Elvis Insiders Conference”, run by the U.S. official fan club in Memphis to coincide with the anniversary of his death on August 16, 1977. The year 2005 marked Elvis’s 70<sup>th</sup> birthday, an anniversary which gave rise to a huge number of television and radio features on ‘The King’, as well as interviews with both Priscilla and Lisa Marie Presley in the wake of their 2005 biography, *Elvis: By the Presleys*.<sup>9</sup> And, of course, 2007 marked the 30<sup>th</sup> anniversary of Elvis’s death.

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<sup>8</sup> Official Elvis Fan Club of Great Britain, personal communication, August 24, 2005. See also Mark Duffett, ‘Caught in a Trap? Beyond Pop Theory’s “Butch” Construction of Male Elvis Fans’ *Popular Music*, 20(3) 2001, pp. 395-408.

<sup>9</sup> David Dalton, Priscilla Beaulieu Presley and Lisa Marie Presley *Elvis: By the Presleys* (London, Arrow Books Ltd, 2006).

There is such a wealth of information available about Elvis, and his image and music are so immediately accessible, that we may all think we know who Elvis is. The ‘pop artist’ Andy Warhol, famous for his large scale representations of every day objects and images such as Campbells soup cans, appears to have chosen iconic figures such as Elvis and Marilyn Monroe as subjects for his art *because* of their very accessibility and familiarity as public images, but also because they personified the American dream of success.<sup>10</sup> Warhol’s 1962 picture “Red Elvis”, and his 1963 “Silver Elvis” display of 28 almost life-size paintings (blown-up reproductions of a still photograph from the 1960 Elvis film *Flaming Star*), exaggerate and proliferate, almost exceed the powerfully familiar celluloid character. It is Elvis as a readily recognisable, mass produced image that forms the essence of Warhol’s ironically banal, repetitive portrayal of this cult universal figure: “Warhol took these endlessly reproducible images and reproduced them endlessly”.<sup>11</sup> Warhol is in effect imitating an image – as are Elvis impersonators. Likewise, in Warhol’s pictures, even the replicated image is based on a photograph that is not an “original” but is a publicity still. His multiple copying of a copy “celebrates and redeems the everyday repetitions in our lives”.<sup>12</sup> We recognize Elvis, then, primarily through his culturally mediated image, and in this sense there is a level of confusion between reality (the embodied Elvis) and Elvis as purely cultural image/representation. He is known, familiar, and yet unknown, unreal. As Patty Carroll has said:

“Elvis is someone with whom many people relate very directly. He is not an abstract image in the way Jesus has become to many people. We know what Elvis looked like throughout his life, we all know stories about his behaviour, his family, his

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<sup>10</sup> Klaus Honnef, *Andy Warhol: 1928-1987* (Cologne, Taschen, 2000).

<sup>11</sup> Geoff Nicholson, *Andy Warhol: a Beginners Guide* (London, Hodder and Stoughton, 2002), p. 58.

<sup>12</sup> Op. cit., p. 61; see also p. 56.

home and we can still meet his friends. He is both a larger-than-life myth and simultaneously a real person in our hearts.”<sup>13</sup>

### *1. Playing Elvis*

The familiarity of Elvis, and the globalisation of mass media, makes him incredibly accessible to many people across the world. In his lifetime Elvis had 107 ‘top forty’ hit records, including 18 number ones, and made 33 movies. However his presence as an icon is amplified by, for example, the many other films which use the image of Elvis, or Elvis impersonation, as a central element of the plot, such as *Mystery Train* (1989), *Wild at Heart* (1990) and *3,000 Miles to Graceland* (2001). Incredibly, there is also the phenomenon of Elvis impersonation (some performers prefer to say interpretation<sup>14</sup>) which occurs worldwide, and is undertaken by all sorts of performers in different cultural contexts, further proliferating his global image. Examples include: Asian Elvis, Yoshi Suzuki (who not only dresses as Elvis but imitates his speaking voice for talking books); the “Flying Elvi” (American skydiving Elvis impersonators); Evangelistic Elvis (Gary Stone, a U.S. Sunday school teacher and church Deacon who performs Elvis’s gospel songs); Black Elvis from London, Colbert Hamilton; a Norwegian Elvis named Kjell Elvis; and women impersonators, such as Elvis “Ginger” Gilmore and Di Gregory “Elvis the girl” (from the U.S.), and Janis James and Enid Butler (from the U.K.). In 2000, the U.K. online magazine *The Naked Scientists* made the following (tongue in cheek) observation: “There are now at least 85,000 Elvis’s around the world, compared to only 170 in 1977 when Elvis died. At

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<sup>13</sup> See Patty Carroll’s essay ‘The Sincerest Form of Love’ at <http://www.elimpersonators.com/html/essay.html> last visited August 28, 2007.

<sup>14</sup> See Carroll at <http://www.elimpersonators.com/html/essay.html>.

this rate of growth, experts predict that by 2019 Elvis impersonators will make up a third of the world population”.<sup>15</sup>

Each impersonator arguably seeks to perform/portray a better - a more authentic or true - Elvis than all the others, but as Yoshi Suzuki says, each inevitably brings “their own individual magic to the spirit and legacy” of Elvis.<sup>16</sup> In some Elvis tributes, the reproduction does not try to actually *be* the original but emulates a particular image of the original, and even tries in some way to be better than the original, to be an *ideal image*, since there is usually no sign of the illness and self destructive behaviour that characterized Elvis’s later life.<sup>17</sup> For many, the element of fantasy in performing as Elvis may represent their own dreams of fame and success.<sup>18</sup> This prompts the question as to what it is that opens up Elvis to such constant emulation and re-reading by so many different individuals and groups. Carroll suggests that performing as Elvis allows people to touch the ‘inner Elvis’ within them – that is, to become more like themselves, but in a way that maximizes their sex appeal and their sense of fun. In addition, for some performers, imitating Elvis is a calling which finds them rather than the vice versa.<sup>19</sup> Likewise, Brittan suggests that in performing Elvis, impersonators not only become the King, but in their own rendition, ‘rebecome’ some aspect(s) of themselves.<sup>20</sup> But what can this phenomenon of the ever increasing proliferation of the image of Elvis tell us about representations of sexuality, masculinity and sex/gender?

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<sup>15</sup> See <http://www.thenakedscientists.com/HTML/shows/2000.12.03.htm>. There is in fact an entire website dedicated to Elvis impersonators, or ‘tribute artists’ – see [www.elimpersonators.com](http://www.elimpersonators.com), last accessed February 23, 2008.

<sup>16</sup> See [www.asianelvis.com/allabout.html](http://www.asianelvis.com/allabout.html), last accessed February 23, 2008.

<sup>17</sup> Excepting of course Extreme Elvis, who consciously performs as a fat, unhealthy, out of control Elvis.

<sup>18</sup> See her essay at <http://www.elimpersonators.com/html/essay.html>.

<sup>19</sup> See <http://www.elimpersonators.com/html/essay.html>.

<sup>20</sup> Francesca Brittan ‘Women who Do Elvis: Authenticity, Masculinity and Masquerade’ *Journal of Popular Music Studies* 18 (2), 2006, pp. 167-190, at p. 172.

## 2. *The instability of the Elvis image(s)*

The proliferated image is usually one of three incarnations, since Elvis's career and public image are commonly (simplistically) viewed as involving three stages of progression: the young musical teen idol Elvis, Hollywood Elvis, and Las Vegas jump suit Elvis. However these "phases" do not demonstrate a linear progression of distinct Elvis identities. Reading Elvis through the lens of sex/gender demonstrates not only a temporal shift in public image but also an apparent inherent incoherence with regard to the relationship between the Elvis image, and sex/gender and sexuality. Elvis as the "personification of sex"<sup>21</sup> is not a stable image, and recognising this allows for the inherent instabilities within categories of sex, gender and sexuality to be illuminated. Investigating these different periods in Elvis's career demonstrates the fluidity of his image, and by association, the instability of the categories of sex/gender and sexuality that each image personifies.

In what way could Elvis's image be said to be unstable? Firstly, as Rodman reminds us, some of the most famous stories about Elvis, especially those that document his rise to fame, are subject to competing interpretations; there are so many 'myths' about Elvis (what Rodman calls 'non-verifiable facts') that it is often difficult to know the truth of any particular Elvis story.<sup>22</sup> Secondly, there are some contradictions evident within the plethora of Elvis images themselves. Elvis in his early incarnations (especially in the 1950s) has been described by cultural theorists as the epitome of

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<sup>21</sup> Marjorie Garber, 'Cross-dressing, Gender and Representation: Elvis Presley' in Catherine Belsey and Jane Moore, eds., *The Feminist Reader: Essays in Gender and the Politics of Literary Criticism* (London, MacMillan 1997), p.172.

<sup>22</sup> Gilbert Rodman, *Elvis after Elvis: the Posthumous Career of a Living Legend* (London, Routledge, 1996), chapter 2.

masculinity and virility, and of “dangerous” sexuality, through his sexual gestures and energy, his youthful rebellion, and the crossing of various racial/musical, even class boundaries. For example, some have suggested that he brought, or appropriated, “black music” such as gospel and blues into the mainstream white culture.<sup>23</sup> With regard to the sexual(ized) aspect of his persona (which Rodman<sup>24</sup> argues is inextricable from the question of his use of “black music”), Frith and McRobbie (1979) referred to his performance of masculinity as “cock rock”.<sup>25</sup> Sue Wise in her essay on Elvis refers to him as a “butch god”<sup>26</sup>. At the same time however he was also referred to as a teeny bop pop idol due to his huge popularity amongst young girls.<sup>27</sup> There is then an initial contradiction between the reading of Elvis as teenage idol (clean beautiful, virginal, all-American pin up boy) and Elvis as sexually open, suggestive and challenging - as popular mythology goes, in initial television appearances, cameras only showed Elvis ‘The Pelvis’ from the waist up (Garber 1997, p. 172).

In his ‘Hollywood star’ guise, Elvis was cast in many films as a young rebellious character, often getting into trouble due to a combination of his own temperament and bad luck/injustice, and pushing the boundaries of traditional all-American teenage masculinity. Like James Dean he represented the “personification of the restless American youth of the mid-50’s”<sup>28</sup>. Further, in his early films such as *Jailhouse Rock* (1957), Elvis does not play the part of a ‘nice boy’, the pin-up that young girls would

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<sup>23</sup> See Rodman, op. cit.; Garber, ‘Cross Dressing’; Duffett, ‘Caught in a Trap’. On the question of Elvis’s role in the ‘racial integration’ movement, and also as to whether Elvis himself was racist, see Rodman (op. cit.), chapter two.

<sup>24</sup> Op. cit., p. 57.

<sup>25</sup> Cited in Derek Scott, ed., *Music, Culture and Society: A Reader* (Oxford, Oxford University Press, 2000), p. 65.

<sup>26</sup> Cited in Duffett, ‘Caught in a Trap’.

<sup>27</sup> Op. cit., p. 397.

<sup>28</sup> From the Official Site of James Dean - <http://www.jamesdean.com/about/acting/film.htm>, last visited May 30, 2005. Unlike Dean, however, he was never nominated for his work in movies.

be eager for their mothers to meet, but instead takes on a darker, edgier and less sympathetic role. In *Jailhouse Rock* in particular we see displayed what contemporary criminologists such as Tomsen (1997) would describe as clear links between masculinity, alcohol, sexuality and provocation to violence (ending in imprisonment).<sup>29</sup> But even in *Jailhouse Rock* we have an Elvis who experiences an epiphany, and towards the end of the film he becomes more self aware and vulnerable through the experience of injury and trauma. His friendship with fellow inmate and musician Hunk is portrayed as deep and lasting despite their quarrels. In fact his refusal to hit Hunk during their one physical fight is described in the film as a “true act of love”.

Here we see another facet of the multiplicity of the Elvis image. In *Jailhouse Rock*, despite moments of traditional masculinity and machismo, there are also moments of a different kind of masculinity, one based more on homosocial bonding. Duffet makes a similar argument about characteristics of Elvis that are less sexualized and less stereotypically butch, such as Elvis’s shy deprecating style.<sup>30</sup> The traditional reading of Elvis as a sex god, argues Duffett, eclipses the more platonically masculine reading of Elvis as representing a close personal friend, a view supported in Duffett’s research by the fans whom he interviewed. Again therefore, we see an apparent contradiction between the dark rebellious character portrayed in some of the early films such as *Jailhouse Rock*, and *Kid Creole* (1958) and the perception of him as the quieter, fraternal and more vulnerable “Elvis as friend”.<sup>31</sup>

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<sup>29</sup> Stephen Tomsen ‘A Top Night: Social Protest, Masculinity and the Culture of Drinking Violence’ *British Journal of Criminology*, 37, 1997, pp. 90-102.

<sup>30</sup> Duffet, ‘Caught in a Trap’, p. 396.

<sup>31</sup> Rodman, *Elvis*, p. 60-1. See also the poem by Elvis impersonator Joe Tirrito, ‘The friend I never knew’ at [www.elimpersonators.com/quotes.html](http://www.elimpersonators.com/quotes.html).

The Las Vegas ‘pantsuit’ Elvis on the other hand takes us a stage further both in Elvis’s career and in terms of the sex/gender connotations and meanings associated with the physical image of Elvis in this phase. Here we have the most mainstream familiar and arguably unthreatening, image of Elvis, despite the arguably feminized image of him in rhinestones and the Liberace inspired gold-sequins. When Elvis appeared in Vegas in 1969, wearing makeup and a white jumpsuit, his fans were, according to Garber, “middle-aged matrons and blue-haired grandmothers who praised him as a good son who loved his mother”.<sup>32</sup> Despite vestments which might seem to be markers of womanhood particularly associated with feminized performers of the period such as Liberace - jewelled buckled belts, lamé capes, furs and the like – and that might now be read as camp, Elvis appears in this moment not as a cross-dresser but as the ultimate male theatrical performer, regal in his demeanour and dress - the mature, wholesome, family man, and family entertainer. In this moment he is a desexualized version of his earlier identity, no longer characterized by his pelvic thrusts. And although this period in Elvis’s life also brought, in time, a physical change in image, where his body became increasingly marked by the pleasures, and one might say excesses, of food and drugs, the early Las Vegas years show him to be performing as a confident, mature, almost *domesticated* version of his former sexual self.

The power of Elvis, it seems, is that he manages to inhabit these various mythologies and images simultaneously.<sup>33</sup> And these various and apparently ‘contradictory’ interpretations of Elvis are also evident in the array of contemporary re-appropriations of his image. Rodman suggests that the image and music of Elvis have been used to

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<sup>32</sup> Garber, ‘Cross-Dressing’, p. 169.

<sup>33</sup> Rodman, *Elvis*, p. 41.

articulate a wide range of struggles from the Gulf War in 1991, to election campaigning, to abortion.<sup>34</sup> This paper extends Rodman's analysis into the context of struggles over notions of sex/gender/sexuality, by presenting two examples of the redeployment of Elvis's image that have been achieved through physical impersonation. I will examine these sex/gender struggles then, firstly through analysis of the performances of drag kings, and secondly through examination of the activities of a U.K. based fathers' rights campaign group called Fathers 4 Justice. As these two groups look towards Elvis as a means of either playing with or attempting to secure heteronormative sex/gender categories, the image of Elvis is harnessed, but never 'caught in trap'. Elvis himself remains a shifting symbol of many and often competing notions of what it means to be a sexed/gendered person in the world. Specifically, an analysis of the use of his image by these two groups prompts two conclusions: first, a common traditional reading of Elvis as the epitome of masculine prowess and predatory sexuality is one that is open to queering— and in fact this image *has* been queered, or at least manipulated, by both groups to a certain extent; and second, that the very instability of the image of Elvis itself is the thing that allows for the renegotiation and representation of other unstable concepts – sex/gender and sexuality. I argue that these two very different examples of the current deployment of the Elvis image are open to a more complex reading than simple impersonation, and that they can tell us something particular about contemporary debates about sex/gender and sexuality, and perhaps about the Elvis we deserve.

### **III. Drag Kings and the Performance of Masculinity**

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<sup>34</sup> Op. cit., p. 41; pp. 89-93.

The phenomenon of drag kings – women (usually lesbians) impersonating and performing as men - is not a new one.<sup>35</sup> Drag kings, through the theatrical representation of hyper-masculinity, are challenging heteronormative notions of masculinity and sex/gender: “to ‘king’ a role can involve a number of modes of performance, from earnest repetition to hyperbolic re-creation and from quiet understatement to theatrical layering”.<sup>36</sup> Drag kings have many different styles of ‘kinging’, but often have names designed to provoke a wry smile, satirising the core aspects of traditional masculinity, for example Mo B. Dick, Will Hung, and Holden Cox.<sup>37</sup> However it is particularly appropriate here that one of the iconic male figures that drag kings have frequently chosen to emulate is the king (queen) of all (drag) kings – Elvis himself. Or more accurately, Elvis Herselvis.

Elvis Herselvis, based in San Francisco in the US, is probably the most famous Elvis impersonating lesbian drag king, so famous in fact that she has her own impersonator.<sup>38</sup> Travelling the world as Elvis Herselvis, performing Elvis’s songs with her band The Five Straight White Males,<sup>39</sup> she has been heralded by the US newspaper “USA Today” as a cross between Elvis and kd lang.<sup>40</sup> She claims that she does not perform directly as Elvis himself but as Elvis Herselvis, a lesbian Elvis impersonator.<sup>41</sup> While most male impersonators seem to concentrate on the older Elvis of the Las Vegas years, Herselvis prefers to focus on a younger more

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<sup>35</sup> See Judith Halberstam, ‘Oh Behave! Austin Powers and the Drag Kings’ *GLQ: A Journal of Lesbian and Gay Studies*, 7(3), 2001, pp. 425-452, at p. 428; see also, generally, Judith Halberstam *Female Masculinity* (Durham, NC, Duke University Press, 1998).

<sup>36</sup> Halberstam, ‘Oh Behave!’, p. 427.

<sup>37</sup> See for example, <http://www.sdkingsclub.com>, last visited February 23, 2008. Many but not all drag kings are lesbian, in the same way that not all drag queens are gay.

<sup>38</sup> Op. cit., p. 432.

<sup>39</sup> <http://www.gendercentre.org.au/17article4.htm>, last accessed February 23, 2008.

<sup>40</sup> <http://emerging.freewebspace.com/elvis/elvis04.html>, last accessed February 23, 2008.

<sup>41</sup> <http://www.gendercentre.org.au/17article4.htm>.

‘subversive’ Elvis: “When you think of Elvis, don't think of the man in the white jumpsuit; think of that dangerous boy who was crossing the race barrier, the sex barrier, and scaring all those people ... that's what he was all about.”<sup>42</sup>

It is apparent from the performances and practices of drag kings that there is evidence of women/girls (re)claiming as well as ridiculing, certain aspects of masculinity. But this act of performance also reveals something about the relationship between the image of Elvis and the social meanings that attach to sex/gender/sexuality. Drag kings are not merely copying hegemonic masculinity; there is, through a parody of the Elvis image, a complex process of regendering, where performers are constructing, performing for themselves, a new interpretation of sex/gender. In order to address use of the image of Elvis as a means to confront sex/gender, it is necessary to briefly remind ourselves of Judith Butler's argument that sex/gender are constructed, performative, and yet can also be performed.

### *1. Performativity and performance*

Gender is... a construction that regularly conceals its genesis; the tacit collective agreement to perform, produce, and sustain discrete and polar genders as cultural fictions is obscured by the credibility of those productions - the punishments that

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<sup>42</sup> See <http://www.greenleft.org.au/back/1993/89/89p22b.htm> last accessed February 23, 2008. In 1997 she was hired along with other performers by Graceland on the 20<sup>th</sup> anniversary of Elvis's death to perform at the official Elvis Convention, but Graceland barred her at the last minute when they realized that Herselvis was a woman. See <http://www.pipeline.com/~jordinvc/face/face1097.htm>, last visited September 5, 2007. On Herselvis's exclusion from official events see also Brittan, 'Women', p. 180.

attend not agreeing to believe in them; the “construction” compels our belief in its necessity and naturalness.<sup>43</sup>

For Butler, gender is performed in the sense that it is a “*stylized repetition of acts*” rather than a concrete stable and immutable identity,<sup>44</sup> “a set of repeated acts within a highly rigid regulatory frame that congeal over time to produce the appearance of substance, of a natural sort of being”.<sup>45</sup> Gender is not about choice, but about the reiterated citation of a norm or ideal. And this reiteration and citation is compulsory in the sense that one does not qualify as a girl unless one repeats the performance of femininity.<sup>46</sup> Therefore, according to Butler, there is no actual or real pre-existing gendered identity which exists before discourse, since there is no pre-discursive subject, and there is no such thing as real or unreal gender/gender identity.<sup>47</sup> There is no “doer” behind or outside of gender but only *through* gender. This is performativity.

Performativity cannot be reduced to single acts of performance by drag kings. However these individual performances are significant in their own right as challenges to heteronormativity. In the context of the argument here, masculinity cannot be seen as natural but as continually (re)constructed through repetition. Therefore masculinity can also be disassociated - dismembered - from the male body. This is achieved through practices of performance, such as those demonstrated by drag kings. In terms of the relationship between performativity, gender and sexuality, Butler also emphasises that there is no correlative, linear line between sex, gender, sexuality, fantasy, performance

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<sup>43</sup> Butler, J. (1990) *Gender Trouble: Feminism and the Subversion of Identity* (New York, Routledge, 1990), p.140.

<sup>44</sup> Op. cit., p. 140.

<sup>45</sup> Op. cit., p. 33.

<sup>46</sup> Judith Butler, *Bodies that Matter: on the Discursive Limits of 'Sex'* (New York, Routledge, 1993), p. 232.

<sup>47</sup> Judith Butler, *Gender Trouble*, 1990, p. 141; p136.

and practice. Some of these things may line up together to give a “coherent” picture of the self, but some may not. Lived experiences of sexuality always exceed the gender performance, because there are always aspects of sexuality which are not expressed, which do not appear and “which, to some degree, can never appear”.<sup>48</sup>

Butler is however careful to distinguish performance, in the context of drag, from performativity:

Performance as bounded “act” is distinguished from performativity insofar as the latter consists in a reiteration of norms which precede, constrain, and exceed the performer and in that sense cannot be taken as the fabrication of the performer’s “will” or “choice”; further what is “performed” works to conceal, if not to disavow, what remains opaque, unconscious, unperformable. The reduction of performativity to performance would be a mistake.<sup>49</sup>

Butler explains that gender identities are often parodied by individual performances such as drag, cross-dressing, and the playing out of lesbian butch/femme identities.<sup>50</sup>

These forms of ‘play’ have evoked a sense of unease for those feminists who interpret drag and other such practices as simply unquestioningly replicating the worst aspects of gender roles that are proscribed by a dominant and oppressive, misogynist, heterosexist regulatory regime.<sup>51</sup> For example, Jeffreys criticizes Butler and these

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<sup>48</sup> Judith Butler, ‘Imitation and Gender Insubordination’ in Diana Fuss, ed., *Inside/Out* (New York; London: Routledge, 1991), p. 25

<sup>49</sup> Judith Butler, *Bodies*, p. 234.

<sup>50</sup> Judith Butler, *Gender Trouble*, p. 136-8.

<sup>51</sup> See for example Leo Bersani, *Homos* (Cambridge, Mass., Harvard University Press, 1995), p.51; Diane Richardson, ed., *Theorising Heterosexuality: Telling it Straight* (Buckingham, Open University Press, 1996), p. 7; Sheila Jeffreys, ‘Heterosexuality and the Desire for Gender’ in Richardson, ed., op. cit.

notions of masquerade, playful repetition and parody; she maintains that if all gender is masquerade then surely it must be impossible to distinguish between parody and real, so that there is no real, and “thus the revolutionary potential (of such parody) must be lost”.<sup>52</sup>

Jeffreys simplistically reduces performativity to “traditional gay male cultural forms with lesbian role-playing added in for balance”.<sup>53</sup> Her critique of the concept typifies a particular kind of misunderstanding of Butler, which views performativity as being about choice, and about “swapping gender” at will.<sup>54</sup> This critique of performance and performativity is misplaced, and underestimates the potential for practices, such as drag, to challenge heteronormative notions of sex/gender. Indeed, the fact that there is no real is entirely Butler’s point.<sup>55</sup>

Indeed for Butler, drag, parody, lesbianism and homosexuality are not copies of heterosexuality, but rather heterosexuality and homosexuality, masculinity and femininity are all copies of an idealized notion of a naturalized heterosexuality.<sup>56</sup> In fact, “*gender is a kind of imitation for which there is no original*”.<sup>57</sup> Heterosexuality is only “natural” in as much as it is repeated over and over, and therefore, the more drag or homosexuality “expropriates” and co-opts these gender “norms”, the less regulatory power will reside in heterosexuality, and the more its “claim to originality

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<sup>52</sup> Sheila Jeffreys, *The Lesbian Heresy: a Feminist Perspective on the Lesbian Sexual Revolution* (London, The Women's Press, 1994), p.105.

<sup>53</sup> Sheila Jeffreys, ‘The Queer Disappearance of Lesbians: Sexuality in the Academy’ *Women's Studies International Forum*, 17 (5), 1994, pp. 459-472, at p. 462.

<sup>54</sup> Op. cit. p. 465; see also Zygmunt Bauman, ‘On Postmodern Uses of Sex’ *Theory, Culture and Society*, 15 (3-4), 1998, pp. 19-33, at p. 28.

<sup>55</sup> See also Marjorie Garber, *Vested Interests: Cross-Dressing and Cultural Anxiety* (London, Routledge, 1992).

<sup>56</sup> Butler, *Gender Trouble*, p. 31.

<sup>57</sup> Butler, ‘Imitation’, p. 21.

is exposed as illusory”.<sup>58</sup> There is no “real” category of gender which a subject can finally achieve, since all are neither real nor unreal.<sup>59</sup> Garber expresses a similar view when she makes the claim, based on the 1986 essay by Joan Riviere, that “womanliness *is* mimicry, *is* masquerade”.<sup>60</sup>

Thus gender is open to subversion in the sense that it can be mimicked through exaggeration, that is, “hyperbolic exhibitions of ‘the natural’ that, in their very exaggeration, reveal its fundamentally phantasmic status”.<sup>61</sup> Drag demonstrates that a particular set of “ontological presuppositions” operates to regulate sex/gender and that this set of presuppositions is “open to rearticulation”.<sup>62</sup> The aim of drag is to question the totality or coherency of heterosexuality.<sup>63</sup> Therefore drag does not set itself up in opposition to heterosexuality, but rather is able to expose, through the exaggerated miming of heterosexuality, the fact that heterosexuality is quietly (and sometimes not so quietly) assumed. In this way, drag can demonstrate the non-linear and non-proscriptive way that sex (anatomy), gender, gender performance and sexuality interact, as well as their contingency.<sup>64</sup>

Arguably this hyperbolic mimicry is also what makes Andy Warhol’s repeated use of the larger than life(size) iconic image of Elvis, and others, challenging and provocative. Even though Elvis is known to us, and accessible to us through representations of his image that surround our everyday lives, he has an almost Butlerian “phantasmic” status as untouchable and unreal *because* of his fame. The

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<sup>58</sup> Op. cit., p23. See also Butler on the concept of pastiche; *Gender Trouble*, p. 157 at fn. 56.

<sup>59</sup> Butler, *Gender Trouble*, p. 146.

<sup>60</sup> Garber, ‘Cross-dressing’, p. 16.

<sup>61</sup> Butler, *Gender Trouble*, p. 147.

<sup>62</sup> Butler ‘*Undoing*’, p. 214.

<sup>63</sup> Butler, *Bodies*, p. 237.

<sup>64</sup> Butler, *Gender Trouble*, p. 137.

nearer Warhol brings Elvis to us, the farther away we realize he is – he is rendered a simple facsimile, a copy of a copy. The performative view of gender echoes with Judith Halberstam’s description of the artist Del La Grace’s photograph of the Elvis impersonator Mo B. Dick as a “copy with no original”,<sup>65</sup> implying, again, that the ‘original’ image of Elvis is in itself a constructed copy of an ideal.

Yet Butler herself points out the dangers of a blinkered approach to the potential of parody, that in itself parody is not subversive. Rather, some kinds of parody disrupt and “trouble” the heterosexual normative ideal whilst others “become domesticated and rearticulated as instruments of cultural hegemony...”.<sup>66</sup> Likewise drag is not necessarily subversive and does not automatically call heterosexuality in question.<sup>67</sup> Thus what drag does is contribute to the hegemonic norms even as it calls them into question. This kind of “double gesture” is common in Butler’s understanding of performativity, where our repetitions can both underpin and subvert gender norms simultaneously.<sup>68</sup> Still, drag has tremendous potential to aid us in the project of interrogating normative constructions of sex/gender ‘reality’.<sup>69</sup>

Indeed, one might argue that these kinds of theatrical performances are especially interesting and important for an understanding of contemporary legal and social regulation of sex/gender and sexuality, because the performance of sex/gender in our everyday lives is the very stuff of which law is made. The notion that gender is performative is not simply rooted in an analysis of social practices that are abstracted

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<sup>65</sup> Halberstam, ‘Oh Behave!’, p. 429. See also Brittan, ‘Women’, p. 172, who suggests that these impersonations of Elvis allow us to see that the ‘polarity between “original” and “copy” erodes’.

<sup>66</sup> Butler, *Gender Trouble*, p. 139.

<sup>67</sup> Butler, *Bodies*, p. 231.

<sup>68</sup> Op. cit., p. 222.

<sup>69</sup> Butler, *Undoing*, p. 217.

from law – these citational and reiterated gender norms that Butler refers to are also firmly embedded in the letter and practice of laws as well as social practice. Consider for example, the issues faced by trans women who use women’s bathrooms but who are often, in the cases that come before the court, perceived to be men.<sup>70</sup> For these women, the every day ‘performance’ of turning up in a space where one is not expected, thus defying the embodied practice of normative categories such as sex/gender, occasions both legal and social sanctions. As Julie Lasonde has explained: “most of everyday law is conducted performatively and not in writing. Our daily life interactions are embodied. They do not need to be recorded on paper to be effective”.<sup>71</sup> Drag king performances therefore enable us to question the social regulatory norms underpinning the hegemonic binary sex/gender system, but also the laws that construct (and are constructed by) those norms.

## 2. *Performance, Performativity and ‘kinging’ ‘The King’*

Building on Butler’s analysis we can see that drag kings are not passing as the other/opposite sex. The performance of drag kings embodies the parodying, and re-appropriation, of elements of masculinity which constitute normative understandings

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<sup>70</sup> In the U.K. see: “Transsexuals lose case over right to use the ladies”, *The Guardian*, August 15, 2003; *Croft v Royal Mail Group Plc* [2003] I.R.L.R. 592. See also the Canadian case of *Sheridan v, Sanctuary Investments Ltd. (No. 3)* (1999) 33 C.H.R.R. D/467 (B.C.H.R.T.). For comment on the *Croft* case see Ralph Sandland ‘Feminism and the Gender Recognition Act 2004’ *Feminist Legal Studies* 13(1), 2005, pp. 43-66; and more generally on this issue see Sharon Cowan “‘Gender is No Substitute for Sex’: A Comparative Human Rights Analysis of the Legal Regulation of Sexual Identity’ *Feminist Legal Studies* 13(1), 2005, pp. 67-96.

<sup>71</sup> Julie Lasonde *Performing Law*, LLM Thesis, University of Victoria 2006, p10 (accessed online at <http://law.uvic.ca/lasonde>, last visited February 23, 2008). There is a growing body of scholarship emphasising the importance of focusing on the relationship between performance and law, and the importance of the practice of using the body to theorise the embodied nature of law, often drawing on the work of Augusto Boal, including his techniques of Legislative Theatre and Theatre of the Oppressed. See for example, Elizabeth Adjin-Tettey et al ‘Postcard from the Edge (of Empire)’ *Social and Legal Studies* 17(1), 2008, pp. 5-38; Gillian Calder ‘Embodied Law: Theatre of the Oppressed in the Law School classroom’ 2008, copy on file with author; Gillian Calder and Sharon Cowan ‘Re-imagining Equality: Embodying Sameness and Difference in Performing Equality’ 2008, copy on file with author.

of sex/gender and sexuality. Women dressing as men - wearing wigs, suits, facial hair, prosthetic penises and the like - underscore the most salient and socially recognisable markers of masculinity whilst simultaneously demonstrating that these characteristics are not “natural” but can be appropriated, *performed*. These practices decouple masculinity from the body, and hence from nature. In this way, ‘kinging’, as opposed to camp drag, focuses on the de-authentication and denaturalisation of masculinity:

Whereas camp reads dominant culture at a slant and mimics dominant forms of femininity in order to produce and ratify alternative drag femininities that revel in irony, sarcasm, inversion, and insult, kinging reads dominant male masculinity and explodes its effects through exaggeration, parody, and earnest mimicry.<sup>72</sup>

Drag king performances are copies of socially constructed identities – copies with no original. Further, the fact that Herselvis herself has impersonators emphasizes that these women are playing with the ‘reality’ of gender, refracting gender through a series of parodic lenses. Drag kings reveal the performative status of gender because their performances as men are not wholly convincing (nor are they intended to be) because a single bounded act of performance cannot take the place of multi-layered, repetitive prescriptions of gendered behaviour. Indeed the imperfect replication provides the parodic humour of the performance.

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<sup>72</sup> Halberstam, ‘Oh Behave!’, p. 428.

There is an additional layer of complexity within a drag king's choice of Elvis as a role-playing model which confounds heteronormative understandings of sex/gender in a way that other impersonation or drag king performances do not. Elvis is arguably not the most macho, butch role model of masculinity, since the image of Elvis is also open to be read as feminine - pretty, delicate, shy and vulnerable – all traditionally characteristics associated with women.<sup>73</sup> Garber also claims that like women, Elvis is merchandized, objectified, commercialized – it is no coincidence that both Elvis and female can precede the noun, impersonator.<sup>74</sup> So, in impersonating Elvis, are drag kings impersonating a female impersonator?

Following this train of thought, Marjorie Garber, examines Elvis's own performances, reading Elvis as what she calls an “unmarked” cross dresser, one whose glittering vestments and make-up onstage, show him to be challenging traditional boundaries between masculinity and femininity.<sup>75</sup> Although this might seem “counter-intuitive”<sup>76</sup> - Elvis is not a female impersonator and would never have been perceived as transvestite - Garber demonstrates, through analysis of his clothes and trademarks, a latent unconscious transvestism (and therefore a fundamental challenge to gender norms) which is in fact central to his success: make-up, jewelled clothes, pearls, his gold lame suit, spangles and rhinestones. In his early days of performing concerts he dyed his hair (the well known shock of black wavy hair was in fact brown) and was known to wear eye make-up – a fact that apparently rather disconcerted his concert organizers.<sup>77</sup> Add to this the fact that as popular mythology goes, Elvis is said to have

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<sup>73</sup> Duffet, 'Caught', p. 396.

<sup>74</sup> Garber, *Vested*, p. 372.

<sup>75</sup> Garber, 'Cross-dressing', p. 172-3.

<sup>76</sup> Rodman, *Elvis*, p. 68.

<sup>77</sup> Garber, *Vested*, p. 173.

placed either lead bar or a piece of rolled up cardboard down the front of his trousers to create the impression of what Garber, quoting George Melly, calls “a weapon of heroic proportions”,<sup>78</sup> a technique commonly employed by drag kings to enhance their masculine appearance and to increase the perception of sexual ‘prowess’. While in the beginning Elvis may have appeared androgynous, the image of Elvis developed to the point where it can easily be read as transvestite, at least in the sense that it lends itself to reappropriation by those wishing to challenge the limits of heteronormativity.<sup>79</sup> These images of Elvis call into question boundaries of music, race and class, but also heteronormative conceptions of sex/gender/sexuality. He was what Garber calls a “living category crisis”.<sup>80</sup>

While it cannot be claimed that Elvis was intentionally impersonating a woman, this reading of the ‘feminisation’ of Elvis<sup>81</sup> allows the boundary between masculinity and femininity, maleness and femaleness, indeed the performance of gender itself, to be contested: “transvestism is a space of possibility structuring and confounding culture”.<sup>82</sup> The instability of the image of Elvis himself allows for various and multiple interpretations and appropriations of different aspects of his personality and sexuality, and this in turn illuminates the instability of gender. Arguably the radical potential of lesbian drag kings like Elvis Herselvis is that they do not try to fit within one of the dichotomized sex/gender/sexuality categories, but rather in emulating Elvis they inhabit a temporary third (or other) category, one which is produced by, and

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<sup>78</sup> Garber, ‘Cross-dressing’, p. 172.

<sup>79</sup> Op. cit., p. 174.

<sup>80</sup> Op. cit., p. 173. For critique of Garber’s reading of Elvis as female/feminised, see Camille Paglia, ‘What a drag: Marjorie Garber’s *Vested Interests: Cross-dressing and Cultural Anxiety*’ reprinted in Camille Paglia, *Sex, Art and American Culture: Essays* (New York, Vintage, 1992), pp. 96-100. See also Brittan, ‘Women’, at p. 176-8.

<sup>81</sup> See Garber, ‘Cross-dressing’, p. 175.

<sup>82</sup> Garber, *Vested*, p.16.

produces, not just a crisis of masculinity/femininity, but a “crisis of category itself”.<sup>83</sup> This third place however is not a stable coherent identity or even term – as Garber says: “The ‘third’ is a mode of articulation, a way of describing a space of possibility”.<sup>84</sup> Drag kings who emulate Elvis (and, on one reading, perhaps Elvis himself) are in this way challenging, at the most fundamental level, the idea of a binary sex/gender system, and the idea that these binary categories are natural and real. The drag king presentations of the gendered body on stage, as a parodic reinterpretation of an image that already confounds sex/gender/sexuality, is, in this post-modern and arguably queer world, an Elvis that we deserve.<sup>85</sup>

Alongside this version of Elvis, however, there are other interpretations. In the next section I examine the second mimicking practice that negotiates and emulates the image of Elvis, offering an analysis of the performance of Elvis presented by the UK fathers’ rights group ‘Fathers 4 Justice’ (F4J). F4J was a self styled “civil rights” campaign group, who have been known to describe themselves as “an evolutionary dynamic movement”.<sup>86</sup> After 3 years of campaigning the group temporarily disbanded in January 2006, following negative publicity arising from a report in the U.K.’s *The Sun* newspaper that some of their “extremist” members had been linked to a secret plan to kidnap Leo Blair, the son of the then U.K. Prime Minister, Tony Blair.<sup>87</sup>

However F4J’s guiding principles and practical strategies demonstrate that cultural

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<sup>83</sup> Op. cit., p. 17.

<sup>84</sup> Op. cit., p. 11.

<sup>85</sup> See however the eloquent argument presented by Francesca Brittan, that the female Elvis impersonators who are most threatening to the heteronormative sex/gender binary are the straight women who, in performing the ‘last bastion of masculinity’ (p. 168), are *serious* rather than playful impersonators, and who play Elvis – *pass* as Elvis - better than many men do: Brittan, ‘Women’, 2006, p. 183-4. Unfortunately there is insufficient space to explore here what these serious impersonators can tell us about the Elvis we deserve.

<sup>86</sup> <http://www.fathers-4-justice.org>, last visited February 20, 2008.

<sup>87</sup> “Fathers 4 Justice to End Campaign”, <http://news.bbc.co.uk/1/hi/uk/4626106.stm>, last visited January 31, 2007. They recommenced activities in May 2006.

images, here specifically the image of Elvis, can be used just as easily by those who experience confusion, anger and fear in response to postmodern challenges to sex/gender categorisations and norms, as by those who delight in contesting heteronormativity. In stark contrast to the challenges posed to sex/gender/sexuality offered by drag king appropriations of Elvis, F4J have deployed images of ‘The King’ to quite a different end, that of supporting traditional heteronormative and dichotomous notions of sex/gender. I argue here that a contemporary ‘crisis’ in sex/gender and masculinity demonstrates how cultural images are reclaimed, not only by those wishing to confront traditional dichotomous notions of sex/gender/ but also by those such as F4J who attempt to shore up the boundaries of social, legal and political sex/gender roles.

#### **IV. Fathers 4 Justice – Challenging or Maintaining Hegemonic Masculinity?**

*“ ...masculinity does not just come about; it is ordered, regulated and sustained through discourses...”*<sup>88</sup>

##### *1. Who are Fathers 4 Justice?*

F4J campaigned for fathers’ and grandparents’ rights of access to children subsequent to divorce, usually by means of direct action. Operating from the perspective that the courts in the U.K. have interpreted the ‘best interests’ or welfare test for children in family law cases, as being in reality about the best interests of the mother, they considered themselves (and other relatives such as grandparents) as victims of reverse

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<sup>88</sup> Richard Collier, *Masculinity Law and the Family* (London, Routledge, 1995), p. 168.

discrimination. One of its most vocal and public supporters has been the Irish musician and anti-poverty campaigner Bob Geldof. F4J have campaigned through what they call a “twin track strategy based around publicity and press”, and the aim of the group is: “Raising awareness through publicity 'making the injustice visible' and mobilising a 'dads army' – applying pressure to the system and MPs to bring around meaningful change and enforce the will of Parliament”.<sup>89</sup> The group explicitly intimated that they were fashioned upon a peaceful, direct action approach: “Fathers 4 Justice advocates peaceful non-violent direct action based on the Greenpeace model with a dash of humour thrown in for good measure.”<sup>90</sup> Previous campaigns include an episode of invading and flour bombing the House of Commons in Parliament with purple flour, and forcing the closure of Tower Bridge in London for 6 days by climbing and occupying a crane at the side of the bridge. In addition, masked in the garb of comic superheroes, campaigners have also become known for well publicized and disruptive action such as climbing Buckingham Palace, and handcuffing themselves to members of Parliament.<sup>91</sup>

In 2003, as part of a Valentines Day protest, a group of fathers from F4J dressed up as Elvis Presley and delivered a giant inflatable heart, inscribed with the words “End Fathers’ Heartbreak” to Dame Elizabeth Butler-Sloss, the then President of the Family Division, at the Royal Courts of Justice. This campaign was based on criticism of judges and the courts which, they claimed in 2003, were refusing to enforce contact orders, and two years subsequent to divorce were leaving 40 per cent of fathers without contact with their children.<sup>92</sup> Renaming the court ‘Heartbreak Hotel’, they

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<sup>89</sup> <http://www.fathers-4-justice.org/introducing/index.htm>, last accessed May 31, 2005.

<sup>90</sup> <http://www.fathers-4-justice.org/F4J/index.htm>, last accessed May 31, 2005.

<sup>91</sup> “Fathers 4 Justice Election Pact Claim Denied” *The Guardian* January 25, 2005.

<sup>92</sup> “Split Parents Seek End of ‘Heartbreak Hotel’ Court” *The Times*, February 14, 2003.

carried a large stereo which was playing the song that was Elvis's first number one hit in 1956. Despite this invocation of early Elvis music, the group chose to wear jumpsuits studded with rhinestones – drawing upon images of a later Elvis incarnation than Heartbreak Hotel might suggest. Unlike Herselvis then, F4J conjure up a more mature and unthreatening familiar, *familial*, desexualized figure of Elvis from his early Las Vegas years (rather than the later Vegas period which was characterized by drug use).

The group generally have aimed to challenge a common portrayal of masculinity as being errant, and irresponsibly absent from the family. Additionally, their demands for access to child custody is based on the belief that father absence is the root of many and varied social ills, and therefore that *families need fathers*.<sup>93</sup> It is also connected to what Collier calls the politicisation of masculinity and the introduction of the “assertive father”.<sup>94</sup> This involves a discursive as well as political (re)turn to the father as the key player in the family, as a response to a contemporary disintegration of rigid gender norms and roles, especially in relation to the family and the workplace. For example, the social and political vilification of single mothers is no longer as widespread as was once the case; IVF is increasingly available to single and lesbian women (the U.K.'s Human Fertilisation and Embryology Authority Code of Practice, which governs the allocation of IVF, no longer contains a provision in the ‘welfare of the child’ section of the guidance requiring the IVF facility to have regard to the child’s ‘need for a father’)<sup>95</sup>; lesbian relationships can now be sanctioned (and

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<sup>93</sup> Richard Collier, ‘Masculine Crisis and the New Men’s Movement’ *Feminist Legal Studies*, 4 (1), 1996, pp. 1-48, at p. 18. See also Collier, ‘Fathers’.

<sup>94</sup> Collier, ‘Masculine’, p. 7.

<sup>95</sup> See the Human Fertilisation and Embryology Authority Code of Practice, 7<sup>th</sup> edition, published November 2007, available at <http://cop.hfea.gov.uk/cop/pdf/COPv2.pdf>, last visited February 20, 2008.

some would say domesticated) by the state under the 2004 Civil Partnerships Act; and more than ever before, women of all classes are present in the labour force.<sup>96</sup> Thus F4J's campaigns can be seen as one form of reaction against these shifts in gender relations, and a response to the perception that men's discrete spaces within the family (and the workplace) are currently under siege.

## 2. *Performing Masculinity Through Fatherhood*

The actions of F4J then, are significant. Collier stresses that these kinds of men's groups should be taken seriously, not least because they tell us something about "changing configurations of gender".<sup>97</sup> He explores the ways in which father's rights groups have presented their version of contemporary heterosexual paternal (as opposed to patriarchal) masculinity – the father as *victim*, the caring, respectable, hard-working (and yet rejected) family man - as a challenge to traditional hegemonic masculinity. Instead of revelling in they are protesting about their *absence* as fathers, usually by way of claims to formal equality rights which are mediated through direct action protests. In taking to the streets, to cranes, to Tower Bridge, what F4J are really doing is performing a type of masculine role - a visible, physical, strong, angry form of masculinity - which is no longer available to them, either within the family or in other social interactions.<sup>98</sup>

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<sup>96</sup> In spring 2001 women represented 44% of the working-age labour force, and the employment rate for women of working age was 69.3 %, the highest rate on record until that point. See Breda Twomey 'Women in the Labour Market: Results from the Spring 2001 Labour Force Survey' *Labour Market Trends*, 110 (3), 2002, pp. 109-127, at p. 110. By 2005 the rate had risen to 70% - see The Office of National Statistics *Labour Market Review 2006*, available at <http://www.statistics.gov.uk/labourmarketreview/>, visited January 31, 2007.

<sup>97</sup> Collier, 'Masculine', p. 8.

<sup>98</sup> See also Collier, 'Fathers', p. 24-25; generally, Richard Collier and Sally Sheldon, eds, *Fathers' Rights Activism and Legal Reform in Comparative Perspective* (Oxford, Hart Publishing, 2006).

F4J have also performed and impersonated other well known figures such as Spiderman, Batman and Robin.<sup>99</sup> However this does not undermine the claim that F4J employ familial and safe images and characters to publicly represent their campaign. While it may be true that these other figures are not open to the same feminist/queer reading employed herein, arguably the use of these ‘super-hero’ characters still attempts to re-centre the father as the key figure in the family who is responsible for ‘saving’ the family in the face of social ‘evils’ such as lone motherhood. In any case, this paper is concerned with the cultural re-appropriation of a particular image – Elvis - by specific social groups in order to show firstly that the power of the image resides in the way that it is presented and interpreted, and secondly that Elvis in particular is a pertinent example of the multiplicity of possible performances of an image, undertaken by different groups for different and competing ends, precisely because his image is itself unstable.

However, it would seem that what F4J are really targeting by way of these protests about fatherly absence, and by way of these ‘new’ interpretations of masculinity, is not the patriarchal concept of a constraining and controlling, non-caring masculinity, but in fact the demise of the heterosexual nuclear family unit, and in particular the diminishing role of (or need for) the father within the family. Rather than being progressive and radical, the activities of a group such as F4J can be read as a backlash against the growing independence of women and the rise of single parent/lesbian families. It is a reactionary move by a group of men who feel threatened by the socio-economic changes which have undermined men’s traditional roles and their authority

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<sup>99</sup> Thanks to Vanessa Munro for raising this point.

within the family.<sup>100</sup> Their campaigns may be read as exemplifying the practical difficulties, identified by Connell and Messerschmidt, of developing and encouraging new, positive patterns or forms of hegemonic masculinity which are open to possibility of equality with women.<sup>101</sup>

Nevertheless, Collier warns us against taking a uni-dimensional view of the actions of F4J and other such men's right groups. He stresses that theirs is not simply an anti-feminist reaction and that the anger and sense of injustice underlying the strategies of F4J are also explained by other factors. One such factor is the notion that there is nowhere in law to express these real feelings of anger and frustration. Law is, in essence, a place for rational argument devoid of emotive demands for justice or compassion.<sup>102</sup> Connell and Messerschmidt contend that: 'Without treating privileged men as objects of pity, we should recognize that hegemonic masculinity does not necessarily translate into a satisfying experience of life'.<sup>103</sup> The sense of "loss and vulnerability"<sup>104</sup> experienced by these fathers as a result of shifts in perceptions and meanings of fatherhood, of *malehood itself*, cannot be voiced in the legal arena. Therefore we should not be surprised, says Collier, when men turn to F4J for a community based direct action campaign where they can perform in public their most inner felt, unheard and explosive emotions. That is not to say that these men are not anti-feminist in their politics, only that F4J and similar groups do not come about through what Collier calls a "uni-directional form of power".<sup>105</sup>

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<sup>100</sup> Collier, 'Masculine', p. 7. See also Halberstam, 'Oh Behave!'

<sup>101</sup> Robert Connell and James Messerschmidt, 'Hegemonic Masculinity: Rethinking the Concept' *Gender & Society*, 19 (6), 2005, pp. 829-859, at p. 853.

<sup>102</sup> For early feminist work exploring these themes see for example Carol Gilligan *In a Different Voice: Psychological Theory and Women's Development* (Cambridge, Mass., Harvard University Press, 1982).

<sup>103</sup> Connell and Messerschmidt, 'Hegemonic', p. 852.

<sup>104</sup> Collier, 'Fathers', p. 530.

<sup>105</sup> *Op. cit.*, p. 531.

And yet, while reactionary, the practice of these men, coming together to challenge the letter of the law as well as judicial practice with regard to the custody of children, is in itself challenging to at least some traditional views of masculinity, in that it is based on empathy and strongly emotive homosocial bonding.<sup>106</sup> Their group campaigns also nudge into view similar meetings of male Elvis fans gathering at conventions and fan club gatherings. Duffett describes the intense emotional response (many call it love) to Elvis that is experienced at these fan meetings which is not sexual but creates deeply felt bonds.<sup>107</sup> Collier likewise describes the strong and real emotions (this time stress, anxiety and anger) that drive campaigning fathers to gather together to challenge the law.<sup>108</sup> As in Elvis tribute meetings, these emotions provide the basis for “legitimate solidarities”.<sup>109</sup> And like the Elvis fan club members, on one level the men involved in campaign groups like F4J are contradicting a traditional paradigm of masculinity in that through highly emotional and vulnerable homosocial bonding activities they confront certain norms of hegemonic masculinity.

In their respective spaces then, Elvis fans and F4J each finds a space to perform a particular kind of masculinity which in some sense undermines heteronormativity, since seeking to assert masculinity from within what Collier calls communities of men, is, as he says, fraught with the ever present danger of the spectre of homosexuality.<sup>110</sup> However, in coming together dressed as Elvis, F4J invoke, through the use of the image of the Vegas Elvis, a mature traditional masculinity, harking back

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<sup>106</sup> Thanks to Vanessa Munro for emphasising to me the element of empathy here.

<sup>107</sup> Duffett, ‘Caught’, p. 401. Indeed it is argued by some that it was male rather than female fans that created and sustained the image of Elvis as a ‘cock-rocker’ – Rodman, *Elvis*, p. 60.

<sup>108</sup> Collier, ‘Masculine’, p. 41.

<sup>109</sup> *Op. cit.*, p. 29.

<sup>110</sup> *Op. cit.*, p. 27.

to a familiar, unthreatening and benevolent father figure who is the lynchpin of the family, iconic, irreplaceable, the ruler – indeed, ‘The King’. As argued above, Las Vegas Elvis is regarded by at least some fans as being in essence a good son, a family man - indeed, the epitome of what Collier says F4J are looking for in the concept of fatherhood itself: “a key provider for men of a sense of secure stable masculine identity”.<sup>111</sup> Collier argues that in a climate of divorce and separation, and growing challenges to men’s roles in the family, the workplace and wider society, children may provide meaning to men’s lives.<sup>112</sup> Custody of and legal access to their children is therefore bound up with a male sense of identity in that fatherhood endows a secure and stable sense of self. Again we can see that the underlying themes driving the actions and strategies of F4J are related to the desire to hang on to rather than deconstruct stable identity categories. F4J’s performance of, through impersonation of, Las Vegas Elvis is in this way in stark contrast to the challenge to the very concepts sex/gender posed by drag king interpretations of ‘The King’.

This is not to say that F4J have in some way managed to solidify the (or even an) essence of Elvis in their attempt to harness his image for their own ends. While the group have identified strongly with one face of Elvis, and have used this to try to present a stable image of fatherhood, this does not serve to ‘domesticate’ or capture Elvis as a single image - nor does it ensure the success of their campaign. Indeed, it is somewhat ironic that F4J have chosen to represent their cause through this Las Vegas moment in the chronology of Elvis images since it is at this stage in Elvis’s life that his drug use and other extreme indulgences impact negatively on his ability to perform as an entertainer (and arguably, as a father). In looking to Las Vegas Elvis for

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<sup>111</sup> Collier, ‘Fathers’, p. 520.

<sup>112</sup> *Op. cit.*, p. 528

a stable image of masculinity and father, F4J do not reify Elvis, in the same way that the performances of drag kings do not reify Elvis. Rather, what this analysis of F4J activities – and the practices of drag kings - demonstrates is that the image of Elvis can be used in competing ways *simultaneously*, and yet is also always open to other, simultaneous and further readings, whether conservative or progressive.<sup>113</sup>

### *3. F4J - Responsible Victims or Irresponsible Absent Fathers?*

The activities of F4J have been greeted with ambivalence. After the flour bombing of the House of Commons in May 2004, the Guardian ran an article quoting from various press cuttings on F4J from different news sources. On the one hand there is scepticism and dismissal of the validity of the campaign, particularly the methods:

Fathers 4 Justice ... do not deserve a place in history alongside the suffragettes. Apart from anything else, they do not seem very bright: it has not occurred to them that their escapades only reinforce the stereotype of the irresponsible male.<sup>114</sup>

On the other hand, some have supported the view of these fathers as victims and supported their cause:

The last great movement of liberation - after racial equality, gay rights and feminism - is surely masculine emancipation ... It can either take the form of

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<sup>113</sup> I am grateful to an anonymous reviewer for prompting me to clarify this point.

<sup>114</sup> Leader, *Daily Telegraph*, May 22, 2004.

marginalized, malignant masculinity such as Fathers 4 Justice. Or it can be supported by women who have everything to gain from happier men.<sup>115</sup>

Whether one takes the view that F4J are really a group of responsible, caring and safe (heterosexual) men and fathers, or that they represent ‘errant’ fathers, irresponsible, or even absent fathers (many campaigners have been criticized for spending so much time on direct actions that they have not spent enough time with their children), F4J does not represent a challenge to the assumed dichotomous and binary nature of masculinity/femininity. While there is a strong argument for recognising a diversity of masculinities,<sup>116</sup> the embodiment of masculinity by F4J, through their appropriation of the image of Elvis in his early Las Vegas years, amongst other ‘superhero’ figures, though arguably offering an alternative view of masculinity, represents a familiar, mature family man. This use of Elvis cannot be seen as a challenge to the deeply ingrained dichotomous binary categories of masculinity/femininity in the same way that the performance of drag kings (and possibly Elvis himself) can be.

In that sense there is nothing particularly progressive or feminist about F4J’s engagement with masculinity.<sup>117</sup> Although they might be “doing gender”,<sup>118</sup> i.e. performing a particular kind of masculinity, such as the jump-suited Elvis of Las Vegas, F4J might also be read as a longing for the familiar, and a call to return to traditional gender roles, despite the camp glitz of their Las Vegas Elvis campaign. Elvis here appears “largely as a mythical figure, a signifier whose signifieds are ultimately not connected to his life or his art”.<sup>119</sup> What this means is that the image of

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<sup>115</sup> *The Times*, May 22, 2004.

<sup>116</sup> Collier, *Masculinity*, p. 255.

<sup>117</sup> *Op. cit.*, p. 277.

<sup>118</sup> Collier, ‘Masculine’, p. 46.

<sup>119</sup> Rodman, *Elvis*, p. 39.

Elvis can be twisted, *queered*, for many purposes, and that it is just as likely to be used to shore up binary categories of sex/gender/sexuality as it is to challenge them. We cannot tell in advance whether and how images, theories, approaches and strategies will be re-appropriated by different groups. Images and signs are therefore neither good nor bad in themselves, but rather can form the basis of many varied strategies. As Herman has pointed out, “all strategies... are potentially available to all those seeking it”.<sup>120</sup> In the words of Foucault, the point to emphasize is that “not everything is bad, but that everything is dangerous, which is not exactly the same thing as bad”.<sup>121</sup> It is also possible that we can understand, from the performances of both drag kings and F4J, multi-layered readings of Elvis that exceed even the intentions of those who deploy his image.

One may be tempted then to suggest that Elvis is operating here as something of an empty sign that could be filled with and used to promote or represent almost anything at all (as may also be suggested by Warhol’s depictions). However Rodman rejects this idea; he sees Elvis’s image as intimately bound up with deeply embedded and often contradictory cultural myths, and therefore too rich to be fully understood as a “blank slate”.<sup>122</sup> Arguably then, the essence(s) of Elvis can never be fully captured by the reappropriation of his image through the activities and practice of social groups; ultimately Elvis remains tantalisingly out of reach. The plurality of images of Elvis is not bad, then, but rather, as we might be led to believe from his celluloid rebellious

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<sup>120</sup> Didi Herman, *Rights of Passage: Struggles for Lesbian and Gay Legal Equality* (Toronto, University of Toronto Press), 1994, p. 64.

<sup>121</sup> Quoted in David Halperin *Saint Foucault: Towards a Gay Hagiography* (New York, Oxford University Press, 1995), p.114; see also Jana Sawicki *Disciplining Foucault: Feminism, Power and the Body* (New York, Routledge, 1991), p. 108.

<sup>122</sup> Rodman, *Elvis*, p. 41.

image, potentially enabling and challenging, and yet also potentially conservative and reactionary – i.e. dangerous.

It is in this latter conservative sense that F4J are building on rather than confronting traditional sex/gender roles, and to this extent it seems fitting that they have deployed the most mainstream and unthreatening of the Elvis images. However there is an irony inherent in the fact that these battles over the definition and place of masculinity in society are being played out through the issue of fatherhood, where Elvis is used as a role model for the campaigning fathers. Elvis and Priscilla Presley divorced when Lisa Marie, Elvis's only child, was 4 years old, and by the time she was 9 he was dead. Elvis, it seems, was/is the quintessential absent father (despite the claims of some fans that he is still alive and possibly working in a fish and chip shop<sup>123</sup>). It is somewhat paradoxical then that F4J would embrace Elvis as their front man in their campaign for increased post-divorce contact rights with children.

## **V. Conclusion**

Has Elvis left the building? His image and persona live on, not just for fan club members but also for those wishing to use his image to communicate something about sex/gender/sexuality, and particularly the contested nature of masculinity. This appears to be a moment in the genealogy of sex/gender/sexuality where there is humour, play, and yet also for some confusion and crisis over sex/gender categories and norms. Contemporary social relations are characterized by the increasing empowerment of women and serious challenges to traditional forms of masculinity, in

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<sup>123</sup> As in the 1981 song by Kirsty MacColl "There's a Guy Works Down the Chip Shop Swears he's Elvis". Thanks to Gillian Calder for reminding me of this point, and for in-depth discussion of this issue.

the family, the workplace and in intimate relationships. As Halberstam puts it, there has been a “sea change in sexual mores and in gender norms”.<sup>124</sup> The last decade or so, one might say, has been marked by an anxiety about sex/gender/sexuality and the questioning of masculinity and appropriate gender roles for men. This is demonstrated by, on the one hand, the actions of F4J who campaign for what is essentially a discrete place and role for fathers, at the centre of family life, based on heteronormative ideals of sex/gender, and on the other, the performances of drag kings who exploit, confuse and ridicule – indeed *queer* masculinity. Both practices respond to, as well as construct, the decentring of masculinity and heteronormativity within social relationships.

In this moment Elvis has proved to be a productive site for challenging, negotiating and yet also perpetuating contemporary heteronormative sex/gender/sexuality categories. As Taylor and Laing said in the 1970s, “an analysis is needed not only of rock music’s genres and signifying practices, but also of their relations to the proliferating discourses around sexuality”.<sup>125</sup> Simon Frith in his work rejected the idea that any performer could have one unambiguous meaning, because individuals are always recognising themselves as “gendered subjects” prior to listening/watching.<sup>126</sup> In that sense, the reception of any image, including Elvis, cannot be “read off the surface of the text”.<sup>127</sup>

Talking about his relationship with fame at a press conference in 1972, Elvis said:

“The image is one thing and the human being is another, it's very hard to live up to an

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<sup>124</sup> ‘Oh Behave!’, p.448.

<sup>125</sup> Quoted in Scott, *Music*, p.76.

<sup>126</sup> Duffett, ‘Caught’, p.397.

<sup>127</sup> Op. cit., p. 397.

image.”<sup>128</sup> Berger has argued that the image itself has no power but that which the performer/reader gives to that image.<sup>129</sup> An image is (infinitely) reproduced and thus used for many and various purposes, and can “lend itself to them all”.<sup>130</sup> I have argued here that the image and music of Elvis can both “prop up” and “disarm dominant masculinities”.<sup>131</sup> Hence, one reason it is difficult to live up to the image of Elvis is because there is not just one image but a proliferation of images, and some of them do not sit easily alongside one another. Within this proliferation lies, unsurprisingly, internal contradictions, in particular with regard to the reading of Elvis as hyper-typifying masculinity, androgyny, and femininity. Such contradictions are demonstrated in the re-appropriation of Elvis’s image as at once providing a masculine role model, and also a character for lesbian role-playing.

The ways in which particular social groups have engaged in cultural re-interpretation of the image of Elvis offer us another opportunity and discursive space to challenge the coherence and stability of sex/gender and sexuality themselves. What the use of the image of Elvis by such diverse groups as drag-kings and F4J allows us to see is that at this moment, issues of sex/gender/sexuality are fiercely contested in a manner and to an extent that is unprecedented. And yet, at the heart of most of these contested claims are groups and individuals seeking dignity in their own lives, families, communities and homes. The challenge to sex/gender norms continues beyond this example into the 21<sup>st</sup> century on other fronts too – for example in the debates over gay marriage and gay adoption; and in intersex and transgender claims to self-definition, and to rights claims regarding legal validation of their lived

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<sup>128</sup> <http://www.bbc.co.uk/dna/collective/A818453>, last visited February 9, 2007.

<sup>129</sup> Berger, *Ways*, p. 32.

<sup>130</sup> *Op. cit.*, p.25.

<sup>131</sup> Halberstam, ‘Oh Behave!’, p.450.

sex/gender.<sup>132</sup> Perhaps from the ashes of these fires there will emerge yet another Elvis that we deserve?

### **Acknowledgments**

Thank you to Richard Jones for early discussion of these ideas, and incisive comments, to Victor Tadros for encouragement and lively conversation, and to Justina Molloy for patient and good-humoured proof-reading (twice). Thanks also are due to Vanessa Munro for comments, and in particular to Gillian Calder for the illumination of several crucial light bulbs and for ongoing inspiration generally. Sincere gratitude is owed to Simon Halliday for his ongoing commitment to the Elvis project, especially for his film short, “Increasingly Elvis”, and to Richard Collier for sending me a preview copy of his 2005 paper on F4J. I also wish to thank the participants of the “Taking Elvis Seriously” stream at the Law and Society Conference, Las Vegas, June 2005 for taking this paper seriously, particularly my fellow Elvis impersonators Peter Robson, Guy Osborne and the delightfully ubiquitous Steve Greenfield. And finally, thanks to Dave Wall, whose Elvis impersonating budgies is where it all began.

Word Count: 12,040

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<sup>132</sup> See for example the recent case of a Nepalese man who dressed and lived as a woman who was granted both male and female citizenship: [http://news.bbc.co.uk/1/hi/world/south\\_asia/6329613.stm](http://news.bbc.co.uk/1/hi/world/south_asia/6329613.stm) last visited February 23, 2008.

