

# Bodies in Doubt: Intersex in Early America

## Introduction

To be human is to be physically sexed and culturally gendered. Indeed, historically societies have divided humans into males and females based on the nature of their bodies and structured social life on such a basis. In the United States and most other places, humans are either men or they are women; they may not be neither or both. Yet not all bodies are clearly male or female. Elizabeth Reis's chapter examines this anomaly – not the “anomaly” of bodies that do not easily fit into the categories of male and female (a more common condition than many suppose) but rather the anomaly of social relations in colonial America and the United States that could not manage greater flexibility and acceptance of bodily diversity among its members. From the very beginning, intersex has been understood to be a problem.

Early Americans saw providence or the diabolical in “monstrous births,” a catch-all category for babies born with unusual anatomies, including “hermaphrodites,” as those with ambiguous genitals were then called. Even before “hermaphroditism” became understood as a medical condition that inevitably necessitated medical intervention, early medical, legal, and religious authorities believed that the binary system of sex was rigid, and choosing only one sex for each individual (despite ambiguity and contradictory markers) was mandatory. Those who attempted to cross the gender divide were punished, as Reis shows.

## *Bodies in Doubt: Intersex in Early America*

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Individuals born with ambiguous genitals (then called hermaphrodites, now intersex) provoked a particular unease in early America. The biblical story of Adam and Eve established and authorized a rigid binary system of appropriate sex. Despite the occasional occurrence of ambiguous and contradictory genital markers in the extra-biblical world, it was mandatory, God's will, for every human in a well-regulated society to be, and to stay, either male or female and, as we shall see, to have sex with the suitable gender. The early modern definition of a hermaphrodite was simple in theory, but much more complicated when medical men confronted actual bodies. A hermaphrodite was defined as an individual with a perfect set of both male and female genital organs, capable of having sex and reproducing as both male and female. Medical authorities assumed that hermaphrodites would use their male organs when having sex with women and their female organs when having sex with men. However, no person examined fit this definition, and so medical men came to insist that hermaphrodites, as they had been defined, did not exist.

Even if perfect hermaphrodites did not exist according to medical authorities, the idea of *one* body exhibiting *two* sexes, able to couple with either sex, raised anxieties about gender and sex. This was, in part, because observers believed that these people would be able to have sexual intercourse with either sex. This essay explores colonial attitudes towards hermaphrodites insofar as ambiguous bodies raised the question of same-sex sexual behavior. Though there was equal concern with men possibly having sex with other men, hermaphrodites were frequently

considered really women during the colonial period and into the nineteenth century, able to have sex with men, but with clitorises so long that these women were also thought capable of penetrating other women in same-sex liaisons. We shall see how these fears determined medical and legal practice in this period.

### **Sex and Gender Ambiguity in Early America**

In early America, doctors did not have the social status or the medical knowledge that they acquired in the nineteenth century, and common people typically managed illness and disease without professional help. Because most people tended to their own health needs, extensive medical records are not available to provide historical sources on intersex in the era. Later, in the early nineteenth century, as doctors professionalized, they wrote journal articles about conditions their patients endured, including atypical genital anatomies, and since then historians have had rich medical material to interpret.

Some American midwives and doctors read European medical manuals, and so their understanding of diverse conditions was no doubt influenced by a European intellectual tradition going back centuries. The handful of early American authors who wrote their own books cited the European writers, whether or not they agreed with their ideas. Early Americans with no pretensions to expertise also read European and British treatises; some of these books, like Jane Sharp's *The Midwives Book; or, The Whole Art of*

*Midwifery Discovered* and Nicholas Culpeper's *The Compleat Practice of Physick* became popular in the colonies. Fortunately, medical treatises are not the only available sources. Sermonic literature reflecting the religious interpretation of illness and disability exists, at least from New England, and throughout the colonies there were legal records, which sometimes involved charges of impotence related to what we now see as intersex conditions. In addition, newspapers and literary sources can offer clues as to how colonists understood hermaphrodites in an era before hermaphroditism was considered a pathology requiring treatment.

Accounts of divorce proceedings for impotence, which combine both legal and medical interpretations of intercourse and marriage, are a fertile source for historians. Charges of impotence provoked physical examination of the impugned husbands. Some such colonial cases revealed what we might today consider intersex conditions, exposing not only the husband's failure to perform sexually but also his physical anomaly. In June 1686, for example, Dorathy Clarke of Plymouth, Massachusetts, petitioned the court for a divorce, stating that her husband, Nathaniel Clarke, "hath not performed the duty of a husband to me." Dorathy alleged that her husband was "misformed" and that he was "always unable to perform the act of generation." She requested a divorce because their "lives are very uncomfortable in the sight of God." Nathaniel denied the charges of "infirmity of body," and so the court ordered that "his body be viewed by some persons skilfull and judicious." The court chose three male physicians to inspect Nathaniel's body and give their judgment at the next court date. The findings of the physicians are not clear, but one month later the court decided that Dorathy would not be granted the divorce she requested.<sup>1</sup>

Impotence, particularly if attributed to a "misformed" penis, was regarded as a potential indicator of a hermaphroditic condition. Bodily examinations were common in such cases. The three doctors who scrutinized Nathaniel Clarke

may have been looking for an unusually small penis that might have hindered sexual intercourse or a malformation known as *hypospadias*, where the urethral opening is on the underside rather than the tip of the penis. These conditions were recognized and, according to colonial law, would have been reason enough for a divorce, since they presumably predated the marriage contract. As the divorce was not granted, Nathaniel Clarke must have displayed some lesser (and acceptable) physical anomaly that left him capable of coitus or, alternatively, fully normal genitalia.

In 1662 a Massachusetts court heard a similar case, in which the husband admitted his impotence. Mary White sought a divorce from her husband, Elias White, because he "cannot performe the duty or office of a husband to hir." The court "perused the evidence" and did not see sufficient cause to separate the couple. Instead, the court advised them to work harder at their marriage. The husband appended a note to the court documents attesting to the truth of his wife's charges. He explained that when he first married he thought himself "sufficient: otherwise I neuer would have entered into that estate." Later he came to discover that he was "Infirmous not able to performe that office of marriage," though he could not determine the cause. Two men questioned Elias and Mary about the husband's sexual performance. When White lay with his wife, they asked, was "there any motion in him or no?" He answered that sometimes, after lying together four or five hours, there was, but "when he turned to hir It was gonn againe." Mary White asked her husband "whither or no he had euer made use of hir," and he answered "no."<sup>2</sup> Here, too, the court ruled against the divorce, perhaps because White agreed that when he married, he considered himself "sufficient." In other words, his infirmity became known only after the couple had been married for several years. As there was no fraud in the initial contract, a divorce on these grounds would not have been warranted.<sup>3</sup>

Women with congenital malformations of the genital organs could also be ruled impotent. And

they too endured physical scrutiny by doctors and midwives to see if such conformation was causing their sexual problems or sterility. Early nineteenth-century American doctors combed the published records of European doctors, searching for cases that would help them diagnose the variety of genital malformation and its effects. American medical treatises include many examples of seventeenth- and eighteenth-century European women who sought medical (and often legal) attention because their marriages could not be consummated. Theodric Romeyn Beck and John Beck, authors of a leading medical jurisprudence textbook, described a Parisian woman who married in 1722 at age twenty-five but had not achieved intercourse for six years because, she said, “she could find none of the sexual organs, and that their place was occupied by a solid body.” A surgeon was called in to evaluate, and he made an incision in the mass, which he thought would alleviate her condition, but to no avail. Twenty years later, in 1742, the husband sought to annul the marriage. As in the cases noted above, the woman’s body was open to scrutiny. Two doctors found an “aperture of two or three inches” left from the previous surgeon’s efforts, but they agreed that “either through fear or the prudence of the surgeon,” the mass had not been entirely removed. Nonetheless, the court refused the annulment, on the grounds that the woman’s situation was operable. Despite the failed earlier attempt, the court insisted that a “cure” was possible.<sup>4</sup>

The people in the aforementioned Massachusetts cases may have had intersex conditions that prevented sexual relations for one or both partners, but the term “hermaphrodite” was not raised or implied in court, perhaps because the litigants lived their lives uncomplicatedly as either men or women.<sup>5</sup> The first explicit case of ambiguous sex found in early American legal records is that of Thomas/Thomasine Hall, who was apprehended in Virginia and came before the court in 1629 for “dressing in women’s apparel.”<sup>6</sup> Hall’s indefinite gender performance matched his or her bodily conformation, and various people in the town

took it upon themselves to inspect Hall’s genitals and render a verdict as to whether Hall was a man or a woman. One man, in fact, cried out to Hall, “thou hast beene reported to bee a woman and now thou art proved to bee a man, I will see what thou carriest.” The deposition then describes the ensuing violation of Hall: “Where-uppon the said Rodes laid hands upon the said Hall, and this examiner did soe likewise, and they threw the said Hall on his backe, and then this examiner felt the said Hall and pulled out his members whereby it appeared that hee was a Perfect man.”<sup>7</sup> Hall was commanded to “lye on his backe” and show his genitals many times during his ordeal. Hall was searched by both male and female investigators; one time two men even came in his room while he slept to sneak a look. Perhaps Hall resisted and the fact was not recorded, or perhaps he tolerated close scrutiny because such intimate inspection of people suspected of crime was not unusual. Searches of suspected “witches” occurred throughout the colonies as well, with examiners looking for the devil’s mark or a teat whereby the devil’s familiar could suck from the witch’s body.<sup>8</sup>

Individuals born with ambiguous genitals, even if they weren’t pronounced perfect hermaphrodites, with two perfect sets of genitals, worried authorities. Eighteenth-century medical manuals emphasized the legal regulations that applied to hermaphrodites, including laws of marriage, which derived from Jewish Talmudic law and ancient Latin canon and civil law.<sup>9</sup> For example, James Parsons, despite arguing in his 1741 English treatise, *A Mechanical Inquiry into the Nature of Hermaphrodites*, that human hermaphrodites did not exist, listed each possible legal question, from whether a hermaphrodite should be given a male or female name at birth to whether or not a hermaphrodite should be allowed to marry or divorce. Parsons’s answers to these questions required that hermaphrodites or their parents make a permanent choice of sex. Unlike later medical practitioners, Parsons was willing to entrust this vital decision to the individual most concerned. He states, “predominancy

of sex . . . ought to be regarded; but if the Sexes seem equal, the Choice is left to the Hermaphrodite.”<sup>10</sup> Parsons would not, however, have approved of Hall’s movements back and forth across the gender divide, for he emphasized choosing one sex.

Although Parsons detailed the legalities relevant to persons with ambiguous genitals and advised such individuals and their parents on the correct course of conduct, he nonetheless denied the existence of human hermaphrodites. He defined a hermaphrodite as “an Animal, in which the two Sexes, Male and Female, ought to appear to be each distinct and perfect, as well with regard to the Structure proper to either, as to the Power of exercising the necessary Offices and Functions of those Parts.”<sup>11</sup> Lower forms of animal life, including earthworms, snails, and some reptiles, may display perfect hermaphroditism – entire male and female sexual organs, each with normally functioning sexual and reproductive capability – but not humans. Parsons was right. Individual humans, unlike hermaphroditic earthworms, are not able to reproduce as either sex. Eliminating hermaphroditism as a human phenomenon, however, validated medical and laypeople in their insistence on the rigor of two discrete, mutually exclusive sexual categories, which did not easily encompass all bodies.

Apparently, Hall’s body could not be easily classified, and Hall’s life reflected that ambiguity. Hall told his history to the court. In England “she” had been baptized Thomasine and until the age of twelve lived with her parents near Newcastle upon Tyne. She spent the next ten years at her aunt’s house in London. After her brother became a soldier, Hall dared to cut her hair, wear men’s clothes, and join the army. “He” served an unspecified time in the military and then resumed life as Thomasine. According to the court deposition, “Hee changed himselfe into woemans apparel and made bone lace and did other worke with his needle.” Not content to remain a woman, Hall decided to adopt a new persona and emigrated to Virginia as a male indentured servant. Once again Hall donned

masculine garb. In Virginia, despite his status as a bound laborer, s/he exercised a predilection for crossing back and forth between genders.<sup>12</sup>

When asked “wether hee were man or woeman,” Hall answered, “both man and woeman.” Hall’s own description of his/her genitals suggests that Hall was a hermaphrodite. S/he explained that s/he had features of both sexes and added that s/he “had not the use of the mans parte,” though s/he also said there “was a peece of fleshe growing at the . . . belly as bigg as the top of his little finger [an] inch longe.” Those who viewed his/her body were uncertain as to which sex Hall belonged, for when a group of female examiners saw this piece of flesh and asked if “that were all hee had,” s/he answered, “I have a peece of an hole.”<sup>13</sup>

Had the court been able to decide which of Hall’s sexual characteristics were predominant, it might have required him/her to assume and maintain this preferred sex. Such a solution would have been consistent with scripture-based laws as interpreted by Talmudic commentaries and consonant with early modern European customs. Instead, the court acknowledged Hall’s own self-description as a person embodying both sexes. It decreed that henceforth s/he be required to wear a paradoxical costume consisting of “mans apparel, only his head to be attired in a Coyfe and Crosscloth with an Apron before him.”<sup>14</sup> The court did not wish to endorse and promote uncertainty; it chose the sanction, I believe, to preclude future acts of deception, to mark the offender, to warn others against similar abomination, and to reduce the possibility of Hall’s sexual coupling. The court’s ruling made it impossible for Hall to seduce the unwary of either sex, should s/he attempt to do so, and then to have coitus with the “wrong” sex. This was not a tolerant and understanding ruling permitting Hall to switch between male and female roles as circumstances allowed and opportunities afforded. It prevented any sexual autonomy and ability to blend in with the populace. Hall would have to live the rest of his/her days as a public freak and laughingstock, an ambiguously gendered being, at once male and female.

There was no category of intersex into which the dual-sexed Hall could be fit; there were men and there were women. Hall therefore embodied an impermissible category of gender. Hall might have favored a laissez-faire approach to sexual expression, but the authorities insisted on precise rules of gender display that would reflect and announce his/her equivocal condition. The court's judgment, mandating the simultaneous performance of both genders, rose from the impossibility of clear classification. Ironically, its solution confounded social conventions; individuals did not normally go about in both male and female attire. Though the court might have been less concerned with punishing Hall than with protecting unwary townspeople from sexual congress with a person of the wrong sex, its decision was devastating to Hall's dignity. By this humiliating sentence, Hall was marked as a creature of indeterminate sex, a ludicrously dressed object of disgust, amusement, or pity.<sup>15</sup> Hall could no longer switch between living as a man and living as a woman, nor could Hall live solely as either a man or a woman – only as a public spectacle of no specific gender. Unfortunately for historians, Hall drops from public records after the court's decision. We can only hope that s/he worked off the indenture, changed name and location, eschewed the farcical costume, and resumed life as whichever gender(s) s/he preferred.

Hall would not be the last person in early America to move back and forth between genders. In the colonial period conventional masculinity and femininity were rigidly defined yet nonetheless transgressed, and it may be that the indistinct nature of these people's genitals prompted their shifting between the genders. Although sources are limited, some newspaper evidence depicts what the historian Alfred F. Young has aptly termed “a hidden world of plebeian deception and disguise.”<sup>16</sup> The *Pennsylvania Gazette* in 1764 published a story of a woman, Deborah Lewis, who had “constantly appeared in the female Dress” and was always assumed to be a woman. She “suddenly threw off that Garb, and assumed the Habit of a Man.” As if to certify that she was truly a man and that hers was not merely a case of

cross-dressing, the paper reported that she was “on the Point of Marrying a Widow Woman.”<sup>17</sup> In 1770, the *Pennsylvania Gazette* printed another article, presumably about the same Deborah Lewis, suggesting that the Lewis story had become something of an urban legend.<sup>18</sup> The second piece provided details of Deborah's infancy, when supposedly as a baby she bore “a similarity to both Sexes.” At her birth there was apparently discussion as to what apparel the baby should wear. It was decided that she be dressed as a female, and she was baptized as such. She “passed for a Woman” for twenty-three years. As an adult, Deborah Lewis lived with a woman who became pregnant and declared Deborah the father. The paper reported that they got married and that Deborah added the man's name Francis, calling himself Deborah Francis Lewis. According to an entry in a book of genealogies, an obituary from 1823 recorded the death of one Francis Lewis, who for thirty-two years “dressed as a woman and was supposed to be such. Afterward he assumed male apparel, married and raised a family.”<sup>19</sup>

Was Deborah Lewis a woman who lived as a man, a man who lived as a woman, or an intersex person whose ambiguous genitals allowed him/her to do what seemed appropriate and natural at different points in life? Without more substantive sources, it is impossible to determine. What will become clear below is that concerns over gender-crossing often involved anxiety about same-sex sexuality. The medical and legal conversation about hermaphrodites, in particular, was often conflated with discussion of same-sex sexuality, especially among women, for hermaphrodites were often thought to be women with long clitorises, capable of and interested in sexual penetration.

### **Sexual Ambiguity and Same-Sex Intimacy**

In 1696, Massachusetts adopted a law against cross-dressing, perhaps to thwart same-sex intimacy or perhaps, troubled by gender masquerading, colonial lawmakers believed that

cross-dressing, like homosexuality, belonged in the category of serious offenses. The Hebrew Bible states that a woman or man who wears the clothing of the opposite sex is an abomination to the Lord (Deuteronomy 22:5), and it also deplores mingling of any sort; one cannot wear linen mixed with wool; one cannot yoke an ox and a donkey together or sow a field with two kinds of seed (Deuteronomy 22:9–11). The Middlesex County Court, in 1692, seemed to be of similar persuasion about the dangerously disordered character of mingling. In charging a woman named Mary Henly with wearing men's clothes, the court contended that those were offenses "seeming to confound the course of nature."<sup>20</sup> In Haverhill, Massachusetts, in 1652, Joseph Davis was convicted of "putting on women's apparell and goeing about from house to house in the nighte."<sup>21</sup> Twenty-five years later, in 1677, Dorothy Hoyt, a woman of Hampton, New Hampshire, was convicted of "putting on man's apparel."<sup>22</sup> Even outside Puritan New England, colonists lived in a world dominated by Christian belief. Women and men had their respective places in the divine scheme, and crossing from one category to the other, to perform what the historian Susan Juster has called "social hermaphroditism," violated providential order.<sup>23</sup>

Unlike laws against homosexuality, which typically punished men but not women<sup>24</sup> (the Bible does not interdict sexual intercourse between women), laws against cross-dressing punished women and men equally. None of these statutes mentioned sexuality directly, making it difficult for modern readers to judge if the threat to the patriarchal order was deemed social or sexual. In other words, did authorities arrest and convict people for cross-dressing because these offenders publicly violated conventional gender roles and biblical law, or was there something left unsaid in this prosecution, namely the fear of same-sex intimacy that might follow from the cross-dressers' deception and seduction of unaware partners? Though no court case I have found specifically linked cross-dressing to homosexuality, it might have been less fraught for judges to punish

cross-dressing than to inquire too intimately into sexual matters that were considered heinously unnatural.

In the case of Thomas/Thomasine Hall, Hall's physical sex needed to be established so that his/her sexual behavior could be understood and, if necessary, punished. When asked why "he" dressed as a woman, Hall had responded rather obliquely, "I goe in woemans apparel to get a bitt for my Catt." The historian Mary Beth Norton has suggested that Hall's response may have been a reference to prostitution, an echo of the French phrase, *pour avoir une bite pour mon chat* (to get a penis for my cunt). Hall, an indentured servant, might have dressed as a woman for financial reasons.<sup>25</sup> As a female prostitute, perhaps Hall could find male sexual partners and supplement her meager resources.

But further investigation into Hall's transgression of "wearing women's clothes" revealed more serious issues. The ambiguously gendered servant was rumored to have had sexual relations with a woman, "greate Besse." If Hall was *really* a man, his crime would have been fornication, a common offense in seventeenth-century Virginia. If Hall was "really" a woman, however, the sexual relationship with great Besse might have been considered an unnatural act, or it might have been dismissed as of no consequence, for typically only same-sex liaisons between men were condemned. Norton has argued that the court needed a clear determination of Hall's anomalous sex to determine the nature and severity of the crime: Was Hall a man or a woman? Was the "piece of flesh" that Hall mentioned an enlarged clitoris by which Hall could penetrate other women? Hall's master and other onlookers were interested in Hall's case. These parties were quoted by the court as pursuing the matter so that "hee might be punished for his abuse."<sup>26</sup> The bystanders seem to have been more exercised by their image of Hall's erotic adaptability than by the possibility of ordinary fornication, and their concern highlights the early modern anxiety about same-sex liaisons made possible by the potential fluidity of gender. In the end, the court's

punishment of dual embodiment both effectively protected uninformed townspeople from sexual congress with someone of the “wrong sex,” and prevented Hall from engaging in same-sex intercourse.

Not only lawmakers and judges but also physicians suspected that hermaphrodites might be tempted to same-sex intimacy. Medical discussions centered on the clitoris, which played an important role in the early modern understanding of hermaphrodites. All the examples Parsons provided in his 1741 treatise on hermaphrodites were, he argued, either truly women with enlarged clitorises or (less frequently) men with small penises, which were hidden in bodily folds and were often accompanied by undescended testicles. Not content with examples from his own observation, his book discusses each case of human “double Nature” that he had encountered in medical literature from the early Greeks onward, proving the descriptions therein mistaken.<sup>27</sup> Parsons joined a long tradition of doctors who examined and discussed hermaphrodites; since the fourteenth century medical men had been interested in the subject and had proffered theories about such occurrences. Some insisted that hermaphrodites were possible. Others, like Parsons, believed that Hermaphroditus, the figure from Greek mythology whose male body was merged by the gods with the female body of the nymph Salmacis, had no counterparts in the real world and it was folly to imagine the existence of such purely mythical beings.<sup>28</sup>

The classification of normal humans as mythical hermaphrodites, according to Parsons, was due to ignorance of human anatomy, particularly of female anatomy. The clitoris, he said, was so little known, so unrecognized as a female organ, it was no wonder that “at the first sight of a large Clitoris, divers odd Conjectures should arise.”<sup>29</sup> But medical authors were not completely ignorant of the clitoris. Nicholas Culpeper, herbalist, astrologer, and English translator and coauthor of the 1655 manual, *The Compleat Practice of Physick*, had compared the clitoris to the penis: “It suffers erection and falling as that doth; this is

that which causeth Lust in women, and gives delight in Copulation, for without this a woman neither desires Copulation, or hath pleasure in it, or conceives by it.”<sup>30</sup> Henry Bracken, author of a 1737 British midwifery manual, also wrote of the clitoral role in sexual pleasure: “The Clitoris, or Penis, of the Woman is erected, which, by its Fullness of Nerves, and exquisite Sense, affords unspeakable Delight.”<sup>31</sup>

Most early midwifery manuals found in America, though, offered scant mention of the clitoris and even less of its function. In Dr. Alexander Hamilton’s 1790 textbook, *Outlines of the Theory and Practice of Midwifery*, for example, the organ was mentioned on only two of the book’s 307 pages. Similarly, William Smellie’s 1786 text, *An Abridgement of the Practice of Midwifery*, noted the clitoris only twice, in a list of female anatomical parts. William Cheselden briefly alluded to it in two pages of his 350-page book on human anatomy and barely hints at its significance, explaining in one sentence that it “is a small spongy body, bearing some analogy to the penis in men, but has no urethra.”<sup>32</sup> In an 1802 midwifery manual, Thomas Denman wrote, “The clitoris is little concerned in the practice of midwifery, on account of its size and situation.”<sup>33</sup>

Though the organ itself was usually ignored or deemed insignificant, clitorises of pronounced size provoked comment and concern. According to Parsons, oversized clitorises were particularly common among African women and could lead to “two Evils: the hindering [of] the Coitus, and Womens abuse of them with each other.”<sup>34</sup> Sixteenth-century French medical writers had anticipated Parsons in his latter concern. They suggested that women with large clitorises could give sexual pleasure to other women. One such doctor described the clitoris in 1597 as “that part with which imprudent and lustful women, aroused by a more than brutal passion, abuse one another with vigorous rubbings, when they are called confricatrices.”<sup>35</sup>

Even Jane Sharp, who did not hesitate to describe the clitoris’s function and form in great detail, linked enlargement of the clitoris both to

hermaphrodites and to women's having sex with other women. "Some think," she said, "that hermaphrodites are only women that have their Clitoris greater, and hanging out more than others have, and so shew like a Mans Yard."<sup>36</sup> Implying that an enlarged clitoris could be used for penetration in same-sex relations, she continued, "Commonly it is but a small sprout, lying close hid under the Wings, and not easily felt, yet sometimes it grows so long that it hands forth at the slit like a Yard, and will swell and stand stiff if it be provoked, and some lewd women have endeavoured to use it as men do theirs."<sup>37</sup>

Occasionally, writers combined medical discourse on hermaphrodites with quasi-pornographic tales of women with large clitorises (or other penis substitutes) having sex with each other.<sup>38</sup> *A Treatise on Hermaphrodites*, published in England in 1718, sandwiched salacious stories of women's using their large clitorises for penetrative sex with female partners into an ostensibly scientific account of hermaphrodites. The author, Giles Jacob, introduced the book by explaining the five types of hermaphrodites, a classification he derived from Nicholas Venette's *Conjugal Love; or, The Pleasures of the Marital Bed Considered in Several Lectures on Human Generation*.<sup>39</sup> The first two types look like men, Jacob explained, though their genitalia include "a pretty deep slit between the Seat and the Cod." Both categories are capable of generation. The third type, by contrast, has "no visible privy Parts of Man, only a slit." But these hermaphrodites become men during puberty "through the coming forth of the privy parts . . . in an Instant, and are as valiant in the Adventures of Love as other Males." Jacob cautioned that because these "men" could look very much like women at first, young gentlemen should not be too hasty in their marriages; one could never know whether "in a vigorous Consummation with a very youthful Partner, the imaginary Female should at once appear an Hermaphrodite."<sup>40</sup> The fifth kind "have neither the Use of the one or the other Sex, and have their privy Parts confus'd." These hermaphrodites have the "temper" of both men and women, and their

whole constitution is so "inter-mix'd" that it is impossible to say which sex predominates.

Jacob devoted most of his discussion to the type he found most intriguing, the fourth category: "Women who have the Clitoris bigger and longer than others." Jacob knew the function of the clitoris under usual circumstances. He compared it to the penis and agreed with his contemporaries that "without this Part, the fair Sex would neither desire the Embraces of the Males, nor have any Pleasure in them, or Conceive by them." But, just as other European authors had warned, a large clitoris could be problematic, at the very least interfering with heterosexual copulation. "Sometimes the Clitoris will grow out of the body two or three inches" because of the "over much Heat of the Privities," he explained, and will prevent satisfactory intercourse. Though the female's own pleasure may be enhanced by clitoral enlargement, its increased size would prevent a man from "knowing his Wife."<sup>41</sup>

Here the stories of hermaphrodites and lesbians merged.<sup>42</sup> Unable to copulate effectively with men, "robust and lustful" women, "well furnish'd in these Parts," might turn to the "unnatural Pleasures" of sex with women. The middle section of Jacob's book turned to the story of two "masculine-females" of the noble class, Marguereta and Barbarissa, from Italy and France, respectively. Jacob described these two women as "very near equal to the largest siz'd Male" in their faces, shoulders, hands, and feet. Only their hips and breasts were small. A servant spying on their "amorous adventure" observed Marguereta naked and saw "something hang down from her body of a reddish colour, and which was very unusual." Later in the narrative, the focus shifts to the partner, Barbarissa, who was having trouble with the "erection of her female Member," but ultimately succeeded in penetration. Having put such emphasis on their large clitorises, Jacob conceded that both were "suspected to be Hermaphrodites."<sup>43</sup>

As the debate over hermaphrodites' existence continued, the clitoris remained a significant marker. Medical writers commented on its dimensions, increasingly linking its magnitude to

homosexual activity between women. In 1807, for example, Dr. William Handy of New York believed that he had seen an actual hermaphrodite, “a person participating of the parts of both sexes.” Cognizant of the common understanding of hermaphrodites, he had always assumed that “an animal, uniting the sexes distinctly, had no existence in nature.” And so when presented with the “opportunity of visiting and examining so rare a phenomenon” in Lisbon, he eagerly accepted. Like other medical observers, Handy had supposed that the term “hermaphrodite” was reserved for those women “in whom the clitoris was found to be of an uncommon size.”<sup>44</sup> Handy believed that the individual he examined, though equipped with a penis, was basically a woman (she had breasts, menstruated and had been pregnant twice) whose sexual desire was toward men. He assured his readers that, despite the penis, the woman did not choose to have intercourse with other women.<sup>45</sup> Later medical writers, analyzing Handy’s account, disagreed with him and believed that the supposed penis was “of a cliteroid nature.”<sup>46</sup> Either way, Handy pushed the association between large clitorises and sex between women further, suggesting that the clitoris sometimes grew to unnatural proportions *because of* “the morbid effect of frequent lascivious unnatural excitement, as we learn to have occurred in the case of two Nuns at Rome.”<sup>47</sup> Not only did Handy believe that most hermaphrodites were really women with large clitorises, but apparently the clitoris in some women grew unusually large as a result of sex with other women. Hermaphrodites, large clitorises, and sex between women were bound together in Handy’s account.

According to the historian Sander L. Gilman, Europeans believed that sexual irregularities, especially large clitorises, were particularly common among women in Africa, India, and the Caribbean.<sup>48</sup> Indeed, Ambrose Paré had written about the clitoral excision performed by female diviners of Fez, in North Africa, and subsequent European and American authors continued to project genital and sexual anomalies onto the

bodies of women of other races and from other continents.<sup>49</sup> In her section on enlarged clitorises, Jane Sharp pointed out that “In the Indies, and Egypt they are frequent”; and in contrast, she claimed that she had never heard of the problem occurring in England. If there were any Englishwomen afflicted with what Sharp called a “counterfeit Yard,” she was sure they would “do what they can for shame to keep it close.”<sup>50</sup> Similarly, James Parsons traced his study of hermaphrodites to the exoticized body of an Angolan woman. He wrote that upon the arrival in England of this unnamed African woman, considered by many to be a man, he decided to undertake his project to prove that she was really a woman with a large clitoris and that hermaphrodites did not exist in humans.<sup>51</sup> Ultimately, Parsons supported clitoral excision in such cases. In Asiatic and African countries, he said, “the Women have them most commonly very long,” and knowing the trouble they can bring, the people “wisely cut or burn them off while Girls are young.”<sup>52</sup>

Clitoral excision would come to be a common, though contested, cure for all sorts of female conditions, including incessant masturbation, nymphomania, syphilis, and hysteria.<sup>53</sup> Genital surgery for “hermaphroditism,” including, but not limited to, clitoral removal would also become medically accepted.<sup>54</sup> Perhaps because seventeenth- and eighteenth-century medical men believed that hermaphrodites were simply women with distended clitorises, it stood to reason that their solution for this incipiently dangerous “abnormality” would be straightforward removal of the organ.

Genital surgery for hermaphroditism became more and more common in the late nineteenth and early twentieth centuries, when the paradigm of sexual inversion emerged as a scientific explanation for homosexuality. Doctors wanted sexual desire to match genitalia. The early cases of interventionist surgery were connected to the patients’ perceived sexual needs as determined by the doctor in attendance. By the turn of the century, hermaphrodites became potential homosexuals or “inverts”; if some bodies could

look both male and female, then would these patients be attracted to the wrong sex? Though the possibility of hermaphrodites being physically intimate with both sexes had long been a concern for physicians, now American doctors began to evaluate their patients' sexual inclinations in order to ensure surgically that potential sexual intercourse would be between two differently sexed bodies.

James Parsons, as we have seen, was unusually forward thinking to allow patients to choose their own sex (and, though he did not say it, their own sexual partners). When later doctors made the choice, they prioritized heterosexuality, to some patients' life-long grief. If an indeterminately sexed patient, even one who seemed predominantly male, expressed sexual interest in men, for example, doctors advocated surgical intervention to make that person's genitals appear female. After a sorry history of well-meant but tragic surgical transformations, twenty-first-century intersex activists have campaigned for surgical restraint, advocating that intersex bodies be left alone until they have passed puberty, when individuals can decide for themselves what, if any, surgery is desirable.

Those with ambiguous genitalia escaped debilitating surgery in early America, yet even before "hermaphroditism" became a medical condition inevitably necessitating medical intervention, early medical and legal authorities had opinions on how people with atypical genitalia should be regarded. When sexual performance, law suits, illness, or chance brought their condition to the court's attention, their sexual lives were no less scrutinized and publicized than their physical conformation. Sex lives were regulated to the best of the court's ability and, often relegated, with optimum early American propriety, to heterosexual marriage.

Courts were certainly concerned lest the physically dubious enjoy sex with both men and women. They were also suspicious that sexual duality could lead to sexual duplicity – an innocent individual might be seduced into sex with the wrong partner. And they were no less anxious

lest the ambiguously sexed, eschewing deception, copulated frankly and openly with their own sex.<sup>55</sup> Though the one true sex of a person such as Thomas/Thomasine Hall was, in early American eyes, known only to God, the legal sentence that required Hall to live as neither man nor woman but as a public burlesque of both was an effort to stifle any sexual expression. For even if the court had imposed a sexual identity on him/her, or if Hall had been willing to choose one sex in perpetuity, what if the court or the defendant chose wrongly? What if the court, in puzzlement, fostered a same-sex alliance, or if Hall, in "perverted" desire, were able to choose a same-sex mate? Intersex bodies were a source of anxiety about same-sex sexuality, for if God created no true hermaphrodites, then a person with indeterminate genitalia had a definite, though sometimes indiscernible, sex. As time passed, medical (and therefore legal) authorities became more and more certain of their ability to distinguish a person's actual sex or surgically to impose a sexual conformation that suited their prejudices against same-sex unions. To uncover the hidden history of intersex is to expose both early American and later attitudes toward sexual normality and difference. In studying early social response to the challenge of ambiguous genitalia and comparing it to contemporary perspectives, we broaden our understanding of the shifting tensions over gender difference and same-sex sexuality.

## Notes

- 1 Nathaniel Shurtleff, ed., *Records of the Colony of New Plymouth in New England. Court Orders: VI (1678–1691)* (Boston: William White, 1856), 191–2.
- 2 John F. Cronin, ed., *Records of the Court of Assistants of the Colony of the Massachusetts Bay, 1630–1692* (Boston: Published by the County of Suffolk, 1928), 131–2.
- 3 On New England divorce, see Cornelia Dayton, *Women Before the Bar: Gender, Law, and Society in Connecticut, 1639–1789* (Chapel Hill: University of North Carolina Press, 1995), esp. 105–56. A law passed in Philadelphia in 1815 stated "that if either

- party, at the time of the contract, was and still is naturally impotent, or incapable of procreation, it shall and may be lawful for the innocent and injured person to obtain a divorce.” See John Purdon, Esq., ed., *A Digest of the Laws of Pennsylvania from the Year One Thousand Seven Hundred to the Twenty-First Day of May, One Thousand Eight Hundred and Sixty-One* (Philadelphia: Kay & Brother, 1862), 345.
- 4 Theodric Romeyn Beck and John B. Beck, *Elements of Medical Jurisprudence* (Philadelphia, 1838), 104–5.
  - 5 Contemporary medical experts estimate that one out of every 2,000 babies is born with indeterminate genitalia. There are a range of intersex conditions, some of which appear at puberty or go undetected until much later, and so the incidence of intersex may even be greater. See the Intersex Society of North America website for comprehensive resources: <http://www.isna.org> (September 2, 2011).
  - 6 For two interpretations of Hall’s life, see Mary Beth Norton, *Founding Mothers and Fathers: Gendered Power and the Forming of American Society* (New York: Alfred A. Knopf, 1996), 183–97 and Kathleen Brown, “‘Changed . . . into the Fashion of Man’: The Politics of Sexual Difference in a Seventeenth-Century Anglo-American Settlement,” *Journal of the History of Sexuality*, 6 (1995), 171–93. The case is also discussed in Alden Vaughan, “The Sad Case of Thomas(ine) Hall,” *Virginia Magazine of History and Biography*, 86 (1978), 146–8 and Jonathan Ned Katz, *Gay/Lesbian Almanac: A New Documentary* (New York: HarperCollins, 1983), 71–2.
  - 7 H.R. McIlwaine, ed., *Minutes of the Council and General Court of Colonial Virginia, 1622–1632* (1670–6; Richmond, VA: The Colonial Press/Everett Waddey Co., 1924), 194–5, quotation on 194.
  - 8 See Elizabeth Reis, *Damned Women: Sinners and Witches in Puritan New England* (Ithaca, NY: Cornell University Press, 1997), 112–16.
  - 9 On Jewish law regarding hermaphrodites, see Rabbi Alfred Cohen, “Tumtum and Androgynous,” *Journal of Halacha and Contemporary Society*, 38 (Fall 1999), 62–85; “Tumtum” refers to those whose sex is indeterminate; “androgynous” refers to those whose organs have both male and female characteristics. See also Sally Gross, “Intersexuality and Scripture,” *Theology and Sexuality*, 11 (1999), 65–74.
  - 10 James Parsons, *A Mechanical and Critical Enquiry into the Nature of Hermaphrodites* (London, 1741), 1–2.
  - 11 Parsons, *A Mechanical and Critical Inquiry*, xxxiv.
  - 12 I will use male pronouns when discussing Thomas Hall’s life as a man and female pronouns when Hall lived as a woman. When the sources are unclear, I will use neutral language.
  - 13 McIlwaine, *Minutes of the Council and General Court of Colonial Virginia*, 195.
  - 14 *Ibid.*, 195.
  - 15 Mary Beth Norton argues as well that the verdict was unprecedented, and that Hall was probably lonely and “perhaps the target of insults or assaults.” See Norton, *Founding Mothers and Fathers*, 196.
  - 16 Alfred F. Young, *Masquerade: The Life and Times of Deborah Sampson, Continental Soldier* (New York: Alfred A. Knopf, 2004), 9.
  - 17 *Pennsylvania Gazette*, August 9, 1764.
  - 18 The first account had said Lewis was thirty-two years old in 1764; the information from the 1770 story would make her seventeen years old in 1764.
  - 19 My thanks to Al Young for sharing his findings on Lewis with me. One of Young’s assistants, Paul Uek, tracked down Lewis’s genealogical information. If Lewis was born in 1747 (as the 1770 story suggested) and died in 1823 (per the obituary), he lived almost half of his life as a woman. See Charles Edward Banks, MD, *The History of Martha’s Vineyard, Dukes County Massachusetts in Three Volumes* (Edgartown: Dukes County Historical Society, 1966), 3:235.
  - 20 Records of the Middlesex County Court, 1691/2, vols. 1689–99, n.p., as cited in Lawrence W. Towner, “The Indentures of Boston’s Poor Apprentices: 1734–1805,” *Transactions, Colonial Society of Massachusetts*, 43 (1956–63): 417–68.
  - 21 George F. Dow, ed., *Records and Files of the Quarterly Courts of Essex County, Massachusetts* (Salem, MA, 1911–921), 6:341. As cited in Mary Beth Norton, “Communal Definitions of Gendered Identity in Seventeenth-Century English America,” in *Through a Glass Darkly: Reflections on Personal Identity in Early America*, eds. Ronald Hoffman, Mechal Sobel, and Fredrika J. Teute (Chapel Hill: University of North Carolina Press, 1997), 53.

- 22 Otis Hammond, ed., *New Hampshire Court Records, 1640–1692*, New Hampshire State Papers Series, 40 (1943): 96.
- 23 Susan Juster, “‘Neither Male nor Female’: Jemima Wilkinson and the Politics of Gender in Post-Revolutionary America,” in *Possible Pasts: Becoming Colonial in Early America*, ed. Robert Blair St. George (Ithaca, NY: Cornell University Press, 2000), 357–79.
- 24 The 1656 New Haven statute was an exception; it read: “If any man lyeth with mankind, as a man lyeth with a woman, both of them have committed abomination, they both shall surely be put to death. Lev. 20:13. And if any woman change the natural use, into that which is against nature, as Rom. 1:26 she shall be liable to the same sentence, and punishment.” See *New Haven’s Settling in New England and Some Lawes for Government* (London: printed by M. S. for Livewell Chapman, 1656), in *The True-Blue Laws of Connecticut and New Haven*, ed. J. Hammond Trumbull (Hartford, CT: American Publishing, 1876), 198–201.
- 25 Norton, *Founding Mothers and Fathers*, 193.
- 26 McIlwaine, *Minutes of the Council and General Court of Colonial Virginia*, 195.
- 27 His skepticism notwithstanding, Parsons’s book is invaluable for the brief vignettes of those “mistakenly” called hermaphrodites. Because Parsons was convinced that hermaphrodites were really “normal” men or women, he urged readers to recognize and avoid past injustices: “Thus it often fared with our reputed Hermaphrodites, who have been banished, tormented, abused, and employed in such Offices as were in themselves severe; cut off from the common Privileges and Freedoms enjoyed by the Publick where-soever they have been; yea, and put to Death in an inhuman and pitiless Manner” (*Mechanical and Critical Enquiry*, lii).
- 28 On the role of medical men in ascertaining the cause of marital problems such as impotence that might have been due to intersex conditions, see Michael R. McVaugh, *Medicine before the Plague: Practitioners and Their Patients in the Crown of Aragon, 1285–1345* (Cambridge: Cambridge University Press, 1993), 200–7.
- 29 Parsons, *Mechanical and Critical Enquiry*, 9. On the “rediscovery” of the clitoris in sixteenth-century Europe, see Katharine Park, “The Rediscovery of the Clitoris,” in *The Body in Parts: Fantasies of Corporeality in Early Modern Europe*, ed. David Hillman and Carla Mazzio (New York: Routledge, 1997), 171–93.
- 30 Nicholas Culpeper, *The Compleat Practice of Physick* (London, 1655), 503. On the relationship between conception and orgasm for women, see Thomas Foster, “Deficient Husbands: Manhood, Sexual Incapacity, and Male Marital Sexuality in Seventeenth-Century New England,” *William and Mary Quarterly*, 3rd ser., 56(4) (October, 1999), 723–44. Angus McLaren argues that though linking conception and female orgasm lingered into the eighteenth century in England, the notion was relegated to popular culture status as newer ideas of scientific embryology emerged. See A. McLaren, *Reproductive Rituals: The Perception of Fertility in England from the Sixteenth Century to the Nineteenth Century* (London: Methuen, 1984), 22.
- 31 Henry Bracken, *The Midwife’s Companion; or, a Treatise of Midwifery: Wherein the Whole Art is Explained* (London, 1737), 10.
- 32 See Dr. Alexander Hamilton, *Outlines of the Theory and Practice of Midwifery* (Philadelphia: Thomas Dobson, 1790), 44–5; William Smellie, *An Abridgement of the Practice of Midwifery* (Boston: John Norman, 1786), 7, 24; William Cheselden, *The Anatomy of the Human Body* (Boston: Manning and Loring, 1795), 272–3. See also Benjamin Bell, *A System of Surgery* (Worcester, MA: Isaiah Thomas, 1791), 367; Andrew Fyfe, *A Compendious System of Anatomy. In Six Parts* (Philadelphia: Thomas Dobson, 1790), 76.
- 33 Thomas Denman, *An Introduction to the Practice of Midwifery* (New York: printed by James Oram for William Falconer and Evert Duyckinck, 1802), 34.
- 34 Parsons, *Mechanical and Critical Enquiry*, 10.
- 35 As quoted in Park, “Rediscovery of the Clitoris,” 178.
- 36 Sharp, *Midwives Book*, 40. Like Culpeper, Sharp highlighted the clitoris’s significance: “The Clitoris will stand and fall as the yard doth, and makes women lustfull and take delight in Copulation, and were it not for this they would have no desire nor delight, nor would they ever conceive” (39).
- 37 *Ibid.*, 40.
- 38 Giles Jacob, *A Treatise of Hermaphrodites* (London: E. Curll, 1718), 41–2.
- 39 Nicholas Venette, *Conjugal Love; or, The Pleasures of the Marital Bed Considered in Several Lectures on Human Generation* (London, 1750). According

- to Thomas Laqueur, the 1750 edition was the twentieth edition, and there were at least eight French editions before Venette's death in 1698. See Laqueur, *Making Sex: Body and Gender from the Greeks to Freud* (Cambridge, MA: Harvard University Press, 1990), 245n5.
- 40 Jacob, *A Treatise of Hermaphrodites*, 6–8. Stories of women suddenly becoming men had been circulating since at least the sixteenth century. Michel de Montaigne recounted, "Passing through Vitry-le-Francois, I might have seen a man whom the bishop of Soissons had named Germain at confirmation, but whom all the inhabitants of that place had seen and known as a girl named Marie until the age of twenty-two. He was now heavily bearded, and old, and not married. Straining himself in some ways in jumping, he says, his masculine organs came forth; and among the girls there a song is still current by which they warn each other not to take big strides for fear of becoming boys, like Marie Germain." See Michel de Montaigne, *The Complete Essays of Montaigne*, trans. Donald M. Frame (Stanford, CA: Stanford University Press, 1958), 69.
- 41 Jacob, *Treatise of Hermaphrodites*, 16.
- 42 The term "lesbian" was not used until the late nineteenth century, and so I use it here as merely a shorthand indicating sexual relations between women.
- 43 Jacob, *Treatise of Hermaphrodites*, 19.
- 44 Dr. William Handy, "Account of an Hermaphrodite," *Medical Repository of Original Essays and Intelligence*, 12 (May–July, 1808), 86–7, quotation on 86.
- 45 Handy wrote, "During copulation, the penis becomes erect, and there is in the moment of ecstasy, an agreeable sensation in all the male parts of generation, but more particularly felt in the glans. There has never existed an inclination for commerce with the female, under any circumstances of excitement of the venereal passion." See Handy, "Account of an Hermaphrodite," 86.
- 46 Beck and Beck, *Elements of Medical Jurisprudence*, 122.
- 47 Handy, "Account of an Hermaphrodite," 86.
- 48 Sander L. Gilman, *Difference and Pathology: Stereotypes of Sexuality, Race, and Madness* (Ithaca, NY: Cornell University Press, 1985), esp. 76–108.
- 49 Park, "Rediscovery of the Clitoris," 171–2.
- 50 Sharp, *Midwives Book*, 40.
- 51 Parsons, *Mechanical and Critical Enquiry*, liv.
- 52 *Ibid.*, 10–11.
- 53 Carol Groneman, *Nymphomania: A History* (New York: W.W. Norton, 2000). See, for example, Pierre Lefort, MD, "A Case of Excision of the Clitoris and Lubia Pudendorum," *Medical Repository of Original Essays and Intelligence*, 19 (1818): 84–7; Anon., "Extirpation of the Clitoris," *American Medical Review*, 2(1) (September, 1825), 188.
- 54 In the eighteenth century, doctors advocated delaying surgery for hypospadias, as long as urine flowed, so that the opening they created would remain open with a catheter. See Nicholas B. Waters, *A System of Surgery Extracted from the Works of Benjamin Bell of Edinburgh* (Philadelphia: T. Dobson, 1791), 166.
- 55 In a sarcastic newspaper article decrying all kinds of untoward social behavior, one author wrote, "It is wonderful that men, forgetting the dignity of their station on earth, should degenerate into effeminacy, and assume the manners, appearance, and gait of hermaphrodites!" See Anon., *Massachusetts Spy; or, Worcester Gazette*, 14 (August 26, 1784), 2.

## Documents

### 1.1 Thomas/Thomasine Hall, 1629

H.R. McIlwaine, ed., *Minutes of the Council and General Court of Colonial Virginia, 1622–1632* (1670–6; Richmond, VA: Colonial Press/Everett Waddey, 1924), 194–5.

In the first document we have an extraordinary account of Thomas/Thomasine Hall's ordeal. When asked whether he was a man or a woman, Hall answered that s/he was "both man and woeman." Though the seventeenth-century language may be difficult to follow, the account reveals what the examiners were looking for and how they went about finding it. Various people involved in the case felt entitled to search Hall's body; yet their observations and conclusions conflicted. Hall lived sometimes as a man and sometimes as a woman. How did Hall recount this unusual life story?

Exaiçons taken before *John Pott* Esq<sup>r</sup> gouerno<sup>r</sup> the 25<sup>th</sup> day of *March A<sup>o</sup>* [1629]  
*ffrancis England* of the age of twenty yeares or thereabouts fworne and exaied faith  
 That *Thomas Hall* (being exaied by Cap: *Baffe* wether hee were man or woeman (as  
 himselfe did confesse to this exaite) toulde this exãite that hee answered Cap: *Baffe*  
 that hee was both man and woeman And this exaiate further sayth that the said *Hall*  
 being at *Atkins arbor* one *Nicholas* . . . asked him why hee went in weomans aparell  
 the said *Hall* answered in the hearing of this dep<sup>t</sup> *I goe in weomans aparell to gett a bitt*  
*for my Catt* And hee further sayth that there was a Rumor<sup>r</sup> and Report that the said  
*Hall* did ly w<sup>th</sup> a maid of M<sup>r</sup> *Richard Bennetts* called *greate Bessie* And hee likewise  
 sayth that hee this exãite and one *Roger Rodes* being at the vpper plantaçon after it  
 had beene rumored that the said *Hall* was a man and that hee was put in mans  
 apparell the said *Hall* being then there with them, the said *Rodes* tould *Hall thou hast*  
*beene reported to be' a woman and now thou art p<sup>r</sup>ved to bee a man, I will see what thou*  
*carriest,* Wherevpon the said *Rodes* laid hands vpon the said *Hall*, and this exãiate  
 did foe likewise, and they threw the said *Hall* on his backe, and then this exãiate felt  
 the said *Hall* and pulled out his members whereby it appeared that hee was a p<sup>r</sup>fect  
 man, and more hee cannot depofe.

*John Atkins* of the age of 29 yeares or thereabouts fworne and exãied depofeth and  
 sayth That M<sup>r</sup> *Stacy* having reported that *Hall* now a servante vnto this exãiate was  
 as hee thought a man and woeman, not long after, the said *Hall* (being then servante  
 to *Rob<sup>te</sup> Eyros* and *John Tyos*) and being at *Nicholas Eyros* his howse *Alice Longe*  
*Dorothy Rodes* and *Barbara Hall* being at that tyme in the said howse, vpon the said  
 Report did searck the said *Hall* and found (as they then said) that hee was a man but  
 the said *Tyos* fswore the said *Hall* was a woeman (as the said *Dorothy Rodes* did often  
 affirme vnto this depo<sup>t</sup> Wherevpon Cap: *Baffe* exãied the said *Hall* in the p<sup>r</sup>nce of  
 this dep<sup>te</sup> whether hee were man or woeman, the said *Hall* replied hee was both only

hee had not the vse of the mans ~~part~~ . . . was a peece of fleshe growing at the . . . belly as bigg as the topp of his little finger [an] inch longe wherevppon Cap<sup>t</sup>: *Basse* Commanded [him] to bee put in woemans apparell, but the aforefaid searchers were not fully resolved, but stood in doubt of what they had formerly affirmed, and being (about the twelveth of *february*) at this exâiates howse the said *Hall* dwelling then w<sup>th</sup> him, and finding the said *Hall* asleepe did againe searce him and then allsoe found the said *Hall* to bee a man and at that p<sup>re</sup>sent[ly] called this exâiate to see the proof thereof, but the said *Hall* seeming to starre as if hee had beene awake this exâiate left him and at that instant Could see nothing But the *Sunday* following, those searchers being againe assembled and the wife of *Allen Kinafton* and the wife of *Ambrose Griffen* being in Company w<sup>th</sup> them were againe desirous to searce the said *Hall*, and having searched him in the p<sup>re</sup>sence [presence] of this Deponent did then likewise finde him to bee a man Wherevppon this exâiat asked him if that were all hee had to w<sup>ch</sup> hee answered *I haue a peece of an hole* and therevppon this dep<sup>t</sup> commanded him to lye on his backe and shew the same And the said woemen searcing him againe did againe finde him to bee a man Wherevppon the 1<sup>st</sup> exâiate did Comaunde him to bee put into mans apparell And the day following went to Captaine *Basse*, and tould him that the said *Hall* was founde to bee a man and desired that hee might be punished for his abuse And this dep<sup>t</sup> further sayth that the said *Hall* (as this dep<sup>t</sup> hath heard) did question the said *Alice Long* for reporting that hee had layen w<sup>th</sup> a mayd of M<sup>r</sup> *Richard Bennetts*, to w<sup>ch</sup> shee answered *I reported it not*, but *Penny*[?] *Tyos* his man reported soe much And this is all this exâiate can say.

*Thomas Hall* exâied faith that hee being borne at or neere *Newcastle vppon Tyne* was as hee hath beene often tould Christned by the name of *Thomasine* and soe was called and went Clothed in woemans apparell there vntill the age of twelue yeares at w<sup>ch</sup> age the said Exâiates mother sent him to his Aunte in *London* and there hee lyved ten[?] ye[ares] vntill *Cales* Acçon, at w<sup>ch</sup> tyme a brother of his being p<sup>re</sup>sented for that service this exâiate Cut of his heire and Changed his apparell into the fashion of man and went over as a souldier in the *Ifle of Ree* being in the habit of a man, from whence when he was returned hee came to *Plymouth*, and there hee changed himselfe into woemans apparell and made bone lace and did other worke w<sup>th</sup> his needle, and shortly after Shipping being ready for a voyage into this Country hee Changed againe his apparell into the habit of a man and soe came over into this Country.

*It was therevppon at this Co<sup>rt</sup>* ordered that it shall bee published in the plantaçon where the said *Hall* lyveth that hee is a man and a woeman, that all the Inhabitants there may take notice thereof and that hee shall goe Clothed in mans apparell, only his head to bee attired in a Coyfe and Croscloth[?] w<sup>th</sup> an Apron before him And that hee shall finde fuerties for his good behavio<sup>r</sup> from Quarter Co<sup>rt</sup> to Quarter Co<sup>rt</sup> vntill the Co<sup>rt</sup> shall dischardge him and Cap<sup>t</sup> *Nathaniell Basse* is ordered to see this order executed accordingly.

## 1.2 James Parsons, *A Mechanical and Critical Enquiry into the Nature of Hermaphrodites, 1741*

James Parsons, *A Mechanical and Critical Enquiry into the Nature of Hermaphrodites* (London: J. Walthoe, 1741), 1–3, 5–11.

In *A Mechanical and Critical Enquiry into the Nature of Hermaphrodites*, James Parsons denies the existence of hermaphrodites in higher species by explaining how the process of reproduction makes such beings impossible. He argues that observers were simply fooled by the large clitorises commonly found in women of Asia and Africa. How else does he explain the false sightings of hermaphrodites?

### Reasons against the Existence of an Hermaphroditical Nature in Human Bodies

An Hermaphrodite is an Animal, in which the two Sexes, Male and Female, ought to appear to be each distinct and perfect, as well with regard to the Structure proper to either, as to the Power of exercising the necessary Offices and Functions of those Parts. This Definition naturally arises from the very Term, and therefore, whatsoever is so accounted, and fails of answering these Characters in the most minute Particular, should be consider'd in another light, and indeed call'd by some other Name.

It would be an Injury to Truth to deny the Existence of an Hermaphroditical Nature, to all the animal World in general; but however, I am inclin'd to believe it is only proper to some Reptiles, and but a few of these; for among the several Tribes of larger Animals, whether of the Air, Earth, or Waters, there seldom are any, of late Years, to whom this double Nature is ascribed, but those of the Human; with how little Truth or Reason, even to these, I hope to make appear hereafter.

[. . .]

If it be objected that it happens not to human Nature through any Necessity, but only from a Lusus of Nature; I answer, that no such Lusus can happen, and it will be very evident, if we only reflect a little upon the Nature of Generation, which will be more amply treated of in another Place; however, one Principle will be sufficient to our Purpose here, which is, that the Rudiments or Parts of all Animals whatsoever are already form'd in the Ovum, and that nothing can be produced by the Males, but a Juice capable of giving Motion, Explication, and Extension to those Parts, and that since we know the common Standard of Nature in human Bodies is, that there should be but one Sex in one Body, it is impossible that there should be the least Imperfection in the Rudiments of any one of the Ova, since they were implanted in Females from the Beginning of Time, by the Almighty *Fiat*, and were under the Restriction of that Law, that every Day's Experience confirms to us is certain; for if there was not so absolute a Law, with

respect to the being of only one Sex in one Body, we might then, indeed, expect to find every Day many preposterous Digressions from our present Standard. That there are certain Limits set to the Things of Generation appears no where better than when Animals of different Species meet and copulate; the Animal that is the Product of such a Congress is in no wise capable of producing an Offspring like itself, to this there is an absolute *ne plus ultra*, and why? Because, indeed, if such were capable of Generation, we should, by degrees, have a new set of Heterogenous Animals upon Earth. But it is plain, it never was the Design of the Almighty, since every Species of Animals are the same now that they ever were, and we must, from this Argument, expect no other while time subsists. And indeed, were we to have regard to the Notions of some of the Ancients concerning Generation, as, that the Male and Female Semina meeting form'd a Child of either Sex, according to the Predominance of the Strength or Quantity of either Semen, and if both were equal in Quantity and Quality, a Child of both Sexes was begotten, I say, were we to have regard to this, we might still be liable to be borne away by this Hypothesis, as Authors have been hitherto, which would inevitably seduce us to believe, that there are Hermaphrodites in human Nature. And therefore, whensoever the Parts of both Sexes are seen distinct in any Subject, they are not in the same, but in different Bodies preternaturally join'd, and coalesced together in the Uterus, by Compression, Heat, Inflammation, or some other such Accident; of this there lately was an Example in Town at *Charing-Cross*, which had the Heads separate, and the Sexes appearing a considerable Distance from each other. But who, with the least Propriety, can call these an Hermaphrodite, each Body having it's peculiar Sex, and being morbid in their Conjunction.

The Notions that sprung up in the World concerning this Matter were (no doubt) first taken from Appearances that sometimes have happen'd of an extraordinary Elongation in the Clitorides of Females; the first Idea conceiv'd from thence must have been that of a Penis, and the Appearance of a Vulva join'd to it rais'd an Opinion of both Sexes in the same Body; hence proceeded the Invention of a proper Name for the surprising Unity of both Sexes; and hence, the Fictions of Poets, which the Learned are well acquainted with. It will not be very difficult to account in some Measure, for the rise of such erroneous Imaginations, if we only consider how ignorant the World was in former Ages of the animal Structure, and even of those that understood ought of it, how few there were, who (from the Obscurity of the Clitoris in Females in a natural State) knew that any such Part existed: It is therefore not much to be wonder'd at, that at the first Sight of a large Clitoris, divers odd Conjectures should arise, and supply the Fancy of those unskill'd in a due Knowledge of the Part, with Matter sufficient for the Erection of a new Doctrine.

An Opinion of any kind, when once on foot, is a Law to Posterity, till repealed by the Doubts and Scrutinies of the Learned and Curious. Doubt is the only Path to Truth; for by this we examine, search, and discern Truth from Error; natural History affords Examples enough of Fallhoods copy'd and handed down from Age to Age, through the whole Class of Writers, who never doubted each other, and consequently were never able to know the Truth of Things, upon which many Volumes have been

wrote; and it is matter of no small surprize, that Authors never were able to take the least hint from the Practice of the People of some of the *Asiatick*, as well as the *African* Nations, concerning these large Clitorides; for as in both these Parts of the World, the Women have them most commonly very long, and the People knowing that the Length of them produces two Evils, *viz.* the hindering the Coitus, and Womens abuse of them with each other, wisely cut or burn them off while Girls are young, and at the same time never entertain the least Notion of the Existence of any other Nature besides the Female in those Subjects who are thus depriv'd of that useles Part.

### 1.3 Jane Sharp, *The Midwives Book, 1671*

Jane Sharp, *The Midwives Book; or, the Whole Art of Midwifery Discovered*, ed. Elaine Hobby (1671; New York: Oxford University Press, 1999), 38–42.

Jane Sharp's extraordinary book may surprise readers with its frank and detailed discussion of female and male anatomy and the reproductive process. Men authored most midwifery manuals, and they often merely reiterated the ancient theories of Galen, Aristotle, and Hippocrates. Sharp, by contrast, was distinctive as a practitioner of midwifery for thirty years. The book offers guidance on conception, birth, infant care, and abortion. The selection excerpted here illustrates Sharp's unusual attention to women's sexual pleasure and confirms the common early modern understanding of the connection between the clitoris and hermaphrodites.

#### **Of the Secrets<sup>1</sup> of the Female Sex, and First of the Privy Passage**

Seven things are here to be observed: 1. The Lips.<sup>2</sup> 2. The Wings.<sup>3</sup> 3. The Clitoris. 4. The passage for Urine. 5. The four fleshy Knobs.<sup>4</sup> 6. The membrane, or sinewy skin that joynes these four fleshy knobs together. 7. The neck of the womb.

The Lips, or Laps<sup>5</sup> of the Privities are outwardly seen, and they are made of the common coverings of the body, having some spongy fat, both are to keep the inward parts from cold, and that nothing get in to offend<sup>6</sup> the womb; some call this the womans modesty, for they are a double door like Flood-gates to shut and open: the neck of the womb ends in this, and it is as it were a skinny addition, for covering of the neck, answering to<sup>7</sup> the foreskin of a Mans yard. These Lips which make the fissure of the outward orifice, are long, soft, of a skinny and fleshy substance; in some kind<sup>8</sup> spongy and like kernels, with a hard brawny fat under them, and they are covered with a thin skin; but in those women that are married, they lye lower and smoother than in maids<sup>9</sup>; when maids are ripe they are full of hair that grows upon them, but they are more curled in women than the hair of Maids. They that have much hair and very young are much given to venery.

The wings appear when the Lips are parted, and they are made of soft spongy flesh, and the doubling of the skin, placed at the sides of the neck, these compass<sup>10</sup> the Clitoris, and are like a Cocks Comb.<sup>11</sup> These wings besides the great pleasure they give women in Copulation, are to defend the Matrix from outward violence, and serve to the orifice of the neck of the womb as the foreskin doth to a mans Yard, for they shut the cleft with lips as it were, and preserve the womb from cold air and all injuries: and they direct the Urine through the large passage, as between two walls, receiving it from the bottom of the cleft like a Tunnel, and so it runs forth in a broad stream and a hissing noise, not so much as wetting the wings of the Lap as it goes along; and therefore these wings are called *Nymphs*,<sup>12</sup> because they joyn to the passage of the Urine, and the neck of the womb, out of which as out of Fountains, whereof the *Nymphs* were called Goddesses,<sup>13</sup> water and humours<sup>14</sup> do flow, and besides in them is all the joy and delight of *Venus*.<sup>15</sup> Those parts that are seen without are the Lips, the slit, and the groin, but so soon as the Lips are divided there are three slits to be seen, the greatest is the outmost and is first seen, and there are two less slits between the wings, which serve to close up the parts the more firmly. But that which is the great and long slit, is made by the Lips, and bends backward toward the Fundament from the share-bone downward toward the slit of<sup>16</sup> the buttocks, and the more backward it goes the deeper and broader it is, and so it makes a trench like a Boat, and ends in the welt of the orifice of the neck of the womb.

The *Clitoris* is a sinewy hard body, full of spongy and black matter within it, as it is in the side ligaments of a mans Yard,<sup>17</sup> and this *Clitoris* will stand and fall as the Yard doth, and makes women lustfull and take delight in Copulation, and were it not for this they would have no desire nor delight, nor would they ever conceive. Some think that *Hermaphrodites*<sup>18</sup> are only women that have their Clitoris greater, and hanging out more than others have, and so shew like a Mans Yard, and it is so called, for it is a small extuberation<sup>19</sup> in the upper, forward, and middle part of the share,<sup>20</sup> in the top of the greater slit where the wings end. It differs from the Yard in length, the common pipe, and the want of one pair of the muscles which the Yard hath, but is the same in place and substance; for it hath two sinewy bodies round,<sup>21</sup> without thick and hard, but inwardly spongy and full of holes, or pores, that when the spirits come into it, it may stretch, and when the spirits are dissipated it grows loose again; these sinews as in a Mans Yard, are full of gross black vital blood, they come from both the share-bones and join with the bones of the Hip, they part at first, but join about the joining of the share-bones, and so they make a solid hard body of the Yard; and the end is like the Nut, to which is joined a small muscle<sup>22</sup> on each side. The head of this counterfeit Yard is called *Tentigo*,<sup>23</sup> and the Wings joining cover it with a fine skin like the foreskin; it hath a hole, but it goes not through, and Vessels run along the back of it as upon a Mans Yard; commonly it is but a small sprout, lying close hid under the Wings, and not easily felt, yet sometimes it grows so long that it hangs forth at the slit like a Yard, and will swell and stand stiff if it be provoked,<sup>24</sup> and some lewd women have endeavoured to use it as men do theirs. In the *Indies*, and *Egypt* they are frequent,<sup>25</sup> but I never heard but of one in this Country, if there be any they will do what they can for shame to keep it close.<sup>26</sup>

The *Clitoris* in Women as it is very small in most, serves for the same purpose as the bridle of the Yard doth, for the womans stones lying far distant from the Mans Yard, the imagination passeth to the spermatical Vessels<sup>27</sup> by the Clitoris moving and the lower ligatures of the Womb, which are joynd to the carrying Vessels of the Seed, so by the stirring of the Clitoris the imagination causeth the Vessels to cast out that Seed<sup>28</sup> that lyeth deep in the body, for in this and the ligaments that are fastened in it, lies the chief pleasure of loves delight in Copulation; and indeed were not the pleasure transcendently ravishing us, a man or woman would hardly ever die for love.

I told you the Clitoris is so long in some women that it is seen to hang forth at their Privities and not only the Clitoris that lyeth behind the wings but the Wings also, for the Wings being two skinny Caruncles,<sup>29</sup> on each side one, joyn almost at first, arising from a welt<sup>30</sup> or gard<sup>31</sup> of the skin, of a ligamental substance in the back part the slit of the neck, and they ly hid betwixt the two Lips of the Lap: they always almost touch one the other, and they go up to the end where the share-bone meets, and when they joyn they make a fleshy rising and cover the Clitoris with a foreskin and so they rise to the top of the great cleft. They are longer from the middle upward, and sometimes they will hang forth a little at the great slit without the lips with a blunt corner; yet they are threesquare,<sup>32</sup> like that part of a Cocks Comb that hangs down under his throat both for form and colour; they are soft and spongy, partly fleshy, and partly skinny. In some Countries they grow so long that the Chirurgion cuts them off to avoid trouble and shame, chiefly in *Egypt*,<sup>33</sup> they will bleed much when they are cut, and the blood is hardly stopt; wherefore maids have them cut off betimes, and before they marry, for it is a flux of humours to them, and much motion that makes them grow so long. Some Sea-men<sup>34</sup> say that they have seen *Negro* Women go stark naked, and these wings hanging out.

Besides these, under the *Clitoris* and above the neck is the passage of the womans water, for the Woman makes not water through the neck of the womb, nor is it a common<sup>35</sup> passage for Urine and Seed as in men, but it is only for Urine, therefore they that will cast an injection into the womans cleft to stop their water from coming forth too much upon any occasion concerns their bladder, must take heed they thrust not the syringe<sup>36</sup> into the mouth of the Matrix instead of the passage of the bladder.

Near this are four Caruncles or fleshy knobs, in form like to Mirtle berries, they are round in maids, but they flag and hang down as soon as their maidenhead is lost, the uppermost of them is forked and largest, that it may admit the neck of the urinary passage; the other three are below this on the sides; they all serve to keep off air or any thing may offend<sup>37</sup> the neck of the womb.

Maids have these fleshy knobs joynd together by a sinewy skin interwoven with many small veins, and with a hole in the middle, and through that their Courses pass, it is about the bigness of a mans little finger in such as are grown up; this is that skin so much talked of, and is the token of Virginitie wheresoever it is, for the first act of Copulation breaks it; some think that it is not found in all maids, but doubtless that is false, else it could have been no proof of Virginitie to the *Israelites*.<sup>38</sup> Yet certain it is that it may be broken before Copulation, either by defluxion of sharp humours,<sup>39</sup> especially in young maids, or by thrusting in of Pessarries<sup>40</sup> unskilfully to provoke the Terms,<sup>41</sup> and many other ways.

## Notes

- 1 **secrets:** private parts.
- 2 **Lips:** outer lips of vulva; labia majora.
- 3 **Wings:** inner lips of vulva; labia minora (not in *OED*).
- 4 **four fleshy Knobs:** tags of skin left in the vagina after the hymen tears; carunculae myrtiformes.
- 5 **Laps:** folds of flesh.
- 6 **offend:** injure.
- 7 **answering to:** corresponding to.
- 8 **in some kind:** somewhat.
- 9 **maids:** virgins.
- 10 **compass:** encompass.
- 11 **Cocks Comb:** the crest of a cockerel. This comparison appears in most seventeenth-century anatomy books and midwifery manuals.
- 12 **Nymphs:** nymphae; labia minora, or inner lips of vulva.
- 13 **Nymphs . . . Goddesses:** naiads, the beautiful female spirits who live in fountains and streams in classical mythology.
- 14 **humours:** body fluids.
- 15 **Venus:** Roman goddess of love and beauty.
- 16 **of:** emended from “of of” at line break.
- 17 **side . . . Yard:** the two sinewy bodies, or corpora cavernosa, described in *MB* I.vii.
- 18 **Hermaphrodites:** people of mixed sex; sometimes, homosexuals.
- 19 **extuberation:** protuberance; emended from “exuberation.”
- 20 **share:** share bone; pubic symphysis; joint at the front of the pelvis.
- 21 **it . . . round:** the clitoris is formed from two bodies, the corpora cavernosa.
- 22 **muscle:** the ischiocavernosus muscles.
- 23 **Tentigo:** glans clitoris; emended from “*Tertigo*”. (Not in *OED*.)
- 24 **provoked:** stimulated.
- 25 **In the Indies . . . frequent:** Europeans often asserted that sexual anomalies were common in Africa, India, and the Caribbean. See Sander I., Gilman, *Difference and Pathology: Stereotypes of Sexuality, Race, and Madness* (Ithaca, NY, and London: Cornell University Press, 1985).
- 26 **close:** hidden.
- 27 **spermatical Vessels:** seed vessels; ovaries.
- 28 **cast . . . Seed:** women were believed to release seed in orgasm.
- 29 **Caruncles:** outgrowths.
- 30 **welt:** fringe.
- 31 **gard:** guard; ornamental border.
- 32 **threesquare:** triangular.
- 33 **chiefly in Egypt:** excision and infibulation or “female circumcision,” where the labia minora and sometimes other parts of the vulva are removed to make young women eligible for marriage, was known to take place in Egypt. Reports of this practice include Joannes Leo (Africanus), *A Geographical Historie of Africa* (1600), 317; Richard Head, trans. *Rare Verities* (1687), 13, 50.
- 34 **Sea-men:** emended from “Sea-mem.”
- 35 **common:** shared.
- 36 **syringe:** emended from “spring.”
- 37 **any thing may offend:** anything that may injure.

- 38 **proof . . . Israelites:** see Deut. 22:13–21.  
 39 **defluxion . . . humours:** flow of strong bodily fluids.  
 40 **Pessaries:** plugs, usually of wool or lint, used to insert medication into the vagina.  
 41 **provoke the Terms:** stimulate a menstrual period.

## Further Reading

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