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“HERMAPHRODITISH DISTURBERS OF THE PEACE”: RUFUS GRISWOLD, ELIZABETH OAKES SMITH, AND NINETEENTH-CENTURY DISCOURSES OF AMBIGUOUS SEX

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In his 1850 tribute to recently deceased popular American poet Frances Sargent Osgood, magazine editor and anthologist Rufus W. Griswold praised Osgood as the “most womanly” of all the literary ladies with whom he was acquainted, noting: “She had no need to travel beyond the legitimate sphere of woman’s observation.” In the same tribute, he conversely castigated the “ruder sort of women” who “quit their sphere” to direct their intellectual labors to pursuits reserved for men—the “mathematicians, metaphysicians or politicians.” These he labeled “hermaphroditish disturbers of the peace” for “casting aside their own eminence, for which they are too base, and seeking after ours, for which they are too weak” (“The Memorial” 131). In praising Osgood’s public and private reticence, Griswold also marked her body as clearly “feminine,” in contrast to the ambiguously sexed bodies he claimed for more public women. In addition to praising Osgood, he mentions “with unhesitating pride, Mrs. Sigourney, Mrs. Oakes Smith, Mrs. Hewett, Mrs. Whitman, Mrs. Welby, Alice Cary” and several others (“The Memorial” 131). Tellingly missing from this list are Elizabeth F. Ellet and Ann S. Stephens, former protégées, who had each suffered a falling out with Griswold (Mattingly 102–03) and were likely among those he had in mind in castigating “hermaphroditish disturbers.”

Six years later (1856), Griswold self-published a curious 32-page pamphlet whose title begins Statement of the Relations of Rufus W. Griswold with Charlotte Myers (called Charlotte Griswold). In this document, published in New York City, and circulated widely, Griswold narrates his version of the very public and very messy events surrounding the 1852 divorce proceedings against his second wife, Charlotte Myers. That 34 libraries throughout the country still hold print copies of this document more than 150 years later, while another 47 catalog microfiche copies and an additional 69 hold digital access to the document, attests to the interest this small, seemingly obscure, pamphlet holds for nineteenth-century legal historians, cultural historians, literary scholars, and, I will argue, for women’s studies scholars as well. The document itself is every bit as curious as the case it discloses. Part personal narrative, part legal thriller, part character defense, the document unfolds like a

2Hereafter referred to parenthetically in the text as Statement.
modern-day courtroom drama. Think *Law and Order* or, better yet, *Boston Legal*, with all its quirky side characters, shifting allegiances, and gendered verbal repartee. Near the end of this page-turner, Griswold reveals his reasons for seeking a divorce: “my own individual opinion was that there was no marriage in the case, any more than there would have been had the ceremony taken place between parties of the same sex, or where the sex of one was doubtful or ambiguous” (Statement 27).

Griswold’s castigation of public women as “hermaphroditic disturbers of the peace” clearly resonated both with his own troubled intimate life and with larger medical and popular discourses surrounding the figure of the “public woman” in the mid-nineteenth century. Scholars such as Anne Fausto-Sterling, Kathleen Long, Alice Dreger, and Elizabeth Reis have traced the fascinating history of the emergence of a medical discourse surrounding ambiguously sexed bodies, the first three focusing on Britain and the continent while Reis focuses on the United States. Long links increasing cultural references to the hermaphrodite to social and political upheavals (2), while Fausto-Sterling asserts that all bodies are marked by both genetics and culture (35). And as Dreger and Reis point out, “sex” is as much socially constructed as is “gender”—in fact, constructing and maintaining rigid sex distinctions aids in policing gender roles (Dreger 10; Reis 52–53). In this article, I argue that Griswold’s charge of hermaphroditism against public women, like his charge of the ambiguous sex of his wife, serves to elide a critique of the non-conforming gender identities assumed by these women. This article contributes to the scholarship on hermaphroditism and ambiguous sex by examining previously overlooked sources staging the cultural construction of these figures.

While factual stories about persons of doubtful or ambiguous sex proved to be largely the stuff of medical literature, charges of “hermaphroditish” female behavior, like that of Griswold’s, dogged public women during these decades. Women authors, abolitionists, lyceum speakers, and women’s rights advocates all came under fire as “intellectual hermaphrodites.” It was not unusual to see such women referred to as “disturbers of the peace,” as a May 12, 1842, *North American and Daily Advertiser* article claimed of anti-slavery speaker Abby Folsom (“Abby Folsom” 2), but the addition of the sexual signifier “hermaphroditish” seems to have been especially reserved for women who invoked the greatest ire: literary ladies and women’s rights advocates. George Sand, the quintessential cross-dressing, androgynous French literary figure, functioned as a kind of touchstone for attacks against hermaphroditic literary women, while Lucy Stone often stood in for attacks against women’s rights advocates, using much the same language.

In this article, I want to examine two overlapping popular discourses surrounding ambiguously sexed bodies and use them as a palimpsest to analyze the imaginative response of popular American author Elizabeth Oakes Smith to the cultural construction of the female hermaphrodite. First, I discuss primary source materials accessed at the State Library of Pennsylvania: daily and weekly newspapers containing sensational crime reportage of a sexual nature. Second, I trace invectives against popular women writers, lyceum speakers, abolitionists, and women’s rights activists in the popular press. I argue that these discourses masked larger cultural anxieties about changing gender roles in the mid-nineteenth century, and especially of loss of
male control over the actions of women in the public sphere. Finally, I will analyze a
short story published in 1848 by Elizabeth Oakes Smith that imaginatively confronts
the construct of the female hermaphrodite in terms that both echo and repudiate
the popular discourse surrounding ambiguously sexed female bodies.

First, some brief background on Rufus W. Griswold and the circumstances
surrounding the publication of the *Statement*. Raised in a family of 14 children,
Griswold had little formal education, yet as a young man he fled to New York to
become a journalist. In 1837, at the age of 22, he married his first wife, Caroline
Searles, partly for love, but at least partly for money—the Searles family was well-
established in New York circles, and the young couple saved money for a home of
their own by living with her family. When an attempt at publishing a literary magazine
failed, Griswold briefly studied theology and procured a license to preach as a Baptist
minister in an effort to appease his wife’s family by qualifying for a more stable career.
Although he availed himself of the moniker “Reverend” for most of his life, he earned
his daily bread as a tireless promoter of American authors. At a time when most
American magazines still primarily featured reprints of the work of British authors,
Griswold discovered and published the work of American writers—many of them
women—and as a magazine editor and anthologist, he became one of the best known
literary figures of the day (Calhoun 153–58).

When Caroline died five years later in 1842, leaving Griswold with two small
daughters, he was by all accounts grief-stricken. He moved to Philadelphia and
threw himself into his new editorial job at *Graham’s Magazine*, replacing former
editor Edgar Allan Poe, while his daughters remained with the Searles. Among those
consoling him upon his wife’s death was Elizabeth Oakes Smith, and she became
one of his protégées. Three years later in 1845, Griswold met Charlotte Myers, a
Jewish businesswoman nearly 10 years his senior, during a trip south to Charleston,
South Carolina, to restore his faltering health. Against his better judgment, but with
the apparent enticement of her small fortune, and after the persistent efforts of her
two maiden aunts, Griswold made plans to marry Charlotte (*Statement* 3–4). Returning to Philadelphia to await the arrival of Charlotte and her aunts,
Griswold had second thoughts and tried to call off the wedding. He appears to
have been concerned about raising his daughters in a Jewish household, and about
the fact that Charlotte ran a private business serving as a financial broker—holding
mortgages and lending money—the latter occupation deemed inappropriate for
women, as I will discuss shortly (*Statement* 14; Bayless 109). The aunts insisted and
Griswold upheld his promise. However, on the wedding night, as Griswold reports in
his *Statement*, Charlotte left the bridal chambers at 3 a.m. and returned to her aunts’
quarters, and the two were never alone together again. As Griswold relates, “That
night I discovered that the person to whom I was thus united had been bound, in
honor and law, not to receive any man’s offer of marriage” (*Statement* 5).

Griswold’s next revelation suggests that Charlotte’s aunts knew full well about
her abnormality: “Strongly doubting whether that of which I was now aware, had not
been known and considered in advance by the aunts, as well as by the niece, I

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3 See letters dated November 23 and December 22, 1842 from Oakes Smith to Griswold in the Gratz American
Poets collection at the Historical Society of Pennsylvania.
disclosed my purpose to have the nullity of the marriage ascertained and declared by competent authority” (Statement 5). Griswold repeatedly refers to the “peculiarity of the case” and surmises that the aunts had sought the marriage to “quell rumors circulating about Charlotte” (Statement 5). According to Griswold’s account, Charlotte’s letters to him indicated that, left to her own choice, Charlotte would not have consented to marry him (Statement 4). She was, after all, independent and wealthy, and could benefit little from her connection to Griswold, apart, presumably, from squelching rumors about her physical condition by marrying and thereby assuming the societal status of a wife.

Griswold returned to his Philadelphia literary life while Charlotte remained winters in Charleston, spending part of the summers in Philadelphia and raising Griswold’s oldest daughter in her household. In the meantime, Griswold met a woman he wished to marry, Harriet McCrillis, and so began seeking a permanent divorce from Charlotte, which was granted in 1852 (Statement 13). However, in courting his new love interest, he ran afoul of writers Elizabeth F. Ellet and Ann Stephens because they erroneously believed he had intentions to marry their friend, the writer Alice Cary (Mattingly 103). Both gave testimony against Griswold related to the court case contesting the granting of the divorce.

However, their feuds with Griswold pre-date the divorce hearing, and it is likely no accident that their names are not included among the “womanly” writers Griswold praised in Osgood’s 1850 memoriam. In his estimation, both had behaved in ways unbecoming to a woman. By the time Griswold published the Statement in 1856, he identified the two directly for their public assaults against his character, including additional remarks about women writers who stepped outside their appropriate sphere. For example, he writes in the Statement (jesting about why he chose not to marry Cary): “I had seen and read too much of literary women to believe they were apt to make good housekeepers” (Statement 13). With this assertion, Griswold echoes the prevalent attitude that women writers could only pursue literary careers at the expense of their domestic responsibilities. Later he specifically identifies Stephens and Ellet as “two of the lower order of literary women,” by which he seems to separate women writers into two categories: the “higher order” (i.e., women like Osgood, Sigourney, and others praised in “The Memorial”), who confine their writing to domestic tales and publish only in the literary magazines, and those of a “lower order,” like Stephens and Ellet, who write public critique and publish in the daily newspapers (Statement 19). He states of women of this “lower order”:

[W]hen woman, leaving the domestic sphere, comes before the public, the challenger of public judgment; when laying down the distaff, she takes up the pen—not for the illustration of those sentiments which are her proper world, but, as a newspaper reporter or correspondent, to enter into the exciting and rude discussions of the forum and the club-room; to judge for others of public and private characters. ... I shall for myself suffer chiefly in silence whatever she may do or say concerning me. (Statement 24)

Griswold further explains that he had only pursued charges of desertion against Charlotte Myers to avoid stating the true cause for dissolving the marriage: her ambiguous sex. He lays the blame of having to explain the real reason for the
divorce at the feet of Stephens and Ellet; he felt compelled to respond to their character assassination of him in the press. Griswold avers in the *Statement*, “For more than ten years my lips have been profoundly sealed toward the public upon this, the primal and eldest cause of the other party’s separation from me. For years I consented to live in the painful and anomalous condition of … being married without the existence of a wife” (*Statement* 20). In other words, Griswold complains that although he was considered legally “married” to Myers, she was not in fact his “wife” since he could not consummate their relationship and thereby claim his legal conjugal rights to her. He suggests that he had tried to save Myers from the public embarrassment of her doubtful or ambiguous sex by instead charging her with desertion—legal grounds for divorce. In his view, only the malicious assault on his character conducted by Ellet and Stephens in the newspaper columns to which they obviously contributed forced Griswold to reveal the “primal and eldest cause” for his seeking a divorce: Myers’s ambiguous sex, which rendered her unable to perform the duties of a wife.

As several scholars have pointed out, prior to the nineteenth century, a body with any abnormalities, sexual or otherwise, would have been considered “monstrous” (Dreger 53; Reis 3–8). *Aristotle’s Master-Piece*, the most widely published vernacular medical text in circulation in the American colonies, lumped the hermaphrodite in with other birth “monstrosities” brought on, as the lore would have it, by “maternal imagination”—impure or improper thoughts or conduct by the mother during her pregnancy (20). Although the medical explanation of hermaphroditism shifted away from the “monstrous” by the mid-nineteenth century, the consequences of genital abnormality for a woman were still quite severe. In the words of respected Philadelphia physician Dr. Charles Meigs, a woman’s “sexual destiny” was to mature into a “reproductive agent” (114, 338). Should her sex be ambiguous—for example, a vagina that ended in a cul-de-sac or an overdeveloped clitoris—doctors like Meigs advocated liberal use of the scalpel and lancet to correct anatomical differences so as to permit a man’s conjugal satisfaction and rights to an heir (Meigs 85–86). It is worth noting that although desertion was the initial cause given by Griswold in seeking a divorce from Charlotte, it appears from the *Statement* that the case rested rather on the basis of Griswold’s inability to consummate his marriage with Myers, and thereby attain conjugal satisfaction.

If doctors limited a woman’s physical usefulness to her conjugal and reproductive roles, most medical experts also mounted arguments limiting a woman’s mental capacity, arguments which both inflected and reflected larger cultural attitudes toward women’s roles and responsibilities. Again, according to Meigs, a woman’s “intellectual and moral perceptivity and powers” were as “feminine as her organs are” (38). The good doctor instructed his male students at Philadelphia’s Jefferson Medical College, where he was an esteemed professor, that a woman lacked “great administrative faculties,” that “home is her place,” and that the only “arithmetical calculations” she needs to learn are those suitable to “domestic administration,” such as calculating the price of eggs for the larder (364–65). Meigs influential teaching illustrates the ways in which prevalent gender norms can influence definitions of sexual normalcy and vice versa. Meigs declares a woman’s intellectual
capacity (i.e., her brain and its functioning) to be “feminine” simply by virtue of that brain’s residing in a female body.

But what happens when that supposedly “feminine” brain demonstrates itself capable of more than simply “calculating the price of eggs for the larder”? Maintaining a financial business lending money, as did Charlotte, involved her in calculations beyond those needed for smoothly running a household and, furthermore, took her into the public, financial sector—a place reserved largely for men. This must have proven a double-edged sword for Rufus Griswold. On the one hand, it is clear from the Statement that he sought a union with Charlotte in order to avail himself of her fortune, which he would have a legal right to control as her husband (7). On the other hand, he must have clearly found distasteful the masculine work Charlotte performed as a moneylender that was the direct source of much of her wealth. Whatever the exact nature of her physical abnormality, by insinuating that her sex was doubtful or ambiguous, Griswold could skillfully draw on the prevalent cultural sentiments that prescribed woman’s proper sphere as the home, and that cast women who strayed from those roles as “hermaphroditic.”

As Dreger has noted, whenever public discourse evinces a clear uptick in references to hermaphroditism, it is likely a period in which sex/gender roles are being challenged (33). If hermaphroditism was everywhere in the medical literature of the nineteenth century, as Elizabeth Reis notes (29), the term was also widespread in the popular press. The adjective “hermaphroditic” circulated freely in newspapers and magazines of this era, its use varying from the literal and mundane—the word described a particular class of sailing ships—to the more figurative: an oddly shaped building addition, a wavering politician, or a newly launched newspaper of dubious intentions might also be dubbed “hermaphroditic.” In its more figurative context, the adjective is almost always employed pejoratively. As an article from the May 1843 issue of The United States Magazine, and Democratic Review observed, “the most contemptible of all creatures is an hermaphrodite” (485); “contemptible” likely because a hermaphrodite did not fit neatly into the culture’s rigid sex/gender roles: the hermaphrodite was neither “male” nor “female” but a monstrous combination of the two that eluded precise categorization.

Many newspapers published in New York, Philadelphia, or Boston in the 1840s and 1850s treated readers not only to descriptions of hermaphroditic buildings and politicians, but also to a litany of sensational stories about monstrous bodies—some very small, some very large, some with extraneous limbs, some scarcely human. Interestingly, while the medical discourse of monstrosity to describe the ambiguously sexed had largely abated, a fascination with monstrous bodies was everywhere apparent in the popular press. The Fejee Mermaid and Tom Thumb, displayed by P. T. Barnum, are perhaps the best known of these monstrous bodies displayed in America. But readers were also treated to descriptions of “the Monstrous Woman,” “the Mammoth Boy,” the “Giant,” and the “African Giant,” as well as the “remarkable [Siamese] twins” and the “pair of

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4 Tom Thumb’s American tour of 1847, during which Thumb married, was covered extensively in the daily press. See for example the Philadelphia Spirit of the Times and Daily Keystone June 2 story “Positively the Last Two Days of General Tom Thumb,” and June 7 story, “Tom Thumb to be Married.” The Fejee Mermaid received an extended page 2 column in the Wed., Feb. 8, 1843, Philadelphia Public Ledger, devoted to discussions debunking the validity of the mermaid’s bodily composition (“Feejee Mermaid”).
dwarf” twins.” As Laura Lunger Knoppers and Joan B. Landes note, “Monstrous bodies carry the weight of political, social, and sexual aberration or transgression” (“Introduction” 8). While Knoppers and Landes’s collection focuses on early modern Europe, I would assert that the same holds true for America in the nineteenth century, particularly, in the case of examples cited below, for the category of sexual transgression.

Another kind of public discourse, this one focusing on street crime, also proved particularly potent in this era. The National Police Gazette, first published in 1845, is perhaps the publication most immediately associated with this kind of sensationalized reporting of crime, sexual or otherwise. However, the daily mammoth papers published in Boston, New York, and Philadelphia reached wider audiences and featured columns devoted to sensational crimes, frequently of a sexual nature. These papers, generally four pages in length, sported a preponderance of advertisements, but page 2 and sometimes pages 3 and 4 also offered columns devoted either to “Local Affairs” or “The Courts.” In these columns, readers could find public reportage on a litany of sex crimes: seduction; kidnap and abandonment; prostitution; rape; incest; pedophilia; female sexual depravity; and sexualized violence. Often these notices were couched in terms designed to conceal the exact nature of the crime, terms like “outrage” and “monstrosity” (“Outrage” 2) However, cagey descriptions of the crimes left little doubt as to the precise actions perpetrated against the victims. While I do not have the space here to catalog the whole range of sex crimes reported in the popular press, I do want to focus on news items detailing the crimes of “public women.”

The examples below are culled from the mammoth daily papers with large circulations published in Philadelphia in the 1840s and 1850s. While they are by no means an exhaustive list, these examples point to the widespread circulation of reportage on sensationalized sexual crimes in these decades. The low cost of these papers, many only a penny per daily issue, accounts for their widespread circulation among all classes of readers. While most of the sexual crime reported in the popular press involved the violent actions of men against women, the sex crimes that appear to have elicited the greatest outcry involved the actions of public women, like abortionists and keepers of houses of prostitution and lying-in services for unmarried women. The crimes of these women offered a direct affront to the prevailing ideologies of domesticity and womanly virtue.

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5 On the “Monstrous Woman,” see the June 7, 1847, story in the Spirit of the Times and Daily Keystone (Philadelphia). The Cummings Evening Bulletin (Philadelphia) carried a story on Feb. 3, 1851, on the “Death of the Mammoth Boy.” The May 29, 1840, North American and Daily Advertiser featured a story recommending a visit to see “The Giant,” M. Bihin, claiming that he stands at 7 feet, 3 or 4 inches. The “Stupendous African Giant,” standing 9 feet, 4 inches, could be seen at Col. Wood’s Museum, according to a story from the Feb. 3, 1855, column in the Cummings Evening Bulletin. The “Remarkable Twins,” joined from the chest to the pubic area, were displayed after their death in infancy by their father, Sylvester Lyon, as reported in a story printed in the Dec. 10, 1842, issue of the North American and Daily Advertiser. Similarly, “A Pair of Dwarfs,” twin sisters reported as under 30 inches in height, was reported to have visited Philadelphia’s City Hall, according to a story in the May 24, 1845, issue of the North American and Daily Advertiser. The article quips that Barnum was caught sleeping on their visit, else he would have carted them off to Europe to make a fortune by their display (“Pair” 2).

6 For a detailed discussion of these newspapers, see Mott, esp. chapter XIII on the “penny press.” These newspaper articles are not available digitally, and were accessed via microfilm in the archives of the State Library of Pennsylvania, Harrisburg, PA.
Prostitution and abortion, as crimes connected with public women, frequently received reportage in the penny press. One of the most sensationalized stories, from the March 25, 1841, *North American and Daily Advertiser* (hereafter referred to as NADA), involved the discovery of a large chest containing the body of Mary Dawson. An unmarried woman, Dawson had resided at the house of a Mrs. Bird “in order to conceal her lapse from virtue” and had apparently died there during her “accouchement” (2). Bird had attempted to cover up the death by stuffing Dawson’s body in the chest, but her crime was uncovered. Also receiving extensive coverage in NADA on July 22, 1841, was the infamous abortionist Madame Restell, on trial in New York for being an accessory to the death of a Mrs. Purdy. The paper reviles Restell “for practicing her vile arts upon the married of her own sex,” presumably wives who did not wish to perform their primary reproductive functions yet again (2).

Reports of “female depravity,” although rarer than reports of male disorderly conduct, typically relate retribution against girls caught behaving badly in public. An April 4, 1844, NADA article, for example, relates that a thirteen-year-old girl, “completely depraved in morals” was committed to the House of Refuge for robbing a woman of $40 who had taken pity on her. When arrested, she was found “living amongst the worst of her sex” (“Depraved” 2). Two other “Females in Trouble” found themselves detained for “catching a young man by the arm in the street” (2). Unfortunately for these young women, as a September 8, 1841, item reports, the young man was at that moment in conversation with the mayor, and the girls were shocked to find themselves arraigned and detained “with the design of sending them to the House of Refuge” (2). According to the reporter, “The girls were overcome when they heard the charge, and behaved as though frantic” (2). Lest young girls reading or hearing these items failed to learn the moral lesson, a March 17, 1842, notice, set apart by a headline reading “Caution to Young Girls,” with all letters capitalized, reported that the mayor committed two young girls to the House of Refuge at the request of their own parents “for loose and wanton conduct” (2). Court decisions thus provided protective parents with legitimate license to curb their wanton teens, and proffered a prescriptive for women venturing into the public sphere.

Less frequently, public women colluded in attacks upon unsuspecting men, likely clients or would-be clients. A November 18, 1843, column headlined in all caps “Mysterious Affair” reported that on the previous Saturday evening, six or eight young women “of dubious character” were arrested and taken before a magistrate “upon suspicion of having attempted to murder a pilot, or sailor” (2). The man had been found by other men “in a state of stupefaction, and totally unable to relate any particulars in reference to himself.” The report continues by noting that the woman “who keeps the house,” one Rachel Nicholson, had fled, “it is supposed to New York,” and that the women were all bound over to the court for sentencing (2). One suspects that the man in question attempted deliberately to conceal his identity, no doubt humiliated by the discovery of his public beating at the hands of prostitutes.

As scholars have noted, the specter of disguised bodies thronging the city streets served as a source of anxiety to a culture that valued transparency and bodily legibility (Halttunen 52; Kasson 6). Clearly the prospect of unaccompanied and unidentifiable women in the streets and other public places elicited great anxiety. For example, in an anonymous *New York Daily Times* column from October 14, 1853, the writer ponders the
many pleasures available to “Man,” beginning with the pleasures of hearth and home. For this universal “Man” he wishes “a roof that is water-proof; a room that is cozy [sic]; a wife that has no ambition to be a man, and who despises LUCY STONE and the other peregrinating hermaphrodites” (2). In this writer’s imagining, a woman’s ambition to take on gender roles formerly reserved for men (public, political speaking, as did Lucy Stone) conflates with images of women wandering the public streets; all such women the writer imagines as “peregrinating hermaphrodites.”

Part of the outrage evinced in the popular press against supposedly disguised public women seemed to swirl around the adoption of the bloomer costume and other forms of masculine clothing by women. Examples of cross-dressing, such as the one described next, threatened the culture’s rigidly defined sex and gender roles. A front-page story entitled “Shocking,” from the April 15, 1851, Cummings Evening Bulletin reported on the instance of a woman in Petersburg, Virginia, who whipped an African American boy so badly that he eventually died. She was reported as having fled to the north, “disguised in man’s clothes.” It is difficult to know whether it was her treatment of the boy, or her masculine disguise that warranted both the front-page coverage of her story and the headline “Shocking” (1).

Women adopting masculine dress or deportment risked public castigation in the daily press. Side-by-side articles in the June 14, 1847, Spirit of the Times and Daily Keystone (Philadelphia) denigrated women who take on public roles reserved for men. The first, “She Would Be a Soldier,” reports on a New Orleans lady who wrote to inquire whom she should contact about entering an infantry or dragoon company to join the American forces in the ongoing war against Mexico. Next to this appears the notice “We Pity Her Husband,” reporting on the recent marriage of Miss S. J. Clark (pen name: Grace Greenwood). The reporter notes, “We never knew a literary lady yet to make anything but misery for her husband” (2). This newspaperman’s pronouncement echoes that of Griswold in explaining why he chose Harriet McCrillis over Alice Cary.

Stories about gender-deviant women seem to elicit the greatest anxiety, as their actions directly challenge the dominant ideology of separate spheres and male dominance of the public arena. For this reason, women who took on the heretofore primarily masculine roles of authors and public speakers came under greatest attack. French author George Sand was the quintessential gender-deviant in this era. Sand had received literary notice in the Philadelphia monthly illustrated magazines as early as 1846. Her novel Consuelo received surprising praise from the book editor at Graham’s Magazine in August 1846 (107), although subsequent reviews of her work in both Graham’s and Sartain’s Union magazine proved far more censorious. Most critics seemed to object as much to her cross-dressing, gender-deviant lifestyle as to her literary licentiousness. It was an anonymous book...
reviewer writing for Littell’s Living Age who seems to have first used the term “intellectual hermaphrodite” to describe Sand and her work. In an October 19, 1850, column entitled “French Novels and Novelists,” the critic, in terms echoing Griswold’s denouncement of public women, accuses Sand of exhibiting “the frailties and weakness of the woman combined with the vices of the man”—hence the label “intellectual hermaphrodite” (99).

Women writers had long been criticized in the press as unwomanly, non-domestic bluestockings, but charges of hermaphroditism do not seem to attach themselves to this particular example of a public woman in America until the 1850s. A curious editorial note from the September 15, 1855, Brooklyn Eagle complains about writers of letters to the editor who fail to append their names, preferring to remain, in the editors’ words, “anonymous cowards” (“Editorial” 2). One of the two examples given by the editor is one recently received, “apparently written in a female hand” or, the editor allows, possibly by “a masculine who feigns the character.” The editor pronounces the letter the “emenation [sic] of one of the breeched hermaphrodites of the strong-minded class” and declares, “We never read such documents further than to learn their purport and see that no name is attached. We regard their impotent malevolence as we do the grinning of a hyena through the bars of his cage” (2). Here the editor’s comments conflate images of the outspoken, cross-dressing public female with that of the noisy but ineffectual male hyena. As gender historian Anna Wilson has noted, the hyena is often treated as a sexually ambiguous creature in popular literature, and often referred to as hermaphroditic (758). The editor’s dismissal of the female writer both as a “grinning hyena” (reducing her to non-human status) and as a “breeched hermaphrodite” (because dressed in men’s clothing, and thereby a monstrous denial of her true sex) echoes Griswold’s condemnation of the “lower sort” of literary woman discussed previously. A “female hand” that produces “malevolent” public critique, in both this newspaper editor’s view and Griswold’s, can only be understood as subhuman and dismissed as beneath contempt—as a hermaphrodite.

By far the greatest vitriol against public women in linking them to the figure of the hermaphrodite is aimed at woman’s rights advocates. In the aftermath of the 1848 Seneca Falls convention, anxiety toward women who took public stages previously reserved for men reached a fever pitch. For example, in the December 11, 1852, “Gossip Aloft” column of the New York Daily Times, an anonymous essayist warned women readers to “beware of the hermaphrodites, Female Politicians, [and] Woman’s Rights Lecturers … who belong rather to woman than to man, but are a most unnatural and unsexual blending of the two” (2). The writer implies that such women are “unsexual” because they do not conform to the “natural” expectations of their sexed/gendered roles. The writer links a woman’s worth to her avoidance of these activities:

As woman would remain man’s chief treasure; as mother … as wife, the clinging vine, sustaining the trunk that otherwise would fail and fall; as sister, daughter, lover, playmate, counsellor [sic]; as she would be all of these, treasured above all treasures, accounted the highest good beneath God’s throne, hardly a little lower than the angels; then let her beware of the hermaphrodites, Female Politicians, Woman’s Rights’ Lecturers. (2)

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8 On the literary type of the bluestocking, see Okker 114–15.
The writer further asserts that “their breasts contain curdled milk” (2), implying that any woman who takes upon herself any of these public functions spoils her own ability to nurture her offspring. Interestingly, this image of the “monstrous” hermaphroditic woman with milk curdling in her breast echoes the pre-nineteenth-century medical understanding of hermaphroditism discussed earlier in this article. This example suggests that the discourse of sexual monstrosity lingered in some pockets of the popular discourse referencing public women long after its abandonment in the medical discourse surrounding hermaphroditism and ambiguous sex.

Griswold’s 1850 charge against “hermaphroditish disturbers of the peace” may not have been the first linking of public women with figures of doubtful sex, and, as we have seen, it certainly was not the sole expression of this potent figure published in the popular press. While the newspapers teemed with tales of monstrous bodies and salacious sex acts, the medical literature marveled over ambiguously sexed bodies. In particular, doctors worried over female sexual anomalies that might render a woman incapable of performing her two most vital functions: servicing a husband’s conjugal rights and reproducing citizens. In the peculiar case of Charlotte Myers Griswold, we see medical and popular discourse crash together, spilling out into Rufus Griswold’s vitriolic pronouncement against the literary women whose very existence, like that of his ex-wife’s body, threatened Griswold’s peace.

Interestingly, at least two literary women in Griswold’s circle of acquaintances penned narratives that appear to “talk back” to the discourse linking public women to hermaphroditism: Julia Ward Howe and Elizabeth Oakes Smith. The better known of the two texts is Howe’s book-length narrative, fragments of which Howe likely began in 1846–47 (Williams x–xi). The work was first discovered in Howe’s papers in 1995 and was published in 2004 under the title *The Hermaphrodite* by Howe scholar Gary Williams. As Williams has shown, Howe read widely in continental literature and would likely have read novels by George Sand, Honore de Balzac, and Theophile Gautier featuring androgynous figures. The tale published as *The Hermaphrodite* is actually a series of narrative fragments known as the Laurence manuscript. The first section describes Laurence’s youth, raised as a male, his attachment to an older woman, and her discovery that he is no man but a “monster” (Williams xxiv). The second fragment describes Laurence’s monastic-like retreat and the obsessive attachment of a male admirer, Ronald, from whom Laurence must flee when Ronald’s overtures turn sexual. In a final section, Laurence dons women’s attire and passes as a refined English lady under the tutelage of Berto, an Italian mentor who wishes Laurence to see men as women see them. The narrative breaks off with Laurence on his deathbed, having been treated by a physician who, upon examining Laurence, states “I cannot pronounce Laurent either man or woman … but I shall speak most justly if I say that he is rather both than neither” (195).9

Elizabeth Oakes Smith also read widely and likely knew the work of George Sand since it had been reviewed in magazines (*Graham’s, Sartain’s Union*) in which she also regularly published her short fiction. She may have known Howe as a result

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9 “Laurent” is a variant spelling found in some of the manuscript fragments.
of their shared Unitarian beliefs and association with the literary salons of Philadelphia, New York, and Boston. Oakes Smith had early been a protégée of Griswold. Whether Oakes Smith knew about the Laurence manuscript I cannot determine. Likewise, how much of Griswold’s marital woes Oakes Smith knew is unclear, although Oakes Smith certainly had been his confidante earlier in her career. Regardless of what she knew specifically about Griswold’s case, she could not have been oblivious to the haranguing in the popular press against public women, especially literary ladies and women’s rights advocates. Oakes Smith published her short story, “Two Chapters: On Beauty, Vanity and Marble Mantels,” under her alias Ernest Helfenstein in the 1848 annual *The Mayflower*, which she also edited. Interestingly, the only book-length and fairly exhaustive biographical treatment of Oakes Smith—a 1994 dissertation by Leigh Kirkland, which includes a year-by-year list of her publications—fails to mention this short story, although other Oakes Smith/Helfenstein items in the 1848 annual do receive mention.10

**Elizabeth Oakes Smith: “Two Chapters on Beauty, Vanity, and Marble Mantles”**

While Oakes Smith was not the direct object of Griswold’s ire in his 1850 declamation—she remained in his list of “poets of a genuine inspiration” in Osgood’s memorial—she was by the late 1840s attempting to leave behind the sentimental subject matter of much of her poetry and fiction from earlier in the decade. This previous work Griswold had both encouraged and originally helped her to place in magazines like *Graham’s* (where, as noted, Griswold had worked as editor following Edgar Allan Poe), *Godey’s*, *Peterson’s*, and *Sartain’s*. Evidence of an emerging protofeminism can be seen in some of her tales from the mid- to late 1840s (Patterson 109). However, it would not be until November 1850 to June 1851 that Oakes Smith would publish in Horace Greeley’s *New York Tribune* the ten-part series later collected in pamphlet form as *Woman and Her Needs*, a move that alienated Griswold and others. Moreover, it was not until 1851 that she became the first woman speaker before the Concord Lyceum (Ray 191; Scherman 227).

The tale “Two Chapters on Beauty, Vanity and Marble Mantels” appeared in the 1848 annual *The Mayflower*, edited by Oakes Smith and published in Boston by Saxton and Kelt. The expensive leather binding includes a gilded figure of the namesake ship on the cover (Figure 1). Saxton & Kelt published the work of Frances Osgood, Charles Fenno Hoffman, and John Neal, as well as the children’s annuals *The Moss Cup* and *The Dandelion*. In addition, Saxton & Kelt published tracts on astronomy, algebra, and phrenology, as well as a popular pictorial travelog of England, Ireland, Scotland, and Wales. The frontispiece of *The Mayflower* illustrates Native Americans pointing to the arrival of the namesake ship (Figure 2). Likewise,

10 Kirkland worked with the unpublished manuscript of Smith’s autobiography housed in the Elizabeth Oakes Smith Papers, Rare Books and Manuscripts Division, the New York Public Library. I discovered the article while tracing down an Oakes Smith reference for Dr. Timothy Scherman, also an Oakes Smith scholar, from a copy of the 1848 *The Mayflower* held by the University of South Florida Libraries Special Collections. Scherman subsequently published a typescript version of the article as a “new discovery” on the Elizabeth Oakes Smith website he maintains: http://www.neiu.edu/~thscherm/eos/texts.htm
the title page welcomes readers with this message: “They met with many contrary winds and fierce storms, with which their ship was shrewdly shaken, and her upper works made very leaky, and one of the main beams of the mid-ship was bowed and cracked, which put them to some fear that she would not be able to perform the voyage” (Figure 3). A “Preface” following situates the tales in the collection within this theme of overcoming adversity, much as the Pilgrims had in sailing to America. Oakes Smith contributed several tales to the collection, some under her own name and some under her pseudonym. Also contributing were other popular authors such as Emma Embury, Frances Sargent Osgood, Margaret Fuller, Charles Fenno Hoffman, Anna C. Lynch, and Henry T. Tuckerman.

Although proclaiming itself a tale in “two chapters,” Oakes Smith’s narrative actually comprises three distinct sections. Each section appears to avail a larger purpose for Oakes Smith at this juncture of her career: in section one, she distances
herself from the platitudes present in her earlier domestic fictions; section two contains both an implicit critique of Griswold and a reimagining of alternative career paths for women; and section three explores the difficult choices a woman must make in opting out of marriage and domesticity.

“Chapter 1” is a disquisition, satiric in tone, beginning: “I am very much in doubt whether an ugly woman should ever love” (Figure 4).\textsuperscript{11} The essay argues that only plain and ugly women can fall victim to vanity because “the beautiful woman knows her worthiness” (174) while plain and ugly women, in doubting theirs, must always seek the hollow flattery of male admirers, and thus can never be assured of true love (176). The author/narrator, Oakes Smith’s alter-ego Ernest Helfenstein, admits that his position flies “in the face of the whole tribe of twaddlers who fill our magazines

\textsuperscript{11} From Helfenstein’s (Oakes Smith’s) “Two Chapters On Beauty, Vanity, and Marble Mantels” 172, which is hereafter referred to parenthetically in the text as “MM.”
with stories going to show that mental beauty is the only thing really loveable or loved in this world” (MM 172). However, the narrator maintains this position until the final paragraph of chapter 1. At this point, Helfenstein announces “But a truce to sarcasm,” before handing off narration of the next section to “a friend” who the narrator claims “hated marble mantels” (MM 177).

Having distanced herself from the “tribe of twaddlers” penning magazines stories touting a woman’s “mental beauty,” Oakes Smith turns in the second section to the depiction of her main character, a young priest. It is quite possible that Oakes Smith’s depiction of this priest is a veiled indictment of the larger culture at this time, which still forbade women from entering certain professions, such as the ministry. It is also likely that Oakes Smith intended her sympathetic portrait of the priest to function as a contrast to her former mentor, the “Reverend” Rufus Griswold, as he insisted on being called—a man who retained the title of a minister
while never having led a congregation. This section bears an eerie resemblance to chapter 7 of Howe’s tale of Laurence. In Howe’s tale, Laurence, having been banished from his father’s house, takes up residence in a hermitage, sleeping in a small apartment off the chapel, donning clerical robes, and letting his hair grow long. Likewise, Oakes Smith’s narrator tells the story of a priest clad in long robes who sleeps in a small apartment behind a chapel. The young priest, the narrator relates, attended to his congregation as both “guide and physician,” and his chapel

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12 Gary Williams does an excellent job of tracing the various literary predecessors to Howe’s *The Hermaphrodite*. In particular, he notes that Lamartine’s long narrative poem *Jocelyn* contains a title character that is studying for the priesthood and escapes to a hide-away in the mountains, where he is discovered by another character, Laurence. While treating Laurence for an injury, Jocelyn discovers that Laurence is in fact female. Oakes Smith was well read, and, like Howe, may have read Lamartine or other French novels of the era, which, as Williams points out, demonstrated a fascination with “the ambiguously gendered creature” (xiv).
was “thronged with worshipers” on Sunday, while his vestry room through the week “was a place of constant resort” (MM 178). The narrator praises the priest as “so truthful and so gentle, so touching the very fibres [sic] of the human heart,” noting that his flock adores him (MM 179). The physician-priest, the narrator reports, received no money, “either for preaching or for medicine.” Parishioners avowed, “[H]is is for the love of God and poor human souls” (MM 179). At this point, the tale takes a swift turn, as the narrator confides, “Now all these remarks placed the preacher in the masculine gender, and I was convinced that I had listened to a woman” (MM 179). Yet when the narrator attempts to communicate with the priest, and to confront him/her with this revelation, the narrator finds himself rebuffed, and returns to use of the masculine pronoun: “he appeared at the confessional … he read the paper. … [N]or did he lift his eyes … or show that he was alive to the incident” (MM 180).

The narrator then continues to refer to the priest in the masculine while relating his own absence from the church for many years. According to the narrator, during this time the priest “never went out … ministering to the poor filled up his whole life” (MM 180). Many years later, after he had “outgrown [his] unmanly curiosity,” the narrator, now a doctor, is summoned to the priest’s side by concerned parishioners as he had fallen ill and was “certainly near dying, out of his head” (MM 180). An elderly female attendant, the priest’s only companion, initially turns the doctor away, but the doctor pushes through and rushes to the side of the ailing priest. He observes, “There were the fair hands, the long locks, and the expression of patient suffering which only woman wears. She was delirious, and in high fever.” Briefly recovering consciousness, the priest fixes her eyes on the doctor and says gravely, “God deal gently with thee according as thou doth respect my secret” (MM 181).

The third section of the narrative, entitled “The Story,” relates the earlier history of the main character’s failed courtship, and in doing so it allows Oakes Smith to comment on the sacrifices a woman makes in refusing marriage and domesticity. Margaret Lincoln, a “very plain girl” with a mind “of great clearness and order,” finds herself invited to the home of a “handsome but giddy woman,” a distant cousin of hers. There she meets and is wooed by “a man of intellect and refinement” to whom she becomes engaged (MM 183). However, one day at her writing desk, she looks up to see reflected in the black marble mantel, her “own beautiful lover” and “her own beautiful cousin” consulting together, and then looks up into the mirror opposite herself and sees herself “hideous to herself” (184). She pronounces both her lover and her cousin “false, disloyal,” and realizing she could never escape from the jealousy that would always be occasioned by her own plainness, decides: “She could do better without love than with jealousy” (MM 184–85). Margaret falls gravely ill and upon her recovery retires to her “pious seclusion” (186) as physician and priest, the point at which the second portion of the narrative had begun. This story of the priest’s youth and failed courtship patently argues against the didacticism of domestic fiction that insists the culture values mental beauty over physical beauty.

Oakes Smith’s tale, like Howe’s Hermaphrodite, wrestles with the limits placed on women by societal sex/gender norms. If, as Gary Williams has argued, Laurence is in
part Julia Ward Howe, then I would argue that the physician-priest is in part Elizabeth Oakes Smith. Tellingly, Oakes Smith would go on some half-dozen years later to write *Bertha and Lily*, the story of an unwed mother who becomes a minister. Moreover, Oakes Smith would herself serve as Pastor of the Independent Church in Canastota, New York in 1877 (Wyman 226). In 1848, responding to a world that professed a woman’s inner beauty to be of greatest value while simultaneously denying that in practice, Oakes Smith—herself said to be a quite beautiful woman—attempted to come to terms in *Marble Mantels* with the limits of her own sex/gendered body as a writer and public figure. In a world in which medical men could literally reconfigure a woman’s body to bring it into compliance with societal expectations of her conjugal and reproductive roles, Oakes Smith imagined a sympathetic doctor narrator who not only refrains from exposing the body of the physician-priest to public spectacle but, in the priest’s illness, comes to her aid. In Oakes Smith’s tale, only upon the priest’s death does this sympathetic doctor narrator relate the story of the priest’s secret sexual identity.

While Oakes Smith does not go as far as Howe in creating a character literally presented as a hermaphrodite, she does imagine a character of ambiguous or hidden sex/gender who is able to overcome disappointments encountered early in life as a woman by taking on the bodily presentation of a man. In that quiet but public life, the imagined physician-priest is able to accomplish much still largely forbidden to a woman in the larger culture. In this character, Oakes Smith fuses both physician and priest, but within a female body—thus assigning her character societal roles largely denied to women at the time. Unlike male physicians such as Meigs, who wrote confidently of reconfiguring female bodies to conform to societal expectations, Oakes Smith’s hermaphroditic physician-priest ministers non-intrusively to her parishioners’ physical and spiritual needs.

It is difficult not to read in Oakes Smith’s physician-priest an implicit “talking back” to the medical and popular discourses swirling around the sexed/gendered bodies of women in this era, including an implicit talking back to Griswold, whose friendship she would lose soon thereafter. Imaginatively unwilling to limit her sex to the confines of a woman’s sphere, Oakes Smith instead creates an alternative fictive world where a woman can realize her potential as a teacher and healer. Moreover, Oakes Smith constructs a narrative that initially elides her main character’s true sexual identity, drawing on a well-established literary tradition featuring hermaphroditic/ambiguously sexed creatures. In so doing, Oakes Smith thereby turns the negative public discourse swirling around these controversial figures back on itself. Oakes Smith’s tale at once enacts the limits of woman’s social productivity in a strictly female body and yet challenges the negative connotations adhering to the hermaphroditic woman in the public discourse. In doing so, she prophetically enlarged the sphere of influence for women’s actions in the social and political realm.

Four years after publishing “Marble Mantels” Elizabeth Oakes Smith was invited to speak to the Women’s Rights Convention of 1852, held in Syracuse, New York. In

13 Oakes Smith’s “Address of Elizabeth Oakes Smith to the National Woman’s Rights Convention, Syracuse, NY, Sept. 8, 1852” is hereafter referred to parenthetically in the text as “Address.”
that address she took up a mantle of a different kind. Oakes Smith articulated to her audience her vision for the role of women in public discourse. She begins her address by refuting the charges of those who claim that women’s rights advocates are a “few, disaffected, embittered women” meeting in public to give vent to “petty personal spleen, and domestic discontent” (“Address” 17). Oakes Smith insists that the wrongs the women seek to redress are not personal but those of “unjust legislation” and “false social aspects” (“Address” 17). She continues, “No, it is only a deep, holy sense of good to be done for our kind, that has compelled us from the sanctities of home, that we may here say what our pulpits dare not utter, God’s truth altho’ it is, and that we may challenge our Legislators to an account of their stewardship” (“Address” 17). Taking upon herself the public mantle of the minister, she utters “God’s truth” about the injustices done to women in the social and legal system. She urges her audience: “we must work, we must hold property, and claim the consequent right to representation, or refuse to be taxed” (“Address” 19). But Oakes Smith goes one step further: she repudiates the power of the male pulpit as the primary arbiter of public opinion. She declares: “The newspaper and the lecture room have become greater than the pulpit—more effective in stirring up human hearts to great movements. Let us pledge ourselves to the support of these, in the work in which we are engaged” (“Address” 19). Nearing the end of her address, Oakes Smith proclaims “Our aim is nothing les than an overthrow of our present partial Legislation, that every American Citizen, whether man or woman, may have a voice in the laws by which we are governed” (“Address” 19). Just four years after publishing under the cloak of her pseudonym, Ernest Helfenstein, a tale in which Margaret Lincoln must hide her sex to realize her calling as a physician and minister, Elizabeth Oakes Smith not only embraced her calling as a public speaker, but encouraged other women to do the same.

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