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The Discourse of the Scalpel and the Limbo of Non-identity: Doing Justice to Herculine Barbin

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Abstract

In this essay I will make a comparative analysis of Butler's reading of Herculine Barbin in *Gender Trouble* and David Reimer in *Undoing Gender*. My reading of *Undoing Gender* will illustrate reflective moments in which Butler herself describes spaces outside of intelligibility. First, my analysis will consist of in reading Butler's earlier work against her more recent writings on gender. Utilizing the same critical lens that Butler incorporated to compare Foucault's later work against his earlier writing will bring to the fore important tensions in Butler's gender theory and her relationship with Foucault. Second, I will describe the discourse of the scalpel that is found in the narratives of both Barbin and David. I find that Barbin's framework foreshadows the discourse of the scalpel that Judith Butler identifies within the life story of David Reimer. Then I will give an account of the discourse of the scalpel as a form of biopower. I will supplement my analysis of Butler with Jemima Repo's essay, *Herculine Barbin and the Omission of Biopolitics from Judith Butler's Gender Genealogy*. Taken together my analysis will elucidate a lineage between Herculine Barbin and David Reimer that calls for a reexamination of Butler's relationship with Foucault.

The conditions of intelligibility from which we emerge and are recognized as human, are composed of a set of complex and culturally situated norms. These norms are preconditions of what it means to be socially and legally recognized as human. To fall outside of societal norms is impermissible, dangerous and even criminal. Those who fall outside of sexual norms and categories of gender are particularly susceptible to numerous forms of violence. This violence is manifest in the discrimination that sexual and gender minorities face at the hands of their peers, the law, the psychiatrist's couch, and the surgeon's scalpel. Two exemplary cases of individuals who gave personal accounts of the violence of over-determination are Herculine Barbin and David Reimer. While these two cases are not the same (Herculine was an intersex person who lived in 19th century France and David was a biological male born in the late 20th century who after a botched circumcision was raised as girl.) They serve as important points of

reference and departure for understanding the processes of over-determination to which bodies are susceptible.

In this essay I will make a comparative analysis of Butler's reading of Herculine Barbin in *Gender Trouble* and David Reimer in *Undoing Gender*. I will concentrate on passages in *Gender Trouble* in which Butler critiques Foucault's reading of Herculine Barbin's memoir, particularly his description of the "happy limbo of non-identity" My reading of *Undoing Gender* will illustrate reflective moments in which Butler herself describes spaces outside of intelligibility. First, I will give a description of bio-power. Second, I will describe the "discourse of the scalpel" that is found in the narratives of both Barbin and David. I find that Barbin's framework foreshadows the discourse of the scalpel that Judith Butler identifies within the life story of David Reimer because of the advent of bio-power. Finally, my analysis will consist of reading Butler's earlier work against her more recent writings on gender concentrating on her work on David Reimer. Utilizing the same critical lens that Butler employed in her writing comparing Foucault's later work against his earlier writing will bring to the fore important tensions in Butler's own gender theory and her relationship to Foucault. My analysis will elucidate a lineage between Herculine Barbin and David Reimer that calls for a reexamination of Butler's relationship with Foucault, which will open new potential for notions of intelligibility.

Bio-power surfaced as a dominant paradigm in the nineteenth century. Bio-power designates what "brought to life and its mechanisms into the realm of explicit calculations and made knowledge power an agent of transformation of human life" (Foucault 143). In the eighteenth century, bodies freely made a display of themselves, enjoying a sexual candor that ended when the Victorians began to constrict and regulate sex. Our will to know, to uncover and demystify sex, has led us to construct and accept a science of sexuality. This will to know is inherent to bio-power. According to Foucault, "The agencies of power are determined to speak about it, to hear it spoken about, and to cause it to speak through explicit articulation and endlessly accumulated detail" (Foucault 18). In other words mechanisms in the areas of religion, psychoanalysis economics, pedagogy, medicine and law "incite, extract, distribute, and internalize sexual verbosity" (Kurzweil 219). It was through this incitement to discourse that the sciences of sex took charge of sex.

At the same time sex was made inappropriate to speak of, and confined to the bedroom or the confessional, experts began to freely and openly discuss it. The presence of sex in discourse became ever more prevalent as the power over it increased, leading new sites of sexual pleasure to emerge from the very regimes that sought to control it (Kurzweil 219). The more people constructed means to restrict sex, the more sex became the topic of discussion and subject of inquiry. The secrets of sex were laid bare as they became medically and legally exposed. Perversion became codified; observations in hospitals, prisons, schools and homes regulated the boundaries of

sexual pleasure for patients, inmates, teachers, students, parents and children. For Foucault, “these sites radiated discourse aimed at sex, intensifying people’s awareness of it as a constant danger, and this in turn created a further incentive to talk about it” (Foucault 31). Sex was now a thing to be administered, and acted on bodies. Bodies did not reveal sex instead doctors prescribed it to them. Sex “had to be taken in charge of by analytical discourses” (Foucault 24).

In her/his memoirs, Barbin contemplates the insatiable “will to know” of bio-power that so structured the events of her/his life and forced her/him to the very limits of intelligibility. This grappling with the “unknown” indicates how Barbin struggled to make sense of his/her humanity in relation to the “known” biological conditions of humanness that s/he failed to meet. Religion and science had pushed Barbin to her/his limits, both undoing and abandoned her/him. Unable to adapt to life under her/his new identify (or nonidentity), Barbin committed suicide. The manuscript of her/his memoirs was found along with her/his body. In a sense Barbin left behind not one, but two texts. At the time of Barbin’s death her/his memoirs were considered to be of little significance. It was Barbin’s body that was analyzed and read by a succession of medical doctors. Barbin foreshadows the “discourse of the scalpel”, which is still felt today by individuals such as David Reimer. Barbin alludes to this discourse in the text:

“When that day comes a few doctors will make a little stir around my corpse; they will shatter all the extinct mechanisms of its impulses, will draw new information from it, will analyze all the mysterious sufferings that were heaped up on a single human being. O princes of science, enlightened chemists, whose names resound throughout the world, analyze then, if that is possible, all the sorrows that have burned, devoured this heart down to its last fibers; all the scalding tears have drowned it, squeeze it dry in their savage grasp!” (Barbin 103)

Barbin understood the fascination that surrounded her/his body and the contempt that surrounded her/his humanity. Barbin’s memoirs offer us a powerful cautionary tale of the harms of over determining people through medical discourse at the cost of their humanity. Research shows that it is not uncommon for “corrective” surgical operations to be performed on intersex children without the parent’s knowledge. Often when the parents are informed psychiatrists and surgeons attempt to convince them to elect to surgery on the grounds that their child will be unhappy because s/he will not look normal. Such surgeries do not take into account the desires and preferences of the children who, if they are even informed of the procedure, are too young to offer consent (Butler 2004 63). Barbin’s narrative illustrates to us the failings of religious, medical and legal discourses to uncover the “truth” of identity. Barbin’s physicality exceeded the norms of intelligibility denying Barbin right to personhood within a community. Barbin’s body was the very site of her/his alienation. Barbin’s body both incited speech

and secrecy. Doctors and psychiatrist would continue their practices of making and unmaking the body though incitement to discourse and the intervention of the scalpel.

David holds a key position in many debates about developmental psychology and the nature of sexuality. David was born as a biological male, during what should have been a normal circumcision the new electrical equipment malfunctioned, burning David's penis beyond the surgical intervention that was available at that time. David's parents were concerned about their son's health and future prospects of happiness and normal sexual function without a penis but did not know what course of action to take. It was not until about a year after the event that, while watching television one evening, they learned of Dr. Money and his work with sexual assignment surgery. Dr. Money claimed that a child could live a perfectly happy and normal life as a gender different from the one that they were assigned at birth if they received reassignment surgery as a child and underwent the proper socialization. For two young and inexperienced parents who were genuinely concerned about their son's ability to adapt to a normal life with the absence of a penis, Dr. Money's claims appeared to offer the best possible solution.

Upon writing a letter to Dr. Money about their son's condition the family was invited to Johns Hopkins University in Baltimore. Dr. Money determined that David should be raised as a girl. Thusly bio-power began inscribing identity onto David. Bio-power created the urgency to categorize David as something other than a boy. Because within the norms to be a boy is to have a penis it was determined that David would be unintelligible as a boy. Dr. Money instructed David's parents that the success of David's sex-reassignment hinged on him never knowing the truth of his birth-sex. Doctors at the university removed what remained of David's penis and testacies and made some preliminary surgery to create a vagina, which was decided they would finish once Brenda grew older. So David was raised a girl making periodic trips back to Baltimore so that Dr. Money could observe how he was adapting as a girl. Between the ages of nine and eleven, David begin to realize that he was a boy.

This realization stemmed from the fact that he preferred masculine activities to feminine activities. David preferred to play with toy guns and trucks and liked to stand up when he urinated. These preferences were starkly opposed to the ones that his parents, under the advice of Dr. Money, had tried to instill in him. David soon found himself resisting various aspects of bio-power. Although he could not escape bio-power, in asserting his own preferences David gained some control over the categories that were imposed on him. The efforts to aid David's transition redoubled in light of these discrepancies. David was offered estrogen, which he refused, and Dr. Money attempted to convince David to undergo an elective surgery to "complete construction" on his vagina so that he might "look right down there". David was unhappy with the life that had been created for him as a girl. Dr. Money exposed David to images of childbirth promising David the possibility of motherhood if he continued treatments. However, David continued to refuse estrogen and vaginal construction surgery. In an

attempt to reinforce gender roles and identity Dr. Money had David and his twin brother Brian simulate aspects of intercourse and undress in front of each other. The children were too confused and scared to report these practices to their parents. At this point another group of doctors determined that David's sex reassignment was a mistake and David was informed of the accident that destroyed his penis. A phallus was constructed for David and he began life again as someone closer to who he felt himself to be.

David's story is an important point of intersection between multiple discourses and theories, a series of which were directly applied to his body through discourses of the scalpel. According to Butler, his "body [became] a point of reference for a narrative that [was] not about [his] body" but rather became narratives that would interrogate the limits of the conceivably human (Butler 2004, 64). In other words David's body and lived experience become subject to analysis and experimentation worked against his desires in order to further academic debates. In the case of David, the intelligible, in the form of surgical intervention and psychiatric discourse, was "conceived again and again through narrative means, but something remain[ed] outside the narrative, a resistant moment that signal[ed] a persisting inconceivability" (Butler 2004, 64). The repetitive narratives that acted upon David's body were the forces of Foucauldian bio-power that attempted to intuit some inherent truth from David's body.

According to Foucault, "Adelaide Herculine Barbin, or Alexina Barbin, or Abel Barbin, who is called either Alexina or Camille in his own text, was one of those unfortunate heroes of the quest of identity" (Foucault xii). Herculine Barbin can be interpreted as the champion of Foucault's theories and a tragic example of what it means to fall outside of intelligible norms. In Foucault's words, "what she evokes in her past is the happy limbo of a non-identity, which was paradoxically protected by the life of those closed, narrow and intimate societies where one has the strange happiness, which is at the same time obligatory and forbidden, of being acquainted with only one sex" (Foucault, xiii). In her book *Gender Trouble*, Judith Butler is critical of Foucault's interpretation of Barbin. In particular, Butler critiques Foucault for romanticizing Barbin's world as a "happy limbo of non-identity" (Foucault 128). This critique however begs the question of what Foucault means by "happy limbo of non-identity". I believe that Butler herself revisits the idea of a "limbo of non-identity" using different terms in her later book *Undoing Gender*. A charitable reading of Foucault would liken the "limbo of non-identity" to the space at the edge of intelligibility.

In *Gender Trouble* Butler argues that Barbin "remains within the jurisdiction of the law" (Butler 1990, 141). This claim stands in stark opposition to Foucault who interprets Barbin as having exposed the harms of sexual categorization and ultimately refusing normative categorization. Rather than continue with Foucault's emancipatory project Butler exposes contradictions in Foucault's model of sexual politics. According to Butler, "Foucault invokes the trope of pre-discursive libidinal multiplicity that

effectively presupposes a sexuality ‘before the law,’ indeed, a sexuality waiting for emancipation from the shackles of ‘sex.’ On the other hand Foucault officially insists that sexuality and power are coextensive and that we must not think that by saying yes to sex we are saying no to power.” (Butler 1990, 131) Reading Butler against herself I question whether or not this contradiction is necessary to preserve the integrity of the narrative of individuals who find themselves at the limits of discourse, and to fully recognize the range of violence that bodies can be exposed to. For Butler, Barbin’s “anatomy does not fall outside of sex” but rather “confuses and redistributes the constitutive elements of [sexual] categories” (Butler 1990, 136). However I believe that this misrecognition of Barbin’s unintelligibility leaves out important aspects of Barbin’s lived experience.

Barbin spends her/his entire life at the limit of “sex”, living in a time and place that did not recognize her/his particularities in a way that affirmed her/his person hood. Barbin, wrote her/his memoirs close to the time of his/her suicide, well after the time that her/his “true” identity had been medically discovered and legally established. However the narrative of the journals is ambiguous. Barbin’s confessional narrative is riddled with secrets and omissions. Barbin’s very sexual identity is undeterminable to the reader. The pronouns that Barbin uses to describe her/himself change thought the memoir. Barbin offers us an intimate and detailed account of the events in his/her life, speaking candidly of topics that would today still be considered taboo. However, Barbin does not offer the reader the definitive language needed to prescribe a categorical sex to the narrative. It is apparent from the conclusions of the post-mortem that were preformed on Barbin’s body that the legal and medical establishment of the time did not have the vocabulary to fully grasp the anomalies of Barbin’s body and concrete lived experience. Furthermore within the text, it appears that Barbin did not identify with one definitive sex.

Butler restricts Barbin within the norms failing to take into account that she herself came to the text with a vocabulary that was better suited for articulating Barbin’s specific situation as an intersex person than was available for Barbin during her/his lifetime.

The series of examinations that Barbin was subject to further relegated her/him to the realm of the unintelligible failing to shed any positive light on her/his situation. In Barbin’s words, “standing near my bed, the doctor considered me attentively, full of interest, while giving vent to muffled exclamations of this sort: “My God! Is it even possible? I understood by his gestures that he would have liked to prolong this examination until the truth sprang to light!!” (Barbin 68) The doctor’s reaction illustrates the threat posed by Barbin’s ambiguous sex organs to the normative order. Barbin’s difference represented a “threat to the symbolic construction of gender so severe” that it could not be brought into language (Wing 119). The doctor’s speechlessness was not merely a sign of his astonishment, but rather, evidence of his inability to speak of the difference in Barbin’s anatomy and sexuality. Barbin’s

difference is therefore displaced from language itself (Wing 119). Barbin's body is disavowed even in death when the doctors performing her/his post-mortem autopsy deny the existence of intersex bodies claiming, "hermaphroditism does not exist in man and the higher animals" (Barbin 139).

Butler's essay *Doing Justice to Someone* cautiously advocates the emancipatory project that she was initially critical of in Foucault's work. This reconsideration of Foucault is evident in Butler's analysis of numerous interviews David gave thought the course of his life. Butler is very attentive to the ways that David situated himself in relation to those around him.

When David reported, "there were little things from early on. I began to see how different I felt and was, from what I was supposed to be". (Butler 2004, 69) Standing before the gaze of the doctors and specialists David could be said to be facing an unhappy "limbo of non-identify" however David makes a powerful emancipatory move. "He thinks something more of himself than what others think, he does not fully justify his worth though recourse to what he has between his legs, and he does not think of himself as a complete loser. Something exceeds the norm, and he recognizes its unrecognizability"(Butler 2004, 72). In other words, David understood that his penis would not be the reason that he is loved or unloved. In spite of the doctor's warning that he would not find anyone who would love his non-normative body, David trusted that people would have to be "shallow if that was the only thing they think [he] had going for [him]" (Butler 2004, 71).

The stake of this claim lays the ways in which David understands himself to someone deserving of love. Butler interprets David as situating himself outside of the norm that he knows he has somehow fallen short of. "David makes a distinction between the "I" that he is, the person that he is, and the value that is conferred upon his personhood by virtue of what is or is not between his legs"(Butler 2004, 71). Butler even goes so far as to further distinguished David from the norm claiming, "he is the human in its anonymity, as that which we do not yet know to name or that which sets a limit on all naming. And in that sense, he is the anonymous – and critical- condition of the human as it speaks itself at the limits of what we think we know"(Butler 2004, 74). David's insights into human value liberate Herculine Barbin from the "terrible, nameless punishment" of living alone in the "crowd that surround[ed] [her/him], without a word of love ever coming to gladden [her/his] soul, without a friendly hand reaching out to [her/him] (Barbin 92) Barbin was "born to love" and this lovability transcends the limits of intelligibility creating links between the immediately intelligible and the unintelligible (Barbin 27).

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