



IN THE NAME



Michalos:
causation or
coincidence

Some parents believe that choosing a child's name is a matter of life and death. But it may be even more important than that. It could cause your child to become lawyer—or at least that is what proponents of nominative determinism would have you believe.

Nominative determinism—the theory that people tend to gravitate towards occupations that are reflected by their names—was popularised by the *New Scientist* magazine in its Feedback column. In November 1994, it noted that a paper on incontinence in the *British Journal of Urology* was authored by JW Splatt and D Weedon (*Br J Urol.* 1977 Apr; 49(2):173–176). Numerous other examples of names coinciding with occupation poured in from readers.

Nominative determinism is distinct from an apronymn, which is merely an apposite or an amusing name with no suggested causal

Were Judge Judge and Counsell of Counsel always destined to become lawyers? asks **Christina Michalos**

effect, such as Sue Yoo (attorney at Sullivan & Cromwell, New York) or Cardinal Sin (the former archbishop of Manilla). It almost defies belief, but is genuinely true, that a man called Hastie Love was convicted of rape in 1968 in Tennessee (*Love v State of Tennessee*, Court of Criminal Appeals, Jackson, Tennessee, 16 Sept 1997).

Cited examples are typically scientists and doctors, probably because the link between name and occupation is more obvious from published research. Frequent adornments of such lists are Drs Doctor and Butcher; the US dentist Dr Toothaker; E Lively & W Reckless (joint authors on child delinquency); Professor David Nutt (psychiatrist) and Professor Alan Heavens (astronomy, University of Edinburgh).

Do lawyers also succumb to nominative determinism or is it just a scientific phenomenon? One I Judge (Lord Chief Justice) may raise enough evidence to survive a summary judgment application.

Implicit egotism

Research does suggest that there may be a causal reason for incidents of nominative determinism. People have positive associations about themselves and thus prefer things to be self-connected, including the letters in one's name. The authors of the article "Why Susie sells seashells by the seashore: implicit egotism and major life decisions" (Pelham, B, Mirenberg, M and Jones, J, *Journal of Personality and Social Psychology*, vol 82, p 469) found that people are disproportionately more likely to live in



OF THE LAW

Nomen est omen: connective principles

The theory that a person's name can influence is not a new idea. The Romans even had a phrase for it—*nomen est omen*—literally, the name is a sign. Academic research supports the theory that the attitude of others is affected by a person's name. In a study of mock jurors, it was found that a defendant with a surname with negative connotations (Savage) was blamed more and had his crime rated as more common than the neutral control names (Luscri, G & Mohr, P, "Surname effects in judgments of mock jurors", (1998) *Psychol. Rep.* 82(3) 983–986. Test cases were either theft or murder). Teachers consistently have been found to award higher grades to students with names rated as common popular and attractive than to those with rare, unpopular or unattractive names (Harari H & McDavid J, "Name Stereotypes and Teachers' Expectations", *Journal of Educational Psychology* 65, 222–225).

Carl Jung in *Synchronicity: An Acausal Connecting Principle* (1972) also considered the compulsion of the name: "We find ourselves in something of a quandry when it comes to mak-

ing up our minds about the phenomenon which Stekel calls the "compulsion of the name". What he means by this is the sometimes quite grotesque coincidence between a man's name and his peculiarities or profession. For instance Herr Gross (Mr Grand) suffers from delusions of grandeur, Herr Kleiner (Mr Small) has an inferiority complex...Herr Feist (Mr Stout) is the Food Minister, Herr Rosstaüscher (Mr Horse-trader) is a lawyer, Herr Kalberer (Mr Calver) is an obstetrician, Herr Freud (joy) champions the pleasure-principle, Herr Adler (eagle) the will-to-power, Herr Jung (young) the idea of rebirth and so on. Are these the whimsicalities of chance or the suggestive effects of the name as Stekel seems to suggest or are they 'meaningful coincidences'?"

Having raised the question of name compulsion, Jung unhelpfully fails to answer the question. The entire work was about synchronicity—the concept that underpins events that are non-causally connected but appear to have some external meaning that requires further explanation, beyond mere chance.

Christina Michalos

places whose names resemble their own names—eg men called Jack are more likely to live in Jacksonville. They also found that people are more likely to choose careers whose labels resemble their names. For example, people named Dennis or Denise are over-represented among dentists and Laura, Lauren and Lawrence were expected to be over-represented amongst lawyers. Based on name frequency, there were 42% more geoscientists named George or Geoffrey than would be expected. The authors concluded that implicit egotism appears to influence major life decisions. However, this was not necessarily irrational because it "may represent an unconscious route through which people create social worlds that typically make them feel good".

Lawyer born?

Is there any truth in this research or are these examples nothing more

than aptronyms? In 2002, of 54.4 million people in England and Wales, there were 1,382 people with the surname Counsell and only 27 people named Councill (Office of National Statistics Database, see: www.taliesin-arlein.net/names/search.php). Together, that was less than 0.002% of the population. In 2002, there were 10,747 barristers in independent practice in England and Wales. Based on statistical probability, there should be no one (ie less than 0.3 of a person) with the surname Counsell or Councill in a group of circa 11,000 barristers. In fact, there are three barristers—over 1,000% more than might be expected.

Put the blame on name

A number of causes of nominative determinism have been suggested: (i) self-image and self-expectation being

Mr Chambers and Mr Supena

Barristers featuring in the 2009 Bar Directory that may warrant further consideration by nominative determinists are Mr Courts; Messrs (& a Ms) Chambers (x 7); Case (x 3); Judge (x 4); Law, Laws & Lawson (x 12); Mr Speak (surely always destined to be an advocate); Miss Barwise and the Temples (x 7).

From overseas, there is Ronald Supena (attorney, Philadelphia) and Gerald J Supina (former probate judge, Michigan); Judge William W Justice (federal district court judge, Texas) and Lawless & Lynch (attorneys, Jamaica). Court Rich, an attorney with the Rose Law Group, Arizona, was even awarded the title "Best Name for a Lawyer" by the *Phoenix New Times* in 2001.

internally influenced by one's name; (ii) the name as a social stimulus, creating external expectations of others that are then communicated to the individual; (iii) mere coincidence; and (iv) genetic predisposition—attributes suited towards a particular career that have been passed down the generations along with the appropriate occupational surname (Casler and Lawrence, "Put the Blame on Name" (1975) *Psychol Rep* 36(2) 467–472).

This is not an area that lends itself well to research, particularly because subjects are unlikely to have any objectivity. The effect of a name on the subconscious of a child is impossible to investigate effectively. As Pelham et al note, a statement such as "*I became a lawyer because of the positive associations I have about the letter L*" simply does not appear in the list of culturally accepted truisms for why people make important life decisions. So what do the subjects themselves say?

Coincidence or darker forces?

Igor Judge, now Lord Judge, Lord Chief Justice, has no lawyers in the family and none of his three children went into the law. He decided that he wanted to become a barrister aged 16 and says: "I don't think anyone consciously goes to the Bar wanting to become a judge." Lord Judge has no recollection of anyone commenting, when he was a child, that it was inevitable that he would enter the judiciary. On nominative determinism, he says: "I'm absolutely convinced in my case it is entirely coincidental and I can't think of any evidence in my life that suggests otherwise." This will no doubt be a great disappointment to proponents of the theory, as even his Maltese mother's maiden name (Micallef) is a derivation of an Arabic word which means judge (*mħallef*).

By contrast, James Counsell, a barrister at Outer Temple Chambers, is one of four children, two of whom went into law. His father was a solicitor. He is distantly related to two retired judges Hazel Counsell (Family Judge, Bristol) and Paul



Lord Judge: coincidental choice



James Counsell: law in the genes

Counsell (Circuit Judge)—which already seems like an excessively high strike rate of lawyers in the family. James Counsell knew from a very young age that he wanted to be a barrister.

In fact, he cannot remember ever wanting to do anything else. "I remember as a child people saying to me in effect 'of course you are going to be a barrister because of your name,'" says Counsell. "How much is down to the subconscious is difficult to say, but the fact that your name is similar may be a reason for showing more interest in a profession than you might otherwise. Any link in adult eyes may seem trivial but to someone in their formative years starting to think about their career it's possible it may have an effect."

Mere coincidence or darker forces at work? The jury's out. Plainly an inquiry is needed, obviously chaired by Lord Justice Laws. ♦

And not forgetting solicitors' firms...

Argue & Phibbs, (Sligo, Eire, ceased 1944)

Bickers & Bickers (Pennsylvania)

Case Forman Kelly (Liverpool)

Harness Dickey & Pierce (Michigan)

Judge & Partners (Manchester)

Lawless & Lawless (California)

Low Ball & Lynch (California)

The Nice Law Firm (Indianapolis, partner Robert J Nice)

Payne & Fears (California)

Payne & Payne (Hull)

Stephens Innocent (London, merged with Finers in 1999)

Wright Hassall (Lemington Spa)

Christina Michalos is a barrister at 5RB, 5 Raymond Buildings