

Names and Lawyering: A Psychodynamic Perspective*

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A recent article in the *New York Times* was headed, "U. S. Judge in Texas Draws Widespread Hostility With Liberal Rulings." This article described a series of liberal judicial rulings handed down by Judge William Wayne Justice, a veteran federal judge in eastern Texas, along with various reactions to these rulings. In the course of this article, Judge William Wayne Justice was referred to as Judge Justice. Similarly, a recent article in the *San Diego Union* described a nun named Sister Lourdine Sok, who was convicted of a misdemeanor count of child abuse for punching an eight-year-old boy. Not surprisingly, in the course of this article, Sister Lourdine Sok was referred to as Sister Sok.

These articles involving Judge Justice and Sister Sok constitute recent examples of the relation between personal name and behavior with respect to law. Such examples probably have been commonplace for many years, and as observed by Ralph Slovenko, ". . . from the earliest of times, a nexus is found between name and game." The intent of the present discussion is to examine the psychodynamic interplay between personal name and actions of those who enact, practice, uphold and violate law.

BACKGROUND

From earliest times names have been bestowed on individuals. The ways in which naming has been effected as well as the reasons for naming have varied greatly. There is also a very long history of bestowing personal names with definite implications. In the Book of Ruth in the Old Testament for example, the following is found. Naomi who has lost a husband and two sons, laments, "Call me not Naomi (pleasant), call me Mara (bitter): for the Almighty has dealt very bitterly with me."

While names can be understood in terms of their literal meaning, it is

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clear that they are also rich in symbolic meaning. James Russell Lowell appears to suggest the multifaceted complexities and meaning inherent in personal names when he states, "Let us speak plain: there is more force in names than most men dream of." While a connection between personal names and the hopes, behavior and actions, of the name bearer has been suggested for many years, it is not always easy to discern the multiple implications which may be inherent in a name at either conscious or unconscious levels for the name bearer and his/her social network.

To gain some understanding of the conscious, unconscious, or symbolic significance which names may possess, particularly those involved with some aspect of law, it is necessary to examine several factors which are frequently involved in the meaning of names, the process of naming, or response to names. While these factors are discussed separately, they are often intertwined with respect to personal nomenclature. They are as follows: historic-political, religious-cultural, familial-parental, personal, and societal-interpersonal. While not exhaustive, these factors play a significant role in the psychological implications and expectations which may be attached to a name or parts of a name.

Historic and Political Influences

Children are often named for individuals who have attained historic significance in politics, law or government, the arts, science, etc. Hence, we find such first names as Caesar, Homer, and Napoleon. It is likely that parents bestow such names in the hope that the newborn will possess some of the attributes of the original name bearer. It is equally possible that many parents attempt to live out their own unfulfilled fantasies through such a naming process.

With respect to political influences, this tendency was exemplified by Everett McKinley Dirksen, a lawyer who served as United States Senator from Illinois from 1950 until his death in 1969. He was named after Edward Everett, a statesman and great orator of the 19th century, and William McKinley, the 25th President of the United States. Dirksen became well known for both his political acumen and his oratorical style. Indeed, his critics came to call him Oleaginous Everett when referring to his overblown oratorical style.

Even under historic and political influences, naming may assume powerful unconscious portents for the name bearer. The president of the Confederacy, Jefferson Davis, was named after Thomas Jefferson by his father. As he was the tenth child born in the family, and expected to be the last, he was given the middle name Finis, which he dropped early in life.

But as Robert Penn Warren notes, “. . . who can so easily throw away his fate.” Thus, the end of the political career of Jefferson Finis Davis wrote finis to his hopes and the hopes of many others for the Confederacy.

Religious and Cultural Influences

Religion and culture also exercise significant influences on naming. For example, children born into the Jewish faith may be given relatively common first names. Often, however, these names are derivative or representative of a Hebrew name. Leo Rosten notes, “. . . First generation Jews in America took Yitzchak (Hebrew for Isaac) or Itzik (Yiddish) and anglicized it to Isadore, Irwin, Irving; similarly, Avraham (Hebrew) and Avrum (Yiddish) became Alan, Allen, Allan, Albert, Alvin, Arnold; Chaim became Hyman, Herman, Herbert, even Charles.”

Children born into the Roman Catholic faith are frequently named for the saint of the day on which they are born. Thus, children born to Catholic parents on March 17 are often named Patrick or Patricia, and such children born on March 19 are frequently named Joseph or Josephine or variants of these names. In line with the beliefs of Roman Catholicism, in Mexico and other Latin countries, boys are often named José, Jesús, or Mario, and girls are often named Mariá. With respect to Roman Catholicism and law, it is interesting to note that there are saints' days for Justa (July 19), Justin Martyr (June 1), Justina of Padua (October 7), Justus (August 6), Justus of Beauvais (October 18), Justus of Canterbury (November 10), Justus of Lyon (October 14), and Justus of Urgel (May 28).

Names also reveal much about the history of the culture into which the name bearer is born. In Mexico for example, Aztec names are still occasionally bestowed on children, and it is not uncommon to encounter individuals with names such as Montezuma, Cuauhtémoc and Xóchitl. Currently, the governor of the State of Baja California, Norte, is named Xicoténcatl Leyva. Xicoténcatl (pronounced HEE-CO-TÉN-KATL) was an Aztec general who was strangled by the men of Cortés.

Greek history and culture has continued to provide many names in contemporary usage. While not specifically related to some aspect of law, the following examples are offered. A contemporary Greek possessed a name which appears particularly rich in associations to history, culture, and the origins of Western philosophy. The late Aristotle Socrates Onassis came to achieve great reknown as an international figure in finance, society, and romance. Ultimately, he became the second husband of the widow of John F. Kennedy. In the early part of this century in Memphis, Tennessee, a son was born to a couple named Panagiotopoulos, and named

Hermes after the messenger of the Gods in Greek mythology. He subsequently shortened his surname to Pan. In Greek mythology Pan was known as the God of the forests and meadows, and reputedly wandered in the woods, playing his pipes and dancing with the nymphs. With the fascinating names Hermes Pan it is probably not surprising that he became a dancer and ultimately a choreographer for, and close collaborator of, Fred Astaire.

Familial and Parental Influences

Familial and parental influences play a highly significant role in the choice of names. The multiplicity of hopes and aspirations of a conscious and unconscious nature which are placed upon the newborn are often intricately intertwined with the choice of name. If the film *Yankee Doodle Dandy* is to be believed, for example, George M. Cohan's father suggested the name George Washington Cohan for his son who was born on July 3. Ultimately, Michael was chosen as a middle name as it sounded "more Irish," according to Cohan's mother. Nonetheless, in the movie as in life, Cohan became noted for his fervent patriotic musical works and outlook on life. In life, moreover, he always celebrated his birthday on July 4.

A similar point is made with biting humor by Joseph Heller in *Catch-22* when describing the motivations of Major Major Major's father in naming his son: ". . . A lesser man might have wavered that day in the hospital corridor, a weaker man might have compromised on such excellent substitutes as Drum Major, Minor Major, Sergeant Major or C Sharp Major, but Major Major's father had waited fourteen years for just such an opportunity . . ." As might have been predicted by the vicissitudes of fate, once in the military, Major Major Major was promoted to the rank of Major ". . . by an IBM machine with a sense of humor almost as keen as his father's." And as Heller notes, "Major Major Major Major had had a difficult time from the start."

Personal Influences

While the name bearer may often carry family and parental hopes and aspirations in his or her name, what he or she does with such hopes and aspirations may vary greatly. Many are probably lacking in conscious awareness of familial or parental hopes and aspirations in their names, while others may quietly accept or even exploit the fate which may be inherent in their names. John Train presents numerous examples of a sort of psychological self-fulfilling prophecy which may be inherent in personal names in *Remarkable Names of Real People* and *Even More Re-*

markable Names. With respect to the present discussion on names and lawyering, Train mentions a Hastie Love who was convicted of rape in Tennessee in the first book, while in the second he cites a Rosey Vice who was a multiple larcenist in England. Such examples would appear to clearly corroborate an interaction between personal names and those who violate laws.

Others may seek to determine a new and unique personal identification by using their name in a special manner. Writing in the *Chicago Sun Times* (May 4, 1982), Roger Simon quotes a contemporary billionaire and financial supporter of President Richard M. Nixon, W. Clement Stone: "I always went by C. Stone, although my first name is William. But when I started out in business, a friend gave me good advice. He said there may be a hundred C. Stones in the world. And there may be a hundred Clement Stones. But there will be only one W. Clement Stone."

Still others may seek to transform their psychological sense of identification and their self-image by means of a name change. This point is made by Ted Morgan in *On Becoming American*. Morgan had personal experience with a name change, and started life as a French infant named Sanche de Gramont. On becoming a United States citizen he anagramized his name to Ted Morgan because "I wanted a name that obscured my ethnic and class origins, a name that conformed with the language and the cultural norms of American society, a name that telephone operators and desk clerks could hear without flinching."

In another example of name change and personal identity, Morgan mentions a man named Naradovitch who immigrated to the United States and assumed the name Ginsberg. His son Richard Ginsberg was a mediocre student in high school, and decided to change his name to Richard Goodwin upon entering college. He became an outstanding student and graduated summa cum laude. He went on to become a speech writer for and close associate of President John F. Kennedy. Unless mixed unconscious motives are at work, how can one not succeed after consciously choosing a surname like Goodwin?

Societal and Interpersonal Expectations

Societal and interpersonal expectations which may relate to a personal name usually exert significant influence on reactions to the name bearer. This assumption is also central to the motivation of individuals who change their name, and is very well known in the world of entertainment. In addition to an attempt to alter self-image, it is likely that some individuals who change their names are attempting to make a powerful self-

referential statement; frequently, these statements involve omnipotent or grandiose wishes. Thus, Joseph Djugashvili became Joseph Stalin (man of steel), and more recently a professional basketball player has changed his name from Lloyd Free to the self-explanatory World B. Free.

Until recently, name change in our culture on the part of women came about automatically through marriage, and with a strong sense of finality. Even under such circumstances, unconscious determinism with respect to choice of partner's surname as an ultimate self-statement may play a significant role. For example, a woman named Carry Amelia Moore at birth became Carry Amelia Gloyd through marriage to Dr. Charles Gloyd, an alcoholic who died soon after their marriage. Ten years later she was remarried to a lawyer and minister named David Nation, becoming Carry A. Nation. Eventually, Carry A. Nation came to believe that the third and final name she assumed had been pre-ordained, as she attempted to "carry a nation" with her personal views regarding alcohol.

Perhaps the societal and interpersonal expectations which may attach to names can be further illustrated by the following. In *The Importance of Being Earnest*, Oscar Wilde has Gwendolen say, ". . . my ideal has always been to love someone of the name Ernest. There is something in that name that inspires absolute confidence . . ." A few moments later she says, ". . . It is a divine name, It has a music of its own. It produces vibrations." Jack interjects, ". . . I think Jack, for instance, a charming name." But Gwendolen retorts, ". . . Jack? No, there is very little music in the name Jack, if any at all, indeed. It does not thrill. It produces absolutely no vibrations."

Finally, the surnames Bad and Good possess clear connotations, and are worthy of special mention. The 1981 edition of the San Diego Telephone Directory has 68 listings for individuals with the surname Good, one of whom is an attorney, and only one listing for the surname Bad. Given the societal and interpersonal expectations attached to names, it is doubtful that such a finding is coincidental.

A Psychodynamic View of Personal Nomenclature

It has been suggested that there are many unconscious subtleties and psychological implications involved in one's name. An individual's psychological identification, self-image, personality style, emotional outlook, and interpersonal expectations may all be bound up in the multiplicity of meanings which may attach to a personal name. From a psychodynamic perspective, this implies that one may attempt to fulfill important elements of psychological destiny through personal names at

both conscious and unconscious levels. Important clues to understanding personality attributes and behavior may be inherent in one's name, the use of that name and potential reactions to a name at various levels of consciousness.

Two studies have found that personal names exert significant influence on emotional adjustment. In a study of 1,682 cases drawn from a child guidance clinic, Ellis and Beechley found a significant tendency for boys with peculiar first names to experience more severe emotional disturbances than boys with non-peculiar first names. In another study, Hartman, Nicolay and Hurley compared 88 white, native-born males with unique first names with a matched group bearing popular names. They found a significantly higher frequency of psychosis in the peculiar name group.

These studies also appear to suggest that personal names may provide an approach to a psychodynamic understanding of an individual's personality attributes, if not emotional adjustment. It is also possible to use such a viewpoint in understanding individuals in various stages of emotional distress. For example, might someone named Moody quite literally be considered moody in terms of emotional outlook and adjustment?

W.F. Murphy, with considerable detail, has explicated the viewpoint that an understanding of emotional outlook and conflicts may be derived from one's name. Murphy describes a man named McCold who ". . . was affected by a blanching and coldness of his extremities diagnosed as a mild form of a spastic vasomotor disturbance, which became associated with depressive feelings and difficulty in establishing 'warm' personal relationships." He also describes a patient named Paine who ". . . suffered from neuralgic pains and aches over a number of years, beginning at puberty and culminating in a severe sciatica of undetermined etiology at twenty-eight. He complained also of joint and head pains, and eventually of beatings by a cruel stepmother." Murphy goes on to describe individuals named Beers, Drinksick, Boosier, and Mellow who experienced alcoholic difficulties, and notes that ". . . feelings of inferiority among males are commonly connected with names such as Small, Little, Short, Bent . . ."

The approach of using names as a basis for understanding personality attributes and emotional adjustment which has been discussed to his point might be called analytic-interpretive. It relies heavily on analysis and interpretation, sometimes quite literally, of personal names in understanding some of an individual's personality attributes. With respect to the present discussion, some attorneys, judges, or others associated with law, have been found to have surnames such as Cheatum, Crooks, Kleep,

Lawless, or Outlaw. In line with the viewpoint presented, such surnames in individuals associated with law may have the potential to arouse subliminal negative expectations. Accordingly, some may experience a sense of caution in both legal and non-legal interactions with individuals possessing such surnames.

A related approach to using names as a basis for understanding personality attributes and emotional adjustment might be called associational-interpretive. This approach relies heavily on various types of associational processes to personal names in understanding personality attributes. The following description of associational-interpretive approaches to understanding personality attributes derived from personal names is intended to be suggestive rather than exhaustive. Some of these approaches are reverse meanings, combinations of initials or combinations of initials and names, same or similar first, middle, and last name, and names which make a full or partial statement.

With respect to *reverse meanings* in names, is it possible that individuals with first names such as Joy or Felix may have depressive tendencies or that individuals named Melanie or Dolores may be bright and positive in outlook? Sigmund Freud, the founder of psychoanalysis had a surname which translates into English as "joy." Yet, he was hardly known for his joyous spirit or joyful outlook. Similarly, it is probable that surnames of individuals associated with the law such as Judge, Justice, Law, and Peace tend to inspire confidence and emotional equanimity. However, if reverse meanings are at work, the possibility that a balanced and mature legal outlook is not invariably associated with such names must be considered. For example, in Los Angeles, Angelo Buono (which translates as good angel) was recently convicted of several murders in the "Hillside Strangler" case.

Combinations of initials or combinations of initials and names is also a relatively rich way to assess personal psychodynamic elements through names. For example, someone named Livier Abigail White becomes acronymized as L.A.W., while the fictitious Broderick Anthony Donald Judge handled this somewhat differently, and became B.A.D. Judge. In "You Can't Cheat An Honest Man," W. C. Fields played a character named Larson E. Whipsnade. Over his consistent objections, he was often referred to as Larson E; *i.e.*, larceny. The appellation Larson E., or larceny, captured a central element in the character he was portraying. In a slightly different vein, a prominent contemporary attorney is named F. Lee Bailey. Does this appellation represent a subliminal message that he can help one flee Bailey, *e.g.*, the Old Bailey in London, the seat of the Central Criminal Court?

Same or similar first, middle and last names has been referred to earlier

in the discussion of Major Major Major Major. It is possible that individuals with such names may literally experience confusion in knowing whether they are coming or going in an emotional sense. Individuals with such names also may experience identificatory difficulties similar to those experienced by juniors or twins with very similar names. John Train provides an example of this in his mention of Judge Judge, and the name Sirhan Sirhan has become infamous. However, it is likely that Major Major Major Major represents this syndrome at its extreme.

Names which make a full or partial statement have been touched on earlier with respect to Carry A. Nation, and as noted, can have a significant impact on both the name bearer and his or her inter-personal network. In accord with this viewpoint, it is probably not surprising that a man named Larry Speakes currently serves as a prominent presidential spokesman. To further illustrates this viewpoint, imagine a person associated with the law named Lester Law who chose to use the diminutive of his first name, and to be called Les Law. Moreover, who could not sense a greater measure of security at least initially, entering a courtroom presided over by a judge named Learned Hand or Thurgood Marshall as opposed to a courtroom presided over by a judge named Minor Wisdom or Peter Schmuck?

Psychodynamic Interactions Between Names and Aspects of Law

In some instances the names of specific individuals have passed into relatively common usage, and serve as words that have become associated with law or politics. Words like boycott from Charles C. Boycott, machievellian from Niccolò Machiavelli, quisling from Vidkun Quisling, and torquemada from Tomás de Torquemada are examples. Several such words are of special interest to the present discussion. For example, the word lynch (lynch law) is thought by some to derive from Charles Lynch, an American justice of the peace in 18th century Virginia who presided over an extra-legal court to suppress Tory activities. Similarly, the word shyster (shyster lawyer) may possibly derive from a man named Scheuster, a 19th century attorney in New York state who was frequently rebuked for pettifoggery. A final example needs no explanation. Many documents do not become legally binding until one's "John Hancock" is affixed to them.

As has been suggested earlier, there are other ways to approach names and legal topics beyond a literal transposition of names into words with legal or quasi-legal implications. Accordingly, the names of a few individuals who have some connection with the law will be reviewed in terms of the psychodynamics of personal nomenclature. Several illustrations

from pop culture, opera, literature, law, and history will be examined.

Chester Gould's popular detective hero, Dick Tracy, has been known to several generations of Americans. It is relatively easy to discern that this forthright, crime busting individual's name literally states who he is and what he does, particularly if potential sexual connotations of his name are not explored. He is a detective or "dick," who in his work traces clues in order to apprehend criminals. As his total absorption in his profession, if not his "workaholic" tendencies, allows little time for other activities, it is noteworthy that Chester Gould, Dick Tracy's creator, named his patient, loving but unfulfilled girlfriend the largely self-explanatory Tess Trueheart.

To switch to the other side of the law, there is an operatic "hit man" who appears in *Rigoletto* by Giuseppe Verdi with a libretto by Francesco Maria Piave, which is in turn based on a play by Victor Hugo. Sparafucile, a professional assassin, greets Rigoletto one evening and states that for a fee he will rid Rigoletto of a rival. He adds that he charges a bit more if the rival is a member of the nobility, and states that half of his fee must be paid in advance with the balance due after the death of the rival. Translated from Italian, Sparafucile's name becomes "fire the pistol," and his psychodynamics appear to literally derive from his name. In keeping with the sociopathic elements of his personality suggested by his name, Sparafucile ultimately murders Rigoletto's daughter Gilda, rather than Rigoletto's rival, the Duke.

In the *Maltese Falcon*, Dashiell Hammett presented a sort of anti-hero, Sam Spade. In depicting Sam Spade, Hammett set the style for a genre of "private eyes": tough, taciturn, singleminded, and sexually attractive and exploitive. Spade's chief nemesis is a covetous, corpulent hedonist named Casper Gutman. Further examination of these individuals' names from an analytic interpretive viewpoint provides significant clues to understanding their emotional attitudes and behavior.

A spade refers both to an implement for digging or unearthing, and speaking frankly, as in calling a spade a spade. From a psychodynamic associational view, the word *spade* may relate to death and perhaps even sexuality. However, to balance this surname and imply the complexity of Spade, Hammett chose Samuel as a first name. It is interesting to note that Dashiell Hammett's first name originally was Samuel, which he stopped using. Samuel comes from Hebrew and translates loosely as "His name is God." Moreover, such wisdom was attributed to Samuel in the Bible that the name has become a synonym for judge.

Gutman, on the other hand, may seem to represent a fairly literal reference to girth, if not rich living, and at times Gutman is referred to as

the fat man. From the German, however, Gutman translates as “good man.” Hence, a reverse meaning may be at work as Gutman or “good man” is really the main villain or “bad man” of Hammett’s novel. Casper, on the other hand, derives from the Persian Gaspar, a “treasure holder.” Gaspar was one of the three kings who brought gifts to the infant Jesus. This name further derives from red or green jasper, which bejeweled the breastplates of the Jewish high priests. At times Gutman displayed almost a sexual passion in his quest for a black bird encrusted with jewels.

With respect to non-fictional individuals, two examples are presented, both of which involve name change in an apparent effort to make important self statements. In *Managing Madness*, Kent S. Miller discusses a man who was originally named James Searcy Farrior. He was from a respected Southern family, a graduate of the Naval Academy at Annapolis, had served fifteen years in the U.S. Navy, and had held public office in Florida during the 1960’s. He became deeply involved with individual rights, and came to refer to himself as a champion of the “little people.” As a consequence of his activities, he experienced numerous legal problems and was incarcerated repeatedly. At some point while he was experiencing this altered political outlook, he changed his name from James Farrior to Jim Fair to reflect his concern for justice and the rights of the common man.

A somewhat more remote example concerns a child born in Holland in 1876 and named Margaretha Geertruida Zelle at birth. In early adulthood she taught herself to dance, and performed “oriental ritual” dances. She changed her name to Mata Hari, and eventually became famous throughout Europe for her sensuous, sexually provocative movements. During the First World War she was convicted of spying for Germany and executed by firing squad in France in 1917. She had assumed the name Mata Hari in part because it sounded mysterious and oriental. This name came from the Malay language where Mata means eye and Hari means day. Thus, in the Malay language Mata Hari refers to the eye of day or dawn. According to her biographer, Mata Hari died at 6:15 a.m., approximately four minutes after dawn.

For a final, and hopefully less solemn, illustration of the psychodynamic interplay between names and various aspects of law, reference is again made to W. C. Fields. Having shortened his own surname from Dukenfields to Fields, he appeared to have an especially keen appreciation of names and their implications, particularly when considered from an associational-interpretive viewpoint. In the film *The Bank Dick*, Fields prepared the script under the pseudonym of Mahatma Kane Jeeves. He

portrayed an unlikely hero from behind a somewhat befuddled, alcoholic haze. The surname of his character was Souse which almost everyone pronounced, quite reasonably, as though it rhymed with *house*. Consequently, he spent considerable time correcting people on the pronunciation of his name, pronouncing it SOO SAY. At one point he inadvertently helps capture a bank robber alliteratively named Repulsive Rogan. As a reward he is given the position of bank guard or “bank dick.” In the course of the film he ultimately overcomes a punctilious, officious bank examiner named J. Pinkerton Snoopington, an avaricious, ungenerous and hypocritical bank president named Mr. Skinner, a mellifluously verbose swindler named J. Frothingham Waterbury, and the original bank robber’s partner, a man named Filthy McNasty. These are all highly imaginative names, and clearly suggest a nexus between name and game with respect to the law. Moreover, these names also tell much about these individuals’ emotional attitudes and interpersonal dispositions. The film ends with Mr. Souse leaving his home and venturing to the Black Pussy Cat Cafe once more with his bartender friend, Joe Guelpe.

Conclusion

Perhaps this concluding note will serve to summarize the thesis which has been presented. Imagine a boy with the surname of Justice who was born on August 6, and, accordingly, named Justus. Now imagine him choosing a career in law and eventually becoming a judge. At some point it is likely that he would be referred to as Justice Justus Justice. Finally, imagine Justice Justus Justice quoting the following from the Lord Chancellor in Gilbert and Sullivan’s *Iolanthe* which is only slightly paraphrased:

The law is the true embodiment
Of everything that’s excellent
It has no kind of fault or flaw
And (my names) my lords, embody the law.

Having returned to a person named Justice Justice, this discussion has come full circle, and only one question remains:

Has justice been done to the thesis presented in this paper?

Notes

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