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You name it?! : Everyday discrimination through accustomed perception of personal names

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Everyday discrimination through accustomed perception of personal names

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Evelyn Hayn

YOU NAME IT?!

EVERYDAY DISCRIMINATION THROUGH ACCUSTOMED PERCEPTION OF PERSONAL NAMES

Humboldt-Universität zu Berlin

Based on a social constructivist, pragmatic cognitive understanding of naming, the study investigates the discriminatory hegemonic presuppositions and perceptions that are interpellated with personal names in Germany and Sweden. The critical lens of Black Feminist, Postcolonial, Postmigrant, Critical Trans and Disability Studies is applied in order to deconstruct current and past hegemonic naming norms. By regarding the un/intelligibility of names as constituted by intersecting power relations, racism_genderism_ableism_migratism_ classism, the dispositive model helps to identify what personal names and naming practices are made un/thinkable.

Accustoming is introduced as an analytic tool to understand how hegemonic knowledge on naming is acquired and internalized in a structuralist and essentializing way. The analysis of administrative and legislative discourses demonstrates how hegemonic naming norms have been historically and institutionally accustomed. That a personal name is not only determined by institutional but also by individual decision-making is illustrated on the example of the child's well-being, a commonly used argument for name decisions at registry offices. The feel for language as another norm to justify de_perceived name discrimination is analyzed against the background of how sprachgefühl as an emotive concept interpellates nationalist images of the self and the Other. The final chapter addresses the consequences of discriminatory naming practices: the definition and denial of personhood. The study concludes with a collection of empowering interventions in discriminatory naming practices and recommendations for a contra_ discriminatory anti-structuralist perception of personal names.

By employing a transdisciplinary approach, the study illustrates how disciplinary boundaries are transgressed and how different discourse areas and material that traditionally are investigated in law, history, linguistics and literature is integrated in Gender Studies research.

Ausgehend von einem sozialkonstruktivistischen, pragmatisch-kognitiven Verständnis von Namen untersucht die Studie die diskriminierenden Wahrnehmungen, die über Personennamen in Deutschland und Schweden aufgerufen werden. Durch Anwendung der kritischen Theorien und Zugänge der Black Feminist, Postcolonial, Postmigrant, Trans und Disability Studies auf Namensdiskurse werden gegenwärtige sowie historische hegemoniale Normen dekonstruiert. Mit Hilfe des durch intersektionale Machtverhältnisse konstituierten Dispositivmodells wird die Intelligibilität von Personennamen zur Diskussion gestellt.

Vergewohnheitung (accustoming) als neues analytisches Konzept macht nachvollziehbar, wie hegemoniales Wissen zu Namensgebung auf strukturalistische und essentialisierende Weise erworben und internalisiert wird. Die Analyse administrativer und legislativer Diskurse zeigt, wie hegemoniale Namensnormen historisch und institutionell vergewohnheitet wurden. Dass ein Personenname institutionell auch durch individuelle Wahrnehmung bestimmt wird, illustriert die Analyse des ‚Kindeswohl', einem zentralen Argument für Namens-entscheidungen auf Standesämtern. Ein weiteres Beispiel für die Rechtfertigung ent_wahrgenommener diskriminierender Namenspraktiken ist das Sprachgefühlkonzept, dessen Verwendung daraufhin untersucht wird, inwiefern es nationalistische Vorstellungen des Eigenen und des Anderen aufruft. Schließlich wird die An- und Aberkennung von Menschsein als Konsequenz diskriminierender Namenshandlungen adressiert. Eine Sammlung empowernder Interventionen in diskriminierende Namenspraktiken sowie Empfehlungen für eine kontra_diskriminierende, antistrukturalistische Wahrnehmung von Personennamen runden die Studie ab.

Mit ihrem transdisziplinären Ansatz veranschaulicht die Arbeit, wie disziplinäre Grenzen überschritten und Diskursfelder und -materialien, die traditionellerweise in den Rechts-, Geschichts-, Sprach- und Literaturwissenschaften analysiert werden, in die Genderforschung integriert werden können.



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1. Introduction: Defining the Scope of Research

> "Choosing, giving, and using a name are political acts […]." (Layne 2006:32)

Personal names are an indispensable part of everyday life. In Western societies, "choosing, giving and using a name", as Linda Layne's quotation suggests, have been crucial to distinguish people from one another and, thus, to organize social life. While writing my dissertation, I became more and more aware of the fact that organizing social life with the help of personal names and classifying and hierarchizing people by the means and on the grounds of social categorization are interdependent. Hence, naming activities can be indeed understood as "political acts".

When asked during these past several years about the nature of my research, my answer often depended on who was asking and was often based on my assumptions of this person. What would they be most interested in knowing? Would they regard my topic as exciting, boring, or shocking? Would the person consider my work important and relevant to their everyday life? Hence, I assumed that the person would have specific expectations based on my answer. Simultaneously, these inquiries and assumptions helped me to identify the complexity as well as transdisciplinarity of my research question, which is when, how and why everyday perceptions and negotiations of personal names are discriminatory.

To fellow PhD students as well as Gender Studies colleagues, I usually replied that I would conceptualize a feminist approach to analyze structural discrimination in hegemonic discourses on personal names. I explained that I would question the discriminatory expectations which are interpellated when someone learns about another person's name. One example I would often highlight is that *white*[1] people are often not shocked[2] when they learn that the person with the supposedly German name is *white*

1 *'White'* is a designation for the position that is privileged by racism. Following Eggers et al., in order to distinguish its political meaning from 'Black' as the empowered self-designation, written with an initial capital letter, *white* is written in italics (Eggers et al. 2005a:13).

2 Cf. for the conceptualization of 'shock' Mulinari, Neergaard 2012 and chapter 1.2.1.

but were often surprised when the person was of Color[3]. Furthermore, I also wanted to find out why people check whether a person is female or male just because they are unfamiliar with the gender conventions and interventions of the person's name. This inspired me to question in what contexts the way of negotiating names is discriminatory and in what contexts names are perceived without further questioning or 'shocks' (cf. chapter 2).

To traditional linguists, I explained that I am interested in learning what linguistic structures the categorizations of names as female, male and unisex as well as German, Swedish, foreign and loan are based upon and how they are negotiated in mainstream discourse. To what extent are personal names perceived in the way linguistics and specifically onomastics describes and categorizes them? Furthermore, I elaborated on the question of what a feel for the German language ('*deutsches Sprachgefühl*') means and what consequences a hegemonic understanding implies for people whose names are hegemonically not 'felt as German'. This made me think that maybe people's ability to memorize names is affected and constituted by the feel for language concept which privileged people are only reminded of when a name's pronunciation or morphology does not comply with what they internalized as 'German' (cf. chapter 5).

To scholars with a focus on the deconstruction of national history and law, I explained that I investigated the historical background of naming laws and hegemonic societal naming practices in both Germany and Sweden by dealing with these questions: To whom do these laws apply? What are the historical implications and circumstances under which hegemonic naming practices have been institutionalized? How are these legal directions as well as their implementation by the authorities linked to conceptualizations of nationalism and citizenship? Are there any differences and commonalities between Sweden and Germany? And finally, to what extent are naming laws and their implementation discriminatory? To what extent do they affect a person's personhood status (cf. chapter 3, chapter 6).

To the German registrars I interviewed, I replied that I was interested in the process of how people are named and registered. Specifically, I wanted to research the following:

3 I am grateful to Natasha A. Kelly for this example (Kelly 2012b).

Which names are authorized for registration and which are not? Are there any forbidden names? Have there been any cases where the registrar did not acknowledge a certain name? Have there been any cases where the registrar made a decision different to that of one of their co-workers? On which principles is the decision made of whether or not a name is in a newborn child's interest? To what extent is it possible for people to change their name (cf. chapter 4).

To my co-workers in the administration of a higher education institution, I answered that I wanted to know how people are discriminated via their names, for example, when they apply for a job. People with names that are considered Turkish or those with Arab names are less likely to be invited to an interview. I also explained that I compared the German and Swedish contexts in order to determine the extent to which both national legislation and discourses constitute similar forms of exclusion and discrimination. Several studies have shown that the situation in Sweden is similar: People that are perceived, negotiated and migratized as non-Swedish are likewise discriminated in the job and housing market. However, in order to improve their opportunities on both markets, some have changed their names into more 'Swedish-sounding' ones. What is the background for this legal option (cf. chapter 2.3.5, chapter 3.2.3.2.3)?

To my parents, I responded that I was curious to find out whether there was a certain story behind the choice of their first names as well as those of their brothers and sisters who were mostly born shortly before or after World War II. Why, for example, is it that my aunts' and uncles' names are all listed in the ranking of the most popular names of "German, Germanic and foreign origin" as printed in the NS-Family Register issued by the Nazi authorities? Why is it that some of the first names chosen honor a deceased family member? How can the initials of a person's name be HH and a child be called Horst after World War II? What were my grandparents' motivation and thoughts in naming their children (cf. chapter 6)?

These ongoing discussions and conversations with the many generous people that were willing to listen and share their time and thoughts with me have one commonality: They were primarily based on my assumptions and not necessarily on the actual expectations of my conversational partners. While talking, I realized that naming affects basically everyone, at least everyone I spoke with. In this way, Layne's initial citation appears to

be confirmed once more: naming is indeed a political, a crucial act in a person's life because it has powerful societal consequences. For example, a name is conventionally regarded as an indicator for a person's gender. In order to stress the relevance of the conventionalized genderization of names, the pronoun that I use to refer to a person in this study will be determined by the conventionalized gender perception of a person's first name in the societal and/or linguistics contexts in which the person is socialized, lives and/or publishes. This is why I introduce a person whose knowledge production I discuss with their full name. In Layne's case, 'Linda' is conventionally perceived as a female first name in the societal context she publishes, the USA. Reference books such as Ames, Doody (1974) confirm this conventionalized genderization of Layne's first name.[4] Consequently, the pronoun I use is 'she'. Personal names that are not conform to the conventionalized gender perception will be followed by the gender-neutral pronoun 'they' or by the person's name. However, this practice does not tell necessarily how the actual person is positioned with regard to gender. They can be positioned as trans, cis or gender non-conform.

Thus, it appeared to me that naming is a topic that everyone – to varying degrees – is actively involved in: the parent or family member that was engaged in the process of finding a name for a child, the historian that could tell me about the historical circumstances of name enforcement in Germany, and particularly all those that provided me with an opportunity to learn by sharing their knowledge about discrimination so generously with me; knowledge that is based on their experiences with the hegemonic, stereotypical, normative and discriminatory perceptions of their personal names.

By naming them here, I would like to thank all who were an invaluable support on my PhD journey: Many thanks for helping me grow!

Lann Hornscheidt: Without your wisdom, wit and wondering, this dissertation would not have been possible. Your way of perceiving the world did not only inspire me to conduct this study, it also fortified me to go further and challenge accustomed

4 In his reference book, Otto Nüssler negotiates names in a gender-binary way, as either female or male. According to the findings in his Danish, German, English, Spanish, French, Gaelic, Italian, Latin, Hungarian, Dutch and Swedish sources, the name 'Linda' is conventionally perceived as a female name only (Nüssler 2002:265).

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This study is dedicated to all people and spirits
who were and still are joined in the fight against oppression.

Their inspiring questions and suggestions helped me to identify the complexity as well as transdisciplinarity of my field of research and of the everyday discrimination through accustomed perceptions of personal names. Consequently, my central questions are:

- What are the hegemonic presuppositions, assumptions and perceptions that are interpellated with personal names and that can be analyzed as everyday discrimination?
- What personal names do these assumptions, implications and presuppositions apply to and which names are excluded, silenced and made unintelligible?
- How and to what extent is this hegemonic knowledge of names acquired, disseminated, sedimented and normalized?

With the help of this set of overarching questions, I aim to explore the consequences of this process of normalization of hegemonic knowledge of names that I introduce here as accustoming, which is the way people normalize and get used to discriminatory ways of perceiving personal names. Thus, I aim at questioning myself critically as a researcher who is privileged by most of the discriminatory naming practices identified in this study:

- What are my own presupposed assumptions and perceptions towards names?
- To what extent are those assumptions and perceptions constituted by disciplinary epistemologies and methodologies?
- To what extent do I assume that names can and need to ‘tell a person’s gender and national, religious, racialized and/or migratized origin’?

- How and where do I identify hegemonic assumptions and perceptions towards names?

These questions have been constituted by my theoretical understanding of the relationship between language use and discrimination. In the following, I present how both the underlying theoretical approach and research questions have motivated this study's methodology, methods and corpus generation.

1.1 Theory: A Power-Sensitive Deconstructivist Approach for a Trans- and Postdisciplinary Analysis of Names

This study is based on a social constructivist understanding of the social world that is defined by a pragmatic constructivist perspective of language as language use. With their deconstructivist and power-sensitive focus on structural discrimination and privilege, postcolonial, feminist theories clearly show the link between discriminatory language use on an institutionalized level and a discriminatory cognitive perception of the social world on a more individualized level. Theories on intersectionality and interdependency of power relations describe how they are interwoven on a discursive level. The dispositive model can help to explain the discursive level's constitution. Scholarly approaches on social and self-positioning describe the importance in recognizing how an individual is constituted by the impact of power relations and how this constitution defines the meaning of individual actions. This complex theoretical approach is related to Lann Hornscheidt & Mats Landqvist's introduction of the relationship between language and discrimination (Hornscheidt, Landqvist 2014).

1.1.1 Social constructivism

From a social constructivist perspective, the way the social world is described and perceived is regarded as socially constructed. For example, everyday conventions such as assigning a child one gender out of two possible options and giving a newborn child a gender-distinct name are not given truths but normative practices that have been conventionalized throughout time and space. Thus, reconstructing, reproducing and commonly sharing these conventions to gender a person and assign them a 'female' or 'male' name appears more and more normal and natural. However, from a social

constructivist perspective, neither people nor names are 'female' or 'male'. Rather, they are negotiated and naturalized as such on the grounds of medical and juridical discourses that Dean Spade 2011 identified – following Michel Foucault – as powerful institutions defining social norms (Spade 2011; Foucault 2005; cf. also chapter 6.1.1).

In a Foucauldian framework, the analysis of hegemonic discourses is an approach to explain how the social world is constituted by powerful norms (Foucault 2005). However, as I will show later, the concepts of power and in particular power relations in this study are defined according to Black feminist scholarship (cf. chapter 1.1.3). The way people are perceived and negotiated, how personal names are perceived and negotiated, and how academic research on discrimination via personal names is perceived and negotiated is defined, reproduced and confirmed in legal, media, and academic discourses. This normative knowledge can be expressed in multiple linguistic ways, for example by thought, sign language, speech, facial expression, and silence.[5]

Furthermore, since this study focuses in particular on the hegemonic social norms of Western societies, the concept of 'Western' and 'the West' is negotiated as a powerfully constructed framework against which the social world is made understandable. Historically grown artifacts such as values, knowledge productions, histories, theories, "science and technology […] are often seen as 'Western'" (Shohat, Stam 1994:14) and in this way taken as the point of departure in organizing the hegemonic global norms. Postcolonial scholarship challenges the assumed universality, neutrality and objectivity of these hegemonic norms and depicts the colonialist heritage and continuities in the context of the rise of Western 'development' and Enlightenment (cf. Farr 2005), which I explore in depth in chapter 1.2. Thus, dominant discourses in Western societies are negotiated as re_producing Eurocentric perspectives in this study.

Eurocentric social norms have historically constituted social identities in Western societies. In these contexts, identities are regarded as discursive and thus processual categori*zations* that organize social order. By help of a morphological specification, 'categorization' describes the process of perceiving and classifying a person or name as 'female' or 'male' whereas 'category' essentializes a person's identity (cf. Hornscheidt

5 Cf. Hornscheidt 2012, particularly chapter ii "was ist sprache?" [what is language?].

2006; Hornscheidt 2008a). Since the process of social categorization has been historically normalized by help of medical and juridical institutions, social categories appear to be the natural and essential way of structuring but also hierarchizing the social world and are thus undeniable. Consequently, people appear to *be* female or male, Black, *white*, Jewish, Christian, secularized, disabled, abled, Swedish, German, foreign and are not understood as made or constructed as such. As a result, German citizens *have* more rights in Germany than non-German citizens. I describe this firm categorization as structuralist (cf. chapter 5) and the hierarchization as a structuralist effect of power relations (cf. below).

Structuralism is the most conventionalized approach in academic scholarship on personal names. The academic disciplines of linguistics and in particular onomastics, as well as anthropological, ethnological, legal and social sciences, are often associated with the studies of names. The traditional approach to these sciences is usually based on a categorical understanding of names and interested in questions related to a name's social meaning. The meaning of a name depends on the discourses of a specific society in which a personal name 'makes sense'. Consequently, personal names are often regarded as being a part of an often nationalized language. In this respect, languages and names are described and differentiated from each other on the grounds of language specific indicators, such as grammatical ir/regularities or convention (cf. chapter 5). These indicators are assigned meaning in terms of providing information about the name's 'gender', 'ethnicity', 'race', 'class' and 'dis/ability' which can also be found in mainstream discourse's belief that a name 'tells' something about its bearer. Hence, from a structuralist perspective, one might identify names as loan names that are, for example, negotiated as German but are of 'non-German origin' (cf. Seibicke 2008:109). Specific phonetic sequences are identified as typical morphemes of Swedish names, whereas others are not (cf. Noréen, Grape 1921; Sahlgren 1940; Brylla 2002; Brylla 2009). Another example is to investigate the extent to which structural assimilation processes make a name appear less gender-specific when subordinated vowels at the end of a name were previously recognized as markers for a 'female' first name but now also cover 'male' names (cf. Nübling 2009). In all these contexts, the social categorization of personal names as German, Swedish, female and male is negotiated as

given and not as ascribed to name. Thus, structuralist studies would investigate questions such as: What is in a name? Where does the name come from? What is the gender of a name? The answers to those questions are based on diachronic etymological research on and a conventionalized knowledge about the social categorization of names (cf. Seibicke 2008:209).

However, in the context of discrimination, conventionalization (and their discriminatory effects) is not questioned but regarded as fundamental for the classification of names in linguistic research. The differentiation of people through social categorization is constituted by hierarchization and valuation between different groups (cf. also Hornscheidt, Landqvist 2014:25). For example, Ella Shohat & Robert Stam state that "[s]ocial identities are [...] historically shaped and have consequences for who gets jobs, who owns homes, who gets racially profiled, and so forth" (Shohat, Stam 1994:100; cf. also Akman et al. 2005; Ahmed, Hammarstedt 2008; Bursell 2007; Kaas, Manger 2010; Krause et al. 2012; Senatsverwaltung für Integration 2010; Towfigh et al. 2014). As described by Shohat, Stam (1994), social identities have been historically ascribed to people in hierarchical and powerful ways. In this way, a structuralist perspective on language would not help to answer my research question on the discriminatory presuppositions of hegemonic naming practices. It does not question presupposed and powerfully constructed knowledge productions but rather aims at analyzing and describing presupposed underlying structures that are reproduced as given. For example, research questions such as 'How can the gender of a name be predicted by help of a computer program?'[6] do not question the category 'gender' but rather reaffirm it as antecedent. Consequently, a research focus on the relationship between personal names and structural discrimination requires a perspective that analyzes the negotiation of meaning in their social context.

6 These research questions are met by a software that "classifies names accurately by gender, country of origin, or ethnicity". Cf. website NamSor. Cf. also blog article NamSor 2014. Here, not only is gender and 'ethnicity' understood as unchangeable as well as predictable but the social positioning of the name bearer is also ignored.

1.1.2 Pragmatic constructivist understanding of language as language use and the constitutive role of language in the making of people: Personal appellation of personal names

The integration of the social context into the analysis is a crucial theoretical aspect of this study. In understanding language use as a performative activity, the meaning of a speech act is powerfully negotiated in a specific societal environment and context. John L. Austin considers the speaker's intention as decisive for the truth or felicity conditions of a speech act (Austin 1992). To revert to one of the most popular examples of speech act theory, a priest that baptizes a child transforms the child into a person with a name. Or in a less Christian inspired context: The registrar registers a newborn with a name. The speech act is felicitous when the child is subsequently called that name. The same applies to the categorization of newborn children as 'female' or 'male' after medical examination: The felicity conditions will only apply to cis-children (cf. Butler 2008; Butler 1997).[7] With regard to a power-sensitive approach, Austin's approach neglects the conventionalized norms that hierarchize and valuate the meaning and impact of speech acts. Consequently, in her response to Austin, Judith Butler questions the extent to which the intention of a speaker is relevant for the powerful effects of a speech act, given that "[t]he subject who utters [...] socially injurious words is mobilized by [a] long string of injurious interpellations" (Butler 1997:49). Thus, I may not intend to insult or discriminate a person by giving them a specific name; however, the speech might nevertheless have an injurious effect depending on the context in which the historically sedimented meaning of a linguistic expression is interpellated.

The negotiation aspect of speech acts is often silenced in traditional linguistic discourse. In order to be able to communicate with each other, people need to agree on a shared set of conceptualizations that invoke similar associations. Therefore, meaning is not neutral, objective or static but instead constantly negotiated against the background of convention. In order to describe this processual relationship between conventionalization and negotiation of meaning, Hornscheidt (Hornscheidt 2006; Hornscheidt 2008a; Hornscheidt 2011b) introduced the concept of 're_production': It invokes the idea that an expression's meaning is constituted by hegemonically shared knowledge; every time people communicate they draw upon that commonly shared

7 Cf. chapter 1.1.3 for the conceptualization of cis-.

knowledge and negotiate its meaning in a new context. In this way, they provide an expression with a new, context specific meaning. The underscore in 're_production' shall symbolize the fraction and shifting of conventionalized meaning according to the new context (Hornscheidt 2011b). In this study, the meaning of the underscore is also applied to conceptualizations such as re_construct, de_mentioning (cf. below), de_perception (Kelly 2016), dis_identification (cf. chapter 2.2.1) and is used in order to combine singularized power relations in an interdependent way: _racism_genderism_ableism_migratism_classism_ (cf. chapter 1.1.4).

Perceiving a linguistic activity as a form of social negotiation opens up possibilities for discriminated groups and their communities to be their own authority in terms of meaning making. In hegemonic discourse, grammatical descriptions of language in dictionaries or categorical classifications of personal names in reference books are understood as the linguistic authorities on the 'original' or 'true' meaning of a linguistic expression. In this context, personal names are classified and negotiated in a structuralist way as German, Germanic, loan and foreign names (cf. for example Seibicke 2008) and consequently, so are their bearers. However, this study acts on the assumption that a person is not their name or whatever category is associated with them but rather becomes them. According to Butler, recognition is essential for people to become subjects by ways of interpellation: "The act of recognition becomes an act of constitution: the address animates the subject into existence" (Butler 1997:25; cf. chapter 6.1.1). Thus, people are not born as 'women' (Beauvoir 2000; Wittig 1980), 'Black' (Wright 2004) or 'migrants' (Tudor 2010) but conceptualized, socialized and thus made as such. As the recognition of a person is expressed through, for example, naming, and naming through, for example, the ascription of gender and origin, the subject has become a gendered and nationalized person.

In their comprehensive study, Hornscheidt analyzes, from a pragmatic constructivist perspective, the extent to which Swedish personal appellation forms such as nouns and pronouns interpellate the prototypical idea of people being androgendered (Hornscheidt 2006; Hornscheidt 2008a). According to Hornscheidt, every linguistic expression interpellates ideas and concepts that a person has acquired and connected to this expression. The conceptualization of 'expression' also includes utterances such as sign

and oral language, as well as silenced knowledge (cf. also methodological approach 'silencing' in chapter 1.3). Silenced knowledge can comprise the conversational implicatures that people need to integrate in a conversation in order to make sense of what the speaker suggests as true, informative, relevant and perspicuous (Grice 1975). It can also comprise linguistic presuppositions that people need to agree with in order to make sense of a statement (cf. Christie 2000). For example, I need to agree with the proposition that gender exists in order to make sense of the assumption that personal names are gender-distinct. Furthermore, silenced knowledge can comprise counter-activist knowledge productions that aim at deconstructing and intervening in discriminatory discourse, which might be the reason why they are ignored and thus de_mentioned by hegemonic discourse (Lockward 2010). And finally, it can comprise hegemonic norms that are denied and thus denamed as discriminatory (Hornscheidt, Nduka-Agwu 2010). Therefore, as shown, an expression may invoke different implications depending on what a person has learned about the expression in a given context. By following Hornscheidt this study focuses on those expressions, personal names in particular, that invoke or interpellate conceptualizations of people (Hornscheidt 2006; Hornscheidt 2008a). Hornscheidt negotiates this process as 'personal appellation' (Hornscheidt 2006).

Studies on personal appellation forms focus mostly on the perception of collectivizing appellation forms. For example, they focus on personal nouns or pronouns and analyze to what extent people are recognized as male or female (cf. Hornscheidt 2006; Hornscheidt 2008a; Kusterle 2011; Binaj n.d.; Kersten-Pejanić 2016). They do not yet focus on the extent to which people are identified as transgender or gender non-conform. Although that does not mean that personal names are ignored in these studies, they have not yet been recognized the same way as collectivizing nouns. Based on predetermined phrases with gender-unspecific pronouns Hornscheidt asked their test persons to write a fictional story about a person and assign this person a name (Hornscheidt 2008a:201–203). The aim of this exercise is to examine the impact previously mentioned gender-unspecific pronouns have on the conventionalization and perception of people. Although not explicated in the study, it seems that the name serves as an indicator for the fictive person's genderization. Given that personal names

conventionally are perceived as gendered and assuming that the test persons most probably re_produce this hegemonic perception, this presupposition is surely beneficial for the purpose of the study. However, the extent to which the individual test person that assigned the personal name to their character actually understands the character as cis- or transgendered cannot be assessed.

This study contests the assumption that personal names are or shall be genderable in hegemonic discourse (cf. chapter 4). Thus, the concept of personal appellation is also and foremost applied to personal names. I argue that personal names interpellate certain perceptions of people on a binary-fold level: First, a personal name interpellates the idea that it belongs to one specific, individual person. And second, it simultaneously interpellates – through conventionalization – a person's hegemonic categorization as non-migratized or migratized and gendered. By asking how people are perceived and categorized via their personal names, the structuralist focus of analysis of personal names is extended to the integration of specific contexts as well as the people involved. As I will elaborate in chapter 5, this context is constituted by conventionalized processes of categorizing people as gendered and non-/migratized. Constant re_production of social categorization leads to a sedimentation and, as I will demonstrate with this study, accustoming of hegemonic knowledge (cf. Marmaridou 2000; chapter 2.2). This knowledge fossilizes metaphorically (cf. Lakoff, Johnson 2011; cf. chapter 5.5) and results in a structuralist perception of names according to which names 'tell' something about their bearers instead of understanding this 'something' as a powerful ascription and order. This process of constant re_production, sedimentation and fossilization I will develop further in chapter 2.2 as accustoming, a process of getting accustomed to a hegemonic and structuralist way of perceiving the world and in particular people.

Summing up, a structuralist way to comprehend people's names is understood as a prerequisite for structural discrimination, as it leads to an essentializing of people. Since I intend to identify the effects of accustomed ways to categorize the social world, I aim to analyze the hegemonic context and framework in which discriminatory norms and categorizations are created, negotiated, confirmed and re_produced. From a constructivist perspective, categories are conceptualized as effects of normative discourse and not as given truths. Thus, constructivist pragmatic research on names

would analyze how personal names are negotiated in society and what societal effects these negotiations have for the perception of people. For example, what are the consequences when personal names that are ascribed a certain linguistic regularity are normalized as German names?

1.1.3 Structural discrimination and privilege

The understanding of discrimination in this study is inevitably linked with the conceptualization of privilege. Discrimination and privilege are negotiated as structural phenomenon that constitutes society. 'Structural' refers to the framework of social norms that have been so naturalized that they have become essential for the perception of the social world. It also refers to societal institutions such as registry offices, as well as such institutionalized discourses as medical and juridical that re_produce and foster discriminatory social norms.[8] As previously mentioned, people's social categorization is one of these social norms that became sedimented in Western societies. Thus, at this point in time, it is unthinkable to have a society that does not distinguish people along presumed, constructed categories such as gender, race, migration, disability or class. As stated using Shohat & Stam, this form of social categorization has "consequences for who gets jobs, who owns homes, who gets racially profiled, and so forth." (Shohat, Stam 1994:100). Thus, differentiating people along these categories is never a neutral activity or an innocent description of a person but has always discriminatory or privileging effects. Since it is historically grown, it is also fundamental for social orders that are enacted through institutionalized normative practices. By referring to Lorde 2007, Collins 2000, Kilomba 2010b, El-Tayeb 2011 and Spade 2011, Hornscheidt & Landqvist state that "the idea of discrimination being a structural phenomenon has a long tradition, specifically in Critical Race and Gender Studies"[9]. Their knowledge productions also constitute the theoretical background of this study. When referring to the structural framework of social norms, they speak of "old blueprints of expectation and response, old structures of oppression" (Lorde 2007:123), "concept of hegemony [...] matrix of domination" (Collins 2000:109), "plantation memories" (Kilomba 2010b:13), "system of knowledge", "power relations" (El-Tayeb 2011:xv; El-Tayeb

8 Cf. for an explanation on the example of structural racism: Ramsey 2015.

9 Original: "föreställningen om diskriminering som ett strukturelt fenomen har en lång tradition, framförallt i kritiska ras- och genusstudier" (Hornscheidt, Landqvist 2014:61, translated by EH).

2011:xxii) and "systems of meaning and control" (Spade 2011:25), or in other words of racism, sexism/genderism, ableism, migratism and classism.

Racism in this study is negotiated as the power relation that acts on the assumption of *white* supremacy. *White* supremacy is a racist conceptualization that is re_produced in everyday practices such as racial profiling, job interviews and pointing out that a person is anything but *white* for no further reason than maintaining the historically grown and socially constructed differentiation. Globally and throughout centuries, *white* people have re_produced this ideology to justify social exclusion, subjugation, enslavement, exploitation and the genocide of people that *white* hegemonic discourse declared as non-*white*. Because *white*ness provides privilege, the definition of who is *white* and who is not constantly shifts depending on what group of people the *white* hegemonic discourse regards as socially 'desirable'. People are differentiated on the grounds of socially constructed racialized markers such as skin tone and hair color, religion and ways of living, and language use and personal names. Thus, racism in, for example, Germany and

Sweden is re_produced through colonial racism against Black people and People of Color, anti-Romaism[10], anti-Semitism and anti-Muslimism. The critical approach against *white* privilege that this study builds on is grounded in Black and transnational feminist postcolonial scholarship (cf. specifically Lorde 2007; Collins 2000; Smith 1983; Mohanty 2003). Critical *White*ness Studies name, analyze and deconstruct *white*ness as the powerfully silenced hegemonic norm in society. Evolving in the US, the anti-racist interventions have been applied to the German and Swedish contexts by revealing that racialized people are not only excluded from hegemonic images of the German and Swedish nation states (cf. Oguntoye et al. 2006; Ayim 1996; Ayim 2002; El-Tayeb 2001; Eggers et al. 2005b; Hà et al. 2007; Hà 2012; Kilomba 2010b; Otoo 2012; Habel 2011; Mulinari, Neergaard 2012) but also from Europe (cf. El-Tayeb 2011; Wright 2004). For example, people with personal names that are hegemonically negotiated as German or Swedish are expected to be *white*.

10 Based on the decision at the first World Roma Congress in 1971, in this study, the self-denomination 'Roma' is used as an umbrella term for groups that have been racialized on grounds of anti-Romaism and that comprise the heterogeneity of Roma communities, including Sinti. Cf. Randjelovic 2007, Randjelovic 2011.

In this study, sexism is understood "as a basic, complex and pervasive form of discrimination and structural power relation" (Hornscheidt 2015:32) that constitutes and generates gender (rather than sex) as a social category (Butler 2008). By following AG Einleitung's and Hornscheidt's suggestion, the main focus of this study lies more on 'genderism' than 'sexism' (AG Einleitung 2011; Hornscheidt 2012). With the change of focus, the discriminatory effects of ascribing gender to people are taken into account rather than circling around women and men as two fixed categories. Following AG Einleitung (2011), Hornscheidt (2012) and Hornscheidt (2015), this change of perspective includes differentiating between various realizations of genderism: androgendering, binary gendering, heterogendering, reprogendering, and cisgendering. According to them, androgendering universalizes men as prototypical for being human whereas women are regarded as people that are gendered. Binary gendering acts on the assumption that there are 'naturally' only two genders, women and men. This becomes apparent when gender-distinct personal names are normalized and gender non-conform and gender-neutral names are made unintelligible. With regard to self-empowering naming practices, trans*people's names might meet the conventionalized gender-distinctivity expectation towards personal names whereas gender non-conform people's names might not. Heterogendering re_produces the idea of women being heterogendered. Hornscheidt states that "[c]is-gendered men can obviously also be heterogendered but heteronormativity has totally different effects on persons discriminated or privileged by sexism" (Hornscheidt 2015:34) which is why heterogendering is applied to cisgendered women in this study. According to Hornscheidt, couple gendering is "an important heterogendering strategy" that normalizes "a couple as the standard and desired form of living in Western societies" (Hornscheidt 2015:34–35). Heterogendered couple gendering is, for example, expressed by women assuming their husbands' last names while simultaneously being discriminated against on the grounds of androgendering. Reprogendering re_produces the idea that all women are mothers and daughters and that every person is a member of a biologicalized family. To assign daughters their fathers' last names is a reprogendering strategy that, again, simultaneously discriminates against daughters in an androgendering way. Cisgendering regards binary gendering as unchangeable and implies that a person can be identified as female or male throughout this person's entire

life. The privileged position is marked by the prefix 'cis-' that indicates the non-changing and retaining of the assigned gender categorization. The impossibility to officially change one's supposedly gender-distinct name into a gender-contrarian one without medical pathologization is an example for cisgendering in German legislation. Finally, the realizations of genderism in Western contexts often simultaneously re_produce *white* and ableized privilege on the grounds of default-setting. Default-setting is a conceptualization for the normalization and prototypization of people in certain contexts (cf. chapter 1.1.4). That genderism already privileges the cis-male position does not mean that the cis-womanisized position is discriminated only. Cis-womanisized people are simultaneously privileged when they are *white* and ableized.

Ableism is based on the idea that people are physically, psychologically and intellectually in the position to live a life without any obstacles. The normalization of moving and living without any obstacles, meeting up with people in crowded places, and expressing oneself with a clear voice and in an elaborated and complex style ableizes and privileges people who do not need to think about possible obstacles that will prevent them from performing as hegemonically expected. This study assumes that ableism as a structural power relation constitutes formal naming practices as a relevant condition for capacitated personhood (cf. chapter 6). In Germany, ableized adults can expect to be addressed in a polite form in public and official contexts, specifically when, for example, they hold a representative position. People who do not know each other usually address each other formally. Addressing someone informally on a first name basis and then talking to the person's companions about that person infantilizes them. Today, ableized adults can also expect that their last names do not invoke any expectations about their 'physical, psychological and intellectual condition'. Simi Linton suggests naming the ableized position 'non-disabled' in order to focus on the disableized position and to move it from the margin to the center (Linton 2006:163).

Migratism has been conceptualized by Alyosxa Tudor as a power relation and strategy that constitutes and positions persons as 'migrants' and as 'people with migration background' in Western European societies (Tudor 2010; Tudor 2014). In this way, 'migration' is ascribed to people. Consequently, Tudor states, "one is not born a migrant" (Tudor 2010:396) but becomes one and thus is migratized. The concept of

migratization specifies the different strategies to position people as migrants and non-migrants. Tudor aims at distinguishing between racism and migratism, since the latter can also affect *white* people. In the European context, *white* migratized people are conceptualized as Others from within Europe, whereas colonial racism constitutes Black people and People of Color as Others from without Europe, as Michelle M. Wright suggests (Wright 2004). Placing people outside Europe and thereby constructing them as nonEuropean is both a racist and migratist strategy. Or, in other words, discrimination through racism always implies discrimination through migratism, whereas migratism can imply privilegization through racism (Tudor 2010; Tudor 2014). For the German and Swedish contexts, migratization applies only to those groups of people that are denied as belonging to Western Europe and that, via their names, are ascribed an 'origin' outside of Western Europe (Tudor 2010:410). This does not include *white* Christian_secularized citizens from countries like the US or Canada, who define their national identity through narratives of migration from Europe. Those narratives are also re_produced and pertained through reprogendering naming practices, such as keeping the family name. Consequently, migratism does neither affect *white* Europeans that pass off as German in Germany or as Swedish in Sweden. Tudor and Hornscheidt described this privileged position of the *white*, non-migratized, Christian_secularized and cis-binary-reprogendered person as statisized (Tudor 2010; Hornscheidt 2010). This inclusive conceptualization of the non-migratized Western-European becomes evident in hegemonic naming practices. Onomastic scholarship, for example, differentiates between nationalized names such as German and Swedish names, 'loan' names and 'foreign' names. Other than loan and foreign names, scholars of onomastics negotiate nationalized names as the 'original' names of a specific society. However, the distinction between nationalized and loan names is only etymological, since many 'loan' names pass as nationalized names in hegemonic discourse whereas 'foreign' names migratize and mark their bearers as non-German and non-Swedish (cf. chapter 5).

Classism constitutes the idea of an educated prosperous middle-class background as the privileged norm. Middle-class is a classification ascribed to people that are privileged through access to different forms of resources, for example, money, knowledge, jobs and houses, and through racism, genderism, ableism and migratism. However, studies on

classist discrimination in Germany, for example, often disregard and de_mention power relations as having classist effects as hooks (1995) and Roßhart (2016) critique. Studies conducted in Sweden and Germany show that people with personal names that hegemonically are negotiated as non-German are less likely to be invited to job interviews (cf. Bursell 2007; Kaas, Manger 2010; Krause et al. 2012). In this way, they are simultaneously discriminated in a migratist, possibly racist and classist way. As a *white*, non-migratized, ableized and cis-womanisized person with a working-class background, I might re_produce a hegemonic bias when analyzing social inequalities from an anti-classist perspective. In order to challenge this bias and my privileged position towards racism, genderism, ableism and migratism, I primarily focus on the classist effects of these power relations. Yet, classist naming practices have discriminatory consequences for their name bearers. However, these naming practices reinforce the discriminatory effects for people that are positioned as discriminated for other reasons.

The commonalities of these structural power relations are characterized as being

- collectivizing. An individual's self-identification is constituted by forms of collective categorization. A personal name might invoke expectations towards a specific 'group membership'. For example, if a first name is hegemonically negotiated as female in Swedish or German societies, the bearer would be expected to be identifiable (by themselves as well as by third persons) as female and implicitly also as ableized as well as *white* and non-migratized, as long as the last name complies with hegemonic expectations and perceptions of (stereo)typical 'German' or 'Swedish' last names (cf. chapter 5).
- one-directional and unchangeable in terms of hierarchy. People are irreversibly positioned as discriminatory and privileged in a binary and hierarchical way, for example women as discriminated against men, Black/People of Color as discriminated against *white* people, disabled against abled, migratized against non-migratized people. The positions cannot be changed; thus, men cannot be discriminated by women in the context of sexism understood as a structural, historically grown form of oppression. A similar strategy might apply to people that are discriminated by classism. For example, a person from a working-class

background might acquire a professional position that hegemonically is identified as a position of the middle-class. However, as Julia Roßhart states, the memory of having been a member of the working class seems to be constitutive for this person's self-identification, which makes the person live with the constant uncertainty of being in the 'right' place and of being 'uncovered' one day (Roßhart 2016). The one-directionality and unchangeablity is also a reason why the conceptualization of ageism is not taken into account here. Age is regarded as reaffirming the discriminatory effects of racism, genderism, ableism, migratism and classism.

- historically grown and therefore the reason for social inequalities. In this study, social inequalities are understood as the consequences of a persistent and structural form of cognitive and institutionalized categorization that groups people powerfully together under overarching classifications. The social roles and images that have been ascribed to male, *white*, non-migratized or ableized people distinguish them from their discriminated 'counter-parts' in terms of privileged access to jobs, homes, comfort, health and wealth. Since these roles and images have been based on collective categorizations, structural discrimination affects people not only on an individual but also collectivizing level. However, a conventionalized understanding of discrimination in, for example, German jurisdiction silences the historical continuities of collective oppression and only focuses on individual activities performed by a person with a discriminatory intention. In this way, this study challenges this legal understanding of discrimination according to which a person is discriminated on an individual level but not as a member of an imagined collective that is structurally discriminated (Crenshaw 1989; Crenshaw 1991; Spade 2011; Hornscheidt, Landqvist 2014:70).
- re_produced in similar ways. For example, a typical discriminatory activity and attitude of privileged people is that they are not aware of their privilege and ignorant towards the knowledge productions of discriminated people on structural discrimination. Hornscheidt & Adibeli Nduka-Agwu introduced the concept of 'denaming' in order to describe the active silencing of a privileged

person's or group's own privileges and position of privilege (Hornscheidt, Nduka-Agwu 2010), whereas Alanna Lockward introduced the concept of 'de_mentioning' to describe the active silencing of counter-activist knowledge and expertise (Lockward 2010). The underscore in Lockward's conceptualization signalizes that de_mentioning is simultaneously a form of mentioning the oppressed position as silenced. Consequently, being privileged means that one has the *choice* to reflect about the discriminatory consequences of the perception of personal names as nonGerman or female, as the privileged position is the denamed social norm. Discriminated people do not have that choice, as illustrated by journalist and migration and diversity expert Mekonnen Mesghena at a panel discussion that addressed racist practices in the performing arts in Germany: "As long as privileges have skin colors, first names, last names and places of residence [...] we need to talk about skin color, being Black and racism."[11]

- being intersecting. Racism, sexism/genderism, ableism, migratism and classism do not stand independently and alone for themselves but are intersecting. For example, having a female name does not necessarily mean that a woman is exposed to sexism only. As long as the name corresponds with the juridical gender assigned by birth, with hegemonic conventions that negotiate the name as German and with the hegemonic expectation that a person with a German name is white and non-migratized, it simultaneously provides privilege (cf. following chapter).

The list of power relations mentioned in this study might not be exhaustive. I listed exclusively those that I became aware of through studying current knowledge productions on structural discrimination. Thus, the Swedish and German societies might be constituted through additional power relations that are so naturalized that even those discriminated by them might not be aware of their discriminatory effects. In order to be able to identify oneself as a social subject, people tend to rely on categorical images and stereotypes that represent social groups. However, hegemonic discourse

11 Original: "Solange Privilegien Hautfarbe, Vorname, Nachname und Wohnort haben [...] müssen wir über Hautfarbe, Schwarzsein und Rassismus reden." (Mesghena 2012 translated by EH).

primarily provides positive images of privileged groups for positive self-identification. In comparison, discriminated groups are either presented as the unwanted Other or not represented at all. For example, gender non-conform people that do not identify as binary gendered are forced to identify with the normalized gender options: one out of two unchangeable positions. Or in other words, with no alternative options for identification, a gender non-conform person is forced to dis-identify with themselves. The same might apply to Afro-German and intellectually disableized people (cf. chapter 2.2.1). Thus, in hegemonic discourse, their position is neither recognized nor made intelligible. Here, Butler's quotation applies once more: "The act of recognition becomes an act of constitution: the address animates the subject into existence" (Butler 1997:25).

The ambiguous and hierarchical images and stereotypes of people for self-identification as well as the un/intelligibility of social positions are historically grown and have become naturalized in hegemonic discourse. Consequently, they will not immediately change. This is why these forms of social categorization are negotiated as structural discrimination and privilegization in this study – structural because they are naturalized, historically conveyed, unchangeable within hegemonic discourse and often not even recognized as discrimination and privilegization. Thus, structural discrimination and privilege are often unconsciously re_produced, as they simultaneously appear to build a framework that constitutes social life.

1.1.4 Dispositive of structural power relations: abjectification, default-setting & intersectionality

A crucial starting point for my research was the question why discrimination has been so persistent in German society – despite the innumerable knowledge productions of feminist activists and scholars fighting against discrimination. This question inspired the collective AG Einleitung (2011) to search for an explanation to better understand the ways that lead to discrimination. Their dispositive model on structural power relations, which is further developed by Hornscheidt (2012), is a temporary approach that aims at describing the extent to which a society is constituted by discriminatory norms, what forms of discrimination a society recognizes and what forms it makes intelligible as discriminatory. It is grounded in power-reflective feminist knowledge productions such as Butler's performance theory (Butler 2008), the conceptualization of a prototypical,

mythical default-setting norm (Lorde 2007:116; Linton 2006) and Crenshaw's intersectionality theory (Crenshaw 1989). In this way, it defers from other dispositive approaches (for example of Foucault 1978; Keller 2005; Bührmann 1997; Bührmann, Schneider 2007; Bührmann, Schneider 2008 and Bührmann, Schneider 2010) by negotiating the dispositive as conditional for what can be imagined, recognized and said in everyday discourses and by regarding what can be imagined, recognized and said in everyday discourses as constitutive for the dispositive.

I illustrate the reciprocity of this process by help of the following example. A person that is born into the world is confronted with already existing hegemonic normative conceptualizations and practices that define the social order of a society. These normative discursivations position the newborn person within this order. Following a medical examination, the newborn baby is categorized as a girl or boy in German and Swedish hospitals. Since these medical norms imply that people can only be assigned one of two possible genders, a third gender or a gender-free person does not 'exist' in German and Swedish registration legislation. A child is forcefully gendered regardless of whether the child identifies with the ascribed gender. A child that is born with an intersex condition may not be gendered at first (Deutscher Bundestag 1/01/2009: article 22, paragraph 3; *PStG-VwV-ÄndVwV*, Bundesministerium des Inneren 2014: section I, article 2, paragraph g)). However, binary gendering remains compulsory, since in hegemonic discourse the idea of not being gendered at all is made unthinkable and, thus, forces intersex-conditioned people to consider taking on one of the two gender options later in life. Medical examination also defines the extent to which a newborn child is classified as disableized when born with a condition that, according to medical standards, is regarded as deviant from the norm. Additionally, the *ius sanguinis* principle in the context of citizenship assignment requires racialized ancestry research that classifies the newborn child as German on the grounds of a blood relationship to a German citizen. Here, the idea of Germanness implies that a German person is *white,* which makes the idea of a Black German or a German of Color unthinkable. Thus, the newborn child is already classified before they knows what categorization means and how they can identify with the categories ascribed to them. Nevertheless, they will grow

up learning about the relevance of these categorizations, be forced to re_produce them and thus reaffirm the framework of structural power relations (cf. chapter 2.2.1).

The dispositive approach provides an explanation for how categorization constitutes a person's life as privileged or discriminated in a society and the extent to which a person's social position is thinkable, identified and recognized at all. Since every situation is inevitably constituted by racism, genderism, ableism, migratism and classism, these power relations always affect people. Thus, whether and how people are perceived and categorized through their personal names is determined by the intelligibility of people's categorization. For example, in current German hegemonic discourse, the idea of a person being gender-unspecific or gender-free is made unthinkable (AG Einleitung 2011; Hornscheidt 2012) and aggressively prevented (cf. Baum 2014). Consequently, in hegemonic discourse, the idea of personal names being gender-unspecific or gender-free is likewise made unthinkable. Butler states in her performance theory: "[P]ersons are only intelligible through becoming gendered in conformity with recognizable standards of gender intelligibility" (Butler 2008:22). Thus, the idea of people not performing according to these standards is made unthinkable and remains unspeakable in hegemonic discourse. Butler's concept of the unintelligible, the abject, can be transferred to further areas where specific groups of people are made unthinkable in a society (AG Einleitung 2011; Hornscheidt 2012). In hegemonic German discourse, Afro-Germans are still negotiated as nonGermans despite the fact that they have lived in Germany (and the prior territories that were identified as 'German') for centuries (cf. Oguntoye et al. 2006; El-Tayeb 2001; El-Tayeb 201; cf. chapter 2.3 for a more in-depth discussion). The same applies to the Swedish context, as Ylva Habel has shown (Habel 2011). Consequently, Afro-Swedes and Afro-Germans with or without names that are hegemonically negotiated as 'Swedish' or 'German' have been abjectified in hegemonic discourse.

Against this background, the dispositive simultaneously constitutes the image of a prototypical person, a citizen of a state. Thus, I assume that the prototypical image of a state's citizen and of human beings in general is interpellated in hegemonic naming practices that are analyzed in the context of this study. Consequently, this study aims at identifying the prototypical images that are made intelligible through specific naming

practices. Audre Lorde describes this prototype as the 'mythical norm' for those that are cognitively excluded by the prototypization in the USAmerican context: "In America, this norm is usually defined as white, thin, male, young, heterosexual, Christian, and financially secure" (Lorde 2007:116). The norm Lorde describes is the most privileged social position, which is also to be found in Sweden and Germany. Therefore, the conceptualization of a prototypical, mythical norm can be transferred to the Swedish and German contexts, which has also been confirmed by studies on the cognitive perception of people as androgendered in linguistics and psychology.[12] Linton identifies this form of silent and implicit norm setting of the privileged as default-setting:

> "The assumed position in scholarship has always been the male, *white*, non-disabled scholar; it is the default category. As recent scholarship has shown, these positions are not only presumptively hegemonic because they are the assumed universal stance, as well as the presumed neutral or objective stance, but also undertheorized. The non-disabled stance, like the *white* stance, is veiled." (Linton 2006:163)

According to my reading of Linton, her critical approach on default-setting endorses the conceptualization of the dispositive as a constituting structure-providing framework. Disableized persons might be recognized in specific areas of societal discourse, as in medical or juridical discourses when being pathologized. However, in others they are made unintelligible, for example as producers of academic scholarship. Consequently, a personal name on an academic paper might hegemonically be perceived and negotiated as belonging to an ableized person. Linton links this academic norm-setting to academia's triple fundamental principles of universality, neutrality and objectivity,

12 Cf. Hornscheidt 2006, Hornscheidt 2008a and the results of Marie Skłodowska Curie Initial Training Network - Language, Cognition, and Gender (ITN LCG) (Université de Fribourg 2009-2013), Gygax et al. 2008, Kusterle 2011. Incidentally, the EU program named after physicist and chemist Marie Skłodowska-Curie silenced her full name for the entirety of its Seventh Framework Programme for Research (2007-2013) in a migratist way. Skłodowska, a migratizable Polish surname, was her first surname. Marie acquired the second last name after marrying Pierre Curie, a French physicist. With the silencing of Marie's Polish surname, the EU made Marie readable as French and prioritized the perception of Marie being French over Marie being Polish. With the new Research Programme Horizon 2020, the EU partly recognizes the full name without, however, providing any clarification as to why the program chose not to call it such earlier (European Commission, Research and Innovation 2014).

which are constantly defended and maintained through hegemonic theory construction, epistemology and methodology. I will come back to this discussion in chapter 1.2.

In addition to the identification of the most privileged position in society and its sub-discourse, academia, Lorde's and Linton's observations also share the complexity and multifacetedness of this default position. As mentioned in the previous chapter, for this study I identified only those power relations as structural that I – from my multifaceted privileged perspective as *white*, non-migratized, cis-binary-womanisized and ableized – am currently aware of and which corresponds with the theories my study is based upon. Although my social position is partly constituted by discrimination, I nevertheless share to a great extent privilege with the default position. Kimberlé Crenshaw describes the complexity and concurrency of power relations as intersectionality. Crenshaw's conceptualization focuses on the question of how legislation in the US deals with discrimination on the grounds of racism and sexism. It challenges the way women of Color experience "the operative conceptions of race and sex" (Crenshaw 1989:140) and how these experiences are silenced by law and *white* feminism that look at race and gender separately (Crenshaw 1989; Crenshaw 1991). In this way, women of Color have been made unthinkable and abjectified by US legislation and *white* feminism.

In 1978, the conceptualization of intersecting power relations had already been examined by the Combahee River Collective, an initiative of Black Feminists, as "systems of oppression [that are] interlocking" (Combahee River Collective 1995). With their Statement, the Collective intervened in a universalizing understanding of feminism that silences racism, heterosexism and classism performed within the *white* women's and *white* feminists' movement. Thus, when doing feminist research like this study aims at doing, it is crucial to recognize these interlocking differences as results of hegemonic discursivations that are in danger of being neglected as abjectifications.

Consequently, a dispositive oriented, intersectional approach can help to pose questions I otherwise would have not. For example, it prompted me to integrate questions on the relationship between personal names and ableist discrimination, which I had not previously identified as related to my research topic (cf. chapter 6.2.3). Additionally, the approach looks at ideologies such as nationalism in an intersecting way by questioning the extent to which nationalism is constituted by default images of race, migration, and

gender. In order to keep the intersecting complexity, simultaneousness and concurrency of the power relations in mind, AG Einleitung suggested combining power relation with an underscore: racism_genderism_ableism_migratism_classism. The analysis conducted in chapter 2.3 aims at illustrating the power relations' intersectionality in the context of naming.

1.2 Moving from Theory to Methodology: Conceptualizing Power as 'Hegemonic Discourse'

Hegemonic discourse is a central conceptualization in this study. By using 'hegemonic discourse' as a frame of reference, I follow the approaches previously mentioned that relate the critical deconstruction of the privileged position to the life narratives and knowledge productions of people that are forced to deal with structural discrimination (Lorde 2007; Combahee River Collective 1995; Crenshaw 1989; Collins 2000; Butler 2008; Linton 2006; Kilomba 2010b; El-Tayeb 2011; Spade 2011; AG Einleitung 2011; Hornscheidt 2012). My study is an attempt to use the critical lens of these approaches in order to deconstruct the intersecting complexity of hegemonic norms identified in hegemonic discourse. On a discursive level, I regard hegemonic discourse as fundamentally constituted by historically accustomed, structurally sedimented and intersectingly interrelated societal power relations: _racism_genderism_ableism_migratism_classism_. It is important to note that specific discourses such as the media or academic discourse are not necessarily hegemonic per se, although they are published by institutions that have historically supported and re_produced hegemonic discourse. Hegemonic discourse is understood as the re_production of a dominant discursive pattern that is constituted by the discriminatory impact of power relations. In the following, I list some specific aspects of this study's understanding of hegemonic discourse that support my analysis with an example taken from media discourse in Germany.

> "How objective are the final grades in law? Three researchers evaluated the results of hundreds of state examinations in a comprehensive study. The result is alarming – only men with German names may rejoice."[13]

Hegemonic discourse, here re_produced in media discourse, silences the impact of power relations on people's social positioning as either discriminated or privileged. In this way, it actively ignores and dementions counter activist discourse, discourses that aim at intervening in discriminatory actions and changing social conditions in a sustainable way. While the quotation focuses on the results of a recent study, it simultaneously suggests that the presence of discrimination in legal exams appears to surprise the researchers. The conclusion that only individuals described as male with a name conceptualized as German were not affected by discrimination is almost presented as a novelty. Thus, the quotation suggests that no research had been done before on the subject and that discrimination is regarded as something that is unexpectable.

What the journalist missed to respect and take into account are knowledge productions that approach everyday discrimination from a power-sensitive perspective. As shown, various feminist, postcolonial and postmigrant scholars have negotiated the issue of inequality and oppression by taking the effects of sexist/genderist, racist and migratist power structures into account (for example for the German context Oguntoye et al. 2006; Hügel-Marshall 2001; Polymorph 2002; Steyerl, Gutiérrez Rodriguez 2003; Eggers et al. 2005b; Hà et al. 2007; Kilomba 2010b; Nduka-Agwu, Hornscheidt 2010; AK Feministische Sprachpraxis 2011; Arndt, Ofuatey-Alazard 2011; Hà 2012; Hornscheidt 2012). Since these power structures constitute everyday life, academic fields such as legal studies that might even deal with the identification and negotiation of inequality are likewise considered as spaces that are not free of structural discrimination and violence. By omitting any references to productions of counter-knowledge, the journalist's quotation responds to hegemonic discourse's strategies in silencing and normalizing academic privilege. However, privilege is here enacted by the authorization of research that is conducted in a structuralist and positivist way. From a feminist, postcolonial and postmigrant perspective, none of the results come as a

13 Original: "Wie objektiv sind Jura-Abschlussnoten? Drei Forscher haben in einer umfangreichen Studie die Ergebnisse Hunderter Staatsexamen ausgewertet. Das Ergebnis erschreckt - nur Männer mit deutschem Namen dürften sich freuen." (Lüpke-Narberhaus 2014, translated by EH).

surprise or shock. Quite the opposite: Studies that aim to prove discrimination based on so-called 'objective', data-driven research even seem to be redundant. Given that discrimination is structural and thus constitutes every corner of people's social life, why should, for example, the grading of law exams be an exception in terms of discrimination? Thus, the quotation above conflicts with the following observations that Grada Kilomba identified in her research on everyday racism in German academia (Kilomba 2010b:25–38), and that Habel 2011 could confirm for Swedish academia (Habel 2011): the myth that academic and mainstream knowledge productions are universally valid, objective and neutral.

1.2.1 Deconstructing the universality myth of hegemonic knowledge production

Within mainstream media discourse, 'it is a truth universally acknowledged' that in democracies, legal studies and legislation have been institutionalized in order to regulate the lives of citizens by securing equal access to civic rights and preventing discrimination (Deutscher Bundestag 31/12/2014: article 3; Deutscher Bundestag 14/08/2006). Given that the non-discrimination clause for legal studies is regarded as universally true, the results of the study are indeed shocking. With regard to the terrorist acts of a *white* non-migratized cis-male Norwegian, Diana Mulinari & Anders Neergaard explicate that being shocked about acts of racist violence performed by the hegemonic 'norm' person, the *white* self, is a form of denial of racism: "To be shocked is to embody the privilege of *white* 'innocence'. The terror in Utøya shifted violence from the margins (migrants, refugees, homosexuals) to the centre" (Mulinari, Neergaard 2012:14; cf. also chapter 6.2.1). Thus, to be in shock means to ignore, silence and dename the possibility that the *white* self is and acts violently racist. This becomes even more evident by the use of the pronoun 'we' (cf. Hornscheidt, Göttel 2004:247) when used to speak on behalf of the citizens of a state, as is usually done by politicians and in hegemonic media productions (cf. Mulinari, Neergaard 2012:13). In a context such as the one described by Mulinari & Neergaard, the use of a universal 'we' silences the voices of those who are aware that racist violence is a structural reality that is experienced everyday.

Kilomba summarizes this denaming of *white* privilege caused by the de_mentioning of anti-racist knowledge production as follows: "It is not a question 'am I racist or not?'.

That is not the question that the *white* person is supposed to pose; instead, the question how I do deconstruct my own racisms should be asked" (Kilomba 2010a:00:02:43). For feminist, postcolonial and postmigrant scholars, positivist empirical studies that 'prove' that discrimination indeed exists do not really say anything new. As Kilomba states, the production of knowledge is not a neutral activity (Kilomba 2010b:27). By silencing counter-activist knowledge, hegemonic knowledge production creates a space where hegemonic discourse defines "who can speak" (Kilomba 2010b:28) which, consequently, is the privileged default position. Thus, the evidence of discrimination in legal exams could be identified as universal knowledge of counter-activist scholarship, whereas it is dementioned in universalized hegemonic academic discourse.

1.2.2 Deconstructing the objectivity myth of hegemonic knowledge production

In this study, the objectivity claim is negotiated as a hegemonic norm that is based on the belief that research and grading can, indeed, remain unaffected by the researcher's individual choices and attitudes towards the research topic, the own social positioning and the social positioning of others. However, in her research on everyday racism, Kilomba identified objectivity as a myth of hegemonic *white* scholarship whose validity and truths "are controlled by *white* scholars, both male and female" (Kilomba 2010b:29). The assumption that objectivity is possible is a form of the colonization of knowledge by the 'objective' researcher, as Kilomba stresses:

> "For a long time [Black writers and scholars] have been speaking and producing independent knowledge but when groups are unequal in power, they are likewise unequal in their access to the resources necessary to implement their own voices (Collins 2000). Because [Black writers and scholars] lack control over such structures, the articulation of [their] own perspective outside the group becomes extremely difficult, if not unrealizable. As a result, the work of Black writers and scholars often remains outside the academic body and its agendas [...]. These are not accidentally there; they are placed at the margins by dominant regimes that regulate what 'true' scholarship is." (Kilomba 2010b:28)

This hegemonic dogma of performing objectivity and preventing subjectivity can also be found in the study on discrimination in legal exams. Emanuel Towfigh, Christian Traxler

& Andreas Glöckner (2014) identified unequal grading of written and oral exams that were taken by people who differed in ascribed gender and origin: People registered as females and people with assumed 'non-German' names performed worse even though they had better grades when entering university. In order to be able to make a statement about the (anonymized) candidates' origin, the researchers integrated an onomastic analysis into their study that generated information on 'migration background' on the grounds of the candidates' personal names. The 'likelihood' that a name has a 'migration background' was described as "(subjective)"[14].

Although the scholars are hesitant to identify unequal treatment as discrimination (cf. Towfigh et al. 2014:24–27), they miss to indicate how they define discrimination and how they relate the concept to gender and 'migration background' in their research. They also omit to describe how 'migration background' is both defined and identified in the onomastic analysis they refer to. In this way, they negotiate concepts such as 'migration background' and 'discrimination' as self explanatory and exclude and de_mention counter-activist theories and methodologies that approach questions of discrimination from a perspective which is sensitive to historically sedimented power structures (cf. chapter 2).

1.2.3 Deconstructing the neutrality myth of hegemonic knowledge production

With universality and objectivity comes neutrality as another myth of hegemonic knowledge production. By claiming that there are German and non-German names, the authors of both the quotation and the study not only insist that names can be classified as such; they also assert that this classification is relevant for their research and for societal discourse on name discrimination. From a constructivist perspective, they are not even wrong in assuming so. However, to state names *are* German or not, male or not, migratized or not is not a neutral and innocent classification. By describing hegemonic academia as a powerful and violent space, Kilomba maintains that social categorization is particularly not neutral when it is re_produced in academic scholarship. Thus, hegemonic knowledge production creates a *white* space

14 Original:"(*subjektive*) Wahrscheinlichkeit, dass bei einem Namen Migrationshintergrund vorliegt" (Towfigh et al. 2014:10, translated by EH, my emphasis).

> "where Black people have been denied the privilege to speak [...] where [Black people] have been voiceless and where *white* scholars have developed theoretical discourses that formally constructed [Black people] as the inferior 'Other', placing Africans in absolute subordination to the *white* subject. Here [Black people] have been described, classified, dehumanized, primitivized, brutalized, killed." (Kilomba 2010b:27)

Thus, academic knowledge production and their hegemonically negotiated, historically conventionalized and structurally pre-defined theories, epistemologies and methodologies cannot, by definition, be regarded as neutral. As Kilomba proved with her study on everyday racism, there is fundamental evidence of discrimination in hegemonic academia that conventionalized and incorporated hegemonic power and silenced *white*ness, androgendering, statization, ability and middle-class as the privileged norms. Against the background of the mythical 'neutrality claim', counter-activist knowledge productions have been neglected by hegemonic academic scholarship in their aim to emphasize the voices of the oppressed and to regard the individual's experience of structural discrimination as collective knowledge that is shared by people imagined as the Other by hegemonic discourse. In this way, counter-activist knowledge can be regarded as a threat to hegemonic academic discourse.

1.2.4 About the role of structure-oriented research

Since structure-oriented research aims at describing the grammatical structures of a name, it focuses on approaching the set of rules that is assumed as being inherited and specific to the linguistic system of a language. In this context, language is understood as a system that evolves in and is expressed by (often nationalized) linguistic communities. Although grammatical deviations are recognized as local dialects and sociolects by hegemonic linguistic discourse, they are simultaneously negotiated as varieties of a standardized language. By focusing on the standardized linguistic variety, structural discrimination is not really taken into account in structure-oriented research. In this study, the standardized language is regarded as the language that dominates hegemonic discourse.

However, some forms of structure-oriented research that use predefined categories such as statistic research can be helpful in order to assess the state of hegemonic discourse.

Typical statistical categories for the assessment of demographic developments are gender, migration background and experience and citizenship (cf. Statistisches Bundesamt 2014; Statistiska centralbyrån n.d.). For example, studies that identify discrimination on the housing and job markets do so by using binary categories such as 'migrant'/'non-migrant' as well as 'female'/'male' (cf. Akman et al. 2005; Bursell 2007; Kaas, Manger 2010; Krause et al. 2012; Senatsverwaltung für Integration 2010; cf. Towfigh et al. 2014 for an onomastic determination of social categories). Thus, statistical data can show and enumerate the effects of discrimination by help of hegemonic terminology and hegemonic ways of categorization. Although they show some evidence that people are treated differently, some of them hesitate to identify unequal treatment as discrimination and leave the question of how discrimination is defined unanswered (cf. Towfigh et al. 2014:24–27). As discussed above (cf. chapter 1.1.3), in hegemonic discourse, discrimination is often associated with its legal definition (cf. Deutscher Bundestag 14/08/2006) and negotiated as an activity that is consciously done (cf. Hornscheidt, Landqvist 2014:70). In this way, discrimination is not taken into account in its structural dimension and historical continuity as "old blueprints of expectation and response, old structures of oppression" (Lorde 2007:123). Lorde describes the hegemonic silencing of the continuity of oppression as "historical amnesia" that forces counter-activism "to repeat and relearn the same old lessons over and over" (Lorde 2007:117).[15]

With some exceptions (cf. Akman et al. 2005), these studies often focus on only one form of social categorization; on gender or on citizenship but not on their intersections. In a small random test in 2005, Saro Akman, Meltem Gülpinar, Monika Huesmann & Gertraude Krell investigated the chances of 'Turkish women', 'Turkish men', 'German women' and 'German men' being invited to submit a complete job application in response to a brief online job posting. They identified that 'German men' received the most invitations, followed by 'German women'. 'Turkish men' were a bit more successful than 'Turkish women' but far less successful than 'German women'. The results indicate that people with Turkish citizenship are more discriminated than people with German citizenship, of which 'German men' are the most privileged and 'Turkish women' the

15 Having said this in 1980 with not much change in terms of acknowledging difference as a consequence of historically accustomed forms of oppression, Lorde's statement is still valid today.

most discriminated group among their peers. Towfigh et al. (2014) also discuss the "effects of gender"[16] and "the origin of a name"[17] as potential indicators for discrimination but, unlike (Akman et al. 2005), not the simultaneous effects of genderization and migratization for migratized women. As shown, this specification is often a simplification of the situation a person faces who is discriminated by more than just one power relation.

What is more, the indication of citizenship cannot assess racist or migratist discrimination of, for example, Afro-Germans and Germans of Color that have a German passport. The passport does not stop hegemonic discourse from de_perceiving Afro-Germans and Germans of Color as Germans. Similarly, the indication of gender de_mentions trans and gender non-conform people. In this way, the living situation of a gender non-conform person of Color is statistically not assessed but de_mentioned and, according to Natasha A. Kelly, de_perceived on a cognitive level (Kelly 2016). In this way, hegemonic de_perception can lead to the abjectification of AfroGermans, Germans of Color and trans and gender non-conform people (cf. chapter 1.1.4). Simultaneously, statistical research often focuses on the discriminated and privileged groups and less on the processes and societal structures that position people as such. Conceptualizing 'gender' and 'origin' as given silences the hegemonic re_construction and re_production of gender and origin as sources of discrimination.

According to Lorde, there is also the risk that disadvantaged persons who experience discrimination as a normal part of their daily lives might not recognize it as such (Lorde 2007:122). Consequently, the scientific assessment of statistical data acquired through surveys which ask an individual person to explain the extent to which they *feel* disadvantaged and discriminated needs to be regarded as a method that does not take into account the impact of the power relation in which people grow up. Against that background, questions of the representativity of surveys regarding the number of participants seem to be redundant: What social groups constitute the target group? Based on what criteria do I develop my definition of 'disadvantaged' people? And regarding my own role as a researcher: How can I relate to (the myth of) objectivity if

16 Original: "Geschlechtseffekte" (Towfigh et al. 2014:24, translated by EH).

17 Original: "Namensherkunft" (Towfigh et al. 2014:26, translated by EH).

my research design on discrimination is based on individual decisions I (or the disciplines) have made from a privileged perspective? How do I relate to inequality in comparison to someone whose social position is constituted by experiences of discrimination on a daily basis?

Finally, as quantitative research equips neutrality, universality and objectivity with the idea of representativeness, it would not recognize an individual's report on self-experienced structural discrimination as 'empirically resilient'. Standpoint feminist knowledge productions investigating inequalities and discrimination challenge conventional methodologies and methods derived and discussed in structure-oriented academic disciplines and their methodological presuppositions and normalizations (cf. chapter 1.2). Given the number of reports of counter-activist knowledge productions on discrimination already quoted, the question for research inspired by feminist, postcolonial and postmigrant scholarship is rather *how* and not *if* a person is discriminated during a legal exam, for example. Consequently, I decided not to conduct questionnaires or other quantitative studies in order to collect statistic data because of the bias in statistical categorization and the insufficiency of 'assessing' discriminatory agency.

However, in order to recognize the impact of social categorization, the use of social categories in statistical surveys can be regarded as sedimented accustomed structures that people re_produce to explain the social world. In this way, quantitatively assessed data can depict social stratification on inequalities on the housing and job markets and identify social categories as indicators for discrimination. Some quantitative studies are referred to in this research (cf. above).

1.3 Methodology: Applying Counter-Activism

The discrimination of people in the context of naming has, to my knowledge, not been investigated against the background of a model that regards structural power relations as constitutive for the intelligibility of people. There have been numerous studies on the everyday discrimination of people via discriminatory perceptions of their personal names. However, the hegemonic act of naming as a normalized, sedimented and

accustomed form of institutional and structural discrimination and privilege has not been conducted from a social constructivist, pragmatic perspective that aims at being sensitive towards the dispositive of power relations.

In order to be able to respond to the central research question on the intelligibility of personal names and the hegemonic presuppositions that are interpellated with personal names, I apply a discourse critical perspective to my analytical methods. This perspective is based on the theories of Black Feminist Studies, Postcolonial Studies, Critical Whiteness Studies, Postmigrant Studies, Critical Trans Studies, Disability Studies and Minority Studies described in the previous chapters and challenges the boundaries of traditional disciplines because it objects to the powerful exclusions and limitations of disciplinary epistemologies and methodologies.

1.3.1 A trans- and postdisciplinary multi-voiced analysis of personal names

Although I have a disciplinary background in linguistics, this study aims at transgressing traditional linguistic epistemologies. Instead of focusing on the description of a name's grammatical features and differences in comparison to other languages, I challenge linguistic name classification and examine the powerful hegemonic expectations and consequences of a structure-oriented categorization of personal names. The field of Feminist and Gender Studies, in which this study is situated, is, according to Nina Lykke, not a traditional discipline but rather a "postdisciplinary discipline" that "pass[es] as a discipline and claim[s] the academic authority of one, but which also keeps up a transversal openness and a dialogical approach to all academic disciplines" (Lykke 2011:8). Following Lykke's definition, a postdisciplinary discipline is characterized by a critical perspective towards the "epistemological foundations of knowledge production" (Lykke 2011:17), as pointed out by Sandra Harding, for example (Harding 1983). Thus, postdisciplinarity can be understood as "a mode of organizing knowledge production in ways that are different from the discipline-based structure of the modern university" (Lykke 2011:28). Consequently, postdisciplinary feminist research takes the researcher's social position in the context of structural power relations into account and reflects upon the powerful exclusions that are produced in structuralist and essentialist research (cf. below). In contrast, Lykke describes the "mode

of working with research questions" (Lykke 2011:28) as transdisciplinarity. According to her, transdisciplinary feminist research poses questions that cannot be answered by traditional disciplinary scholarship and, consequently, is called on to develop new theories and methodologies (Lykke 2011:27). In this study, I take up Lykke's observations by reflecting on whether a trans- and postdisciplinary 'dialogical approach' can facilitate my research question on a methodological level.

By applying a critical discourse perspective, I regard language use as central for determining the meaning of the social world (Fairclough 2003). In this study, naming practices such as the initial naming of newborn children, the self-determined naming of empowered persons, and the legislative limitations to choose a personal name are understood as areas of language use that constitute the meaning, relevance and role of personal names in society. Consequently, language use also comprises linguistic activities such as thinking, signing, verbalizing, gesticulating, mimicking, denaming and de_mentioning in the context of naming practices. According to scholars who conceptualized the 'linguistic turn' for the social and cultural sciences[18], only language use makes it possible to grasp everyday life and to identify, distinguish and classify people, social norms and academic knowledge productions (cf. Jaworski, Coupland 2001). Thus, the 'linguistic turn' encourages researchers to focus on the creative and powerful potential of language use and to reflect on the processes and implications of knowledge productions, including one's own in academic discourse. In this way, 'discourse analysis' is a critical approach that examines how language use constitutes specific discourses in society and transgresses disciplinary boundaries.

Ruth Wodak, Peter Nowak, Johanna Pelikan, Helmut Gruber, Rudolf de Cillia & Richard Mitten's discourse-historical analysis of how anti-Semitism is re_produced in public discourse in Austria (Wodak et al. 1990) has been inspirational to this study because of its comprehensive and interdisciplinary approach. Scholars from disciplines such as history, social sciences, linguistics and psychology contributed to the joint research question while integrating their disciplinary background knowledge into the research design. In this way, the research team was able to address multidisciplinary aspects that were linked to the research topic. Although I am aware that I cannot cover and speak for

18 Cf. Jaworski, Coupland 2001 for an overview.

multiple disciplines (or even for one), Wodak, Nowak, Pelikan, Gruber, de Cillia & Mitten's interdisciplinary approach inspired me to look at different areas of research that could support addressing the complexity and relevance of naming practices in society and in different academic fields. Consequently, under the umbrella of Feminist and Gender Studies, this study integrates research areas and material that traditionally have been investigated by academic fields and disciplines such as onomastics, history, legal studies, social sciences such as sociology and social anthropology, pragmatics, Scandinavian studies, socio-psychology, and literary and educational studies that have been operating in the context of the social categorization of personal names. The scholarship around Wodak has also been inspirational for its deconstructivist approach towards the hegemonic homogenizing conceptualizations of the 'nation' (Wodak et al. 1990; Wodak et al. 1999). The powerful in- and excluding social consequences of nationalism are central to the analysis of naming practices in this study (cf. chapter 3). However, Wodak, Nowak, Pelikan, Gruber, de Cillia & Mitten's studies lack an intersecting perspective on _racism_genderism_ableism_migratism_classism_ that has been described by counter-activist feminist scholars.

By applying a dispositive-oriented perspective, I aim at responding to Black feminist critique that exposed how social positioning affected by the intersection of structural power relations are and have been made unintelligible in hegemonic discourse (cf. Combahee River Collective 1995, cf. below). As Hornscheidt & Landqvist point out, a dispositive analytical approach differs from a discourse analytical one on the question of intelligibility: "that what is not even possible to say or to think in a situation and that therefore is unnameable"[19]. People affected by being made unintelligible may not be able to recognize this form of discrimination since "one often does not recognize privilege, […] discriminatory structures become individualizing and […] humans internalize them"[20]. According to Hornscheidt & Landqvist, in order to be able to approach what is unthinkable, practices and situations of structural discrimination need to be regarded from a historical and comparative perspective (Hornscheidt, Landqvist 2014:100).

19 Original: "det som inte ens är möjligt att säga eller ens tänka sig i en situation, och som därför är onämnbart" (Hornscheidt, Landqvist 2014:99, translated by EH).

20 Original: "man ofta inte lägger märke till privilegier, […] diskriminerande strukturer blir individualiserade [sic!] och […] människor internaliserar dem" (Hornscheidt, Landqvist 2014:99, translated by EH).

This is why this study looks at the historical continuities of everyday discrimination through hegemonic naming practices in Germany and Sweden. For example, in April 2010, the Swedish newspaper *Svenska Dagbladet* claimed in an article that "Swedes are world champions in changing names"[21]. The statement seems to be confirmed by Eva Brylla, a well-known linguist, recognized expert and official advisor on naming in Sweden. Brylla is quoted by saying that her research colleagues abroad were always surprised when learning that there are so many Swedes that want to change their names (Lagerblad 2010c). I do not intend to verify the claim but rather negotiate it as a statement that might tell something about hegemonic Swedish self-perception based on the example of naming. The seemingly unusual opportunity to change one's name in Sweden (as compared to the German situation) gives reason for comparing the naming traditions and intelligibilities in German and Swedish hegemonic discourse. Another reason is that I assume both societies, also according to recent research on linguistic discrimination (cf. Hornscheidt 2006; Hornscheidt 2008a; Hornscheidt, Landqvist 2014), to be comparable in terms of their geopolitical setting in the Global North and Western Europe, similar in their forms of governance (democracies, rule of law, division of powers), and in the implementation of societal norm settings (registration of people based on nationalist conceptualizations of citizenship and genderization, 'Christianization' of registration and naming processes). Counter-activist movements against these norm settings also seem to share similarities (anti-genderist linguistic activism and interventions in hegemonic cis-binary-gendering, cf. Wojahn 2015). In this way, the study examines the extent to which the effects of hegemonic discourse on naming in Germany are comparable to the ones in Sweden. Maybe there are some lessons from which both discourses can learn.

As previously described, silencing is regarded as a linguistic activity that can have discriminatory effects. This is why the analysis of different naming practices that silence the positions of the discriminated and privileged has been integrated into this study.

Denaming means the active silencing of a privileged person's or group's own privileges and position of privilege (Hornscheidt, Nduka-Agwu 2010). For example, when a juridical decision on naming declares that a name is not genderable because it does not

21 Original: "svenskar är världsmästare på att byta namn" (Lagerblad 2010c, translated by EH).

follow a German feel for language, the genderability of a name is problematized but not the problematic concept of genderization. In this case, gendering is denamed as the normalizing practice that secures privilege in hegemonic discourse (cf. chapter 5).

Contrarily, de_mentioning denotes the active silencing of anti-discriminatory counter-activist knowledge and expertise as well as the counter-activist position (Lockward 2010). This occurs when cis-binary-gendering is negotiated as one of the most central ways to categorize people, and when the idea that names need to be gender-distinct as either female or male is regarded as obligatory for the registration of a child. In both cases, people that are positioned as trans*, transgender, gender-fluid, trans_x_ing[22], gender non-conform or trans*_genderqueer[23] are de_mentioned.

In this study, denaming and de_mentioning are analyzed as the two prominent strategies for linguistic presupposition. Presuppositions are denamed hegemonic knowledge productions that need to be silently accepted in order for a linguistic activity to make sense. In this way, hegemonic knowledge productions are silently constituted and normalized (Christie 2000). For example, in order to choose a child's name that *is* gender-distinct, I first need to have accepted that names *are* and not *made* gender-distinct. Furthermore, I need to have silently accepted that gender is a relevant distinction and that this distinction can be made on the grounds of hegemonically defined grammatical features or convention (cf. chapter 5). Hence, the silent acceptance of a structuralist perception of names responds to a requirement asking for gender-distinctivity. Linton describes the implicit norm setting of the privileged perspective as default-setting (Linton 2006; cf. chapter 1.1.4). For example, the Turkish-German community negotiates names like 'Helga' and 'Hans' as prototypical names for the privileged non-migratized – default – Germans (Akyün 2007:8; 136-151).

22 For the conceptualization of dyke_trans*people and people who dyke_trans as critical positioning and self-naming practice cf. AG Einleitung 2011 for dyke_trans as well as the catalogue to the exhibition of dyke trans | dis_visualizing re_locating de_silencing curated by Ja`n Sammla and Lann Hornscheidt (Sammla, Hornscheidt 2012), the video_poem spuren legen_verwehen by Layla Zami and Lann Hornscheidt (Zami, Hornscheidt 2012) for the conceptualization of 'to dyke_trans' and Hornscheidt 2012 for 'trans_x_ing'.

23 This self-designation form is used by AK ProNa 2015 in order to open up the many cis-binary-non-conform conceptualizations people identify with.

Making social positioning unintelligible is a form of silencing that is, according to AG Einleitung 2011, Hornscheidt 2012 and Hornscheidt, Landqvist 2014, different from denaming and de_mentioning, which are performed on a discursive level. Denaming the privileged position and de_mentioning counter-activist knowledge productions are understood as active but not necessarily conscious discursive forms of hegemonic silencing where the effects of social positioning are made intelligible (Hornscheidt, Landqvist 2014:99–100). As hegemonic discourse constitutes the norms of how to perceive the world, it privileges people whose norms conform to the hegemonic norm and does not distinguish between silences on the grounds of dispositive abjectification and silences on the grounds of discursive ignorance. Thus, power-sensitive knowledge productions on the unintelligibility of social positioning cannot be expected to evolve in hegemonic discourse. Integrating counter-activist knowledge productions into discourse-critical methodologies is required in order to understand the scope and effects of structural discriminations and to avoid hegemonic silencing. In this way, it can be understood as a concrete response to Bakthin's perception of discourse as multi-voiced (Bakhtin 1981). Consequently, hegemonic naming practices can only be identified as such by contrasting counter-activist interventions. This is why individual and artistic knowledge productions such as literary, personal reports and autobiographies are essential parts of my analysis. Ulrike Hamann introduced the polylux approach as a mode for a comparative analysis to identify counter-activist knowledge productions and interventions. She suggests comparing different counter-hegemonic and hegemonic narratives on, for example, a specific event in colonial history. Counter-hegemonic knowledge productions represent the empowered perspective on colonialism, whereas hegemonic narratives re_produce knowledge that is made intelligible in hegemonic discourse. By comparing both the counter-hegemonic and hegemonic descriptions of the colonialist event, the extent of racist thought and perspective becomes evident in the way oppressed and oppressive groups are named and conceptualized in the different narratives. Is their self-designation used and are they described from the oppressor's or from the oppressed group's perspective? Are survivors of colonial atrocities mentioned at all? To what extent are the responsibilities of the oppressive group taken into account (Hamann 2010:482–483)? However, counter-activist knowledge productions and interventions can also be identified in hegemonic discourse, since

_racism_genderism_ableism_migratism_classism_ have not only destroyed, erased and devaluated counter-activist knowledge productions but also appropriated them (Kilomba 2010b, Otoo in Kabisch 2014). Qualitative differences in narrations re_produced from a privileged position can then be understood as traces of counter-narrations which disrupted colonial discourse by making the re_production of racist terminology less acceptable (Hamann 2010:482). Inspired by the polylux approach, this study investigates how the institutional conceptualization of personal names as cis-binary-gendered has been changed in Swedish legal discourse. It also helps to analyze the historical continuities of the naming laws' discriminatory impact in both Germany and Sweden. In order to do so, it is necessary to identify the differences between knowledge productions that are created from an empowered counter-activist position and knowledge productions that are re_produced from a privileged, potentially self-critical position and that rely on the previous ones.

1.3.2 Analyzing hegemonic naming practices through social positioning and critical self-positioning

Positioning in this study is, from a constructivist pragmatic perspective, understood as a social act that constitutes a person's discursive role (Hornscheidt, Landqvist 2014:135). Social positioning describes the act performed by social categorization that hegemonically is often perceived and negotiated as the fixed and unchangeable identity of a person. Shohat & Stam negotiate identities as "chronotypical positionings" (Shohat, Stam 1994:100) within a social space and a historical timespan and as markers for historical and social power relations that constitute how the world is perceived (Shohat 1998). Thus, as also demonstrated in chapter 1.1.3 power and hierarchies are central for social positioning. Consequently, identities, social categories and social positions need to be investigated within their respective social and historical contexts that are determined by power relations.

Based on their experiences with fighting against interlocking systems of oppression, the scholars of the Combahee River Collective emphasize the necessity for Black womanisized feminists "to develop a politics that [is] anti-racist, unlike those of *white* women, and anti-sexist, unlike those of Black and *white* men" (Combahee River Collective 1995). As a *white* womanisized person, I read this emphasis as a reminder for

the relevance of considering the different effects that are created when people fight against discrimination from different social positionings. Lorde, member of the Combahee River Collective, calls on feminists to be aware that "[i]t is not our differences which separate women, but our reluctance to recognize those differences and to deal effectively with the distortions which have resulted from the ignoring and misnaming of those differences" (Lorde 2007:122). In the context of this study, I read Lorde's intervention as another important reminder to reflect upon the extent to which I, as the multifaceted privileged researcher, identify racism, genderism, ableism, migratism and classism as interlocking systems that create differences among feminists which can position feminist researchers as simultaneously discriminated and privileged, and which have an impact on my knowledge productions.

Consequently, social positioning constitutes the meaning of people's linguistic activities. For example, talking about feminist research in Germany and Sweden interpellates certain expectations towards the researchers' social position, institutional and professional role, and their names: What names do feminist students, researchers and professors at German and Swedish universities have? What names do non-feminist students, researchers and professors have? Are there different expectations towards the names of feminist and non-feminist researchers, and if so, why? To what extent do I as a researcher that experiences *white*, non-migratized, cis-binary-gendered, ableized privilege in the context of naming recognize personal names as only hegemonically negotiated as ableized, binary-gendered, and German or non-German? To what extent do I imagine the possibility of perceiving and negotiating names as gender-free? To what extent do I imagine a person with a supposedly non-German name to be German? To what extent do I imagine that a researcher's name belongs to a disableized person? Obviously, the answers will have an impact on my research.

Following feminist scholarship articulated as situated knowledge (cf. Haraway 1988), standpoint theory (cf. Harding 1983, cf. Collins 2000), and politics of location (cf. Rich 2003; Mohanty 2003), Tudor argues that the analysis of discrimination requires awareness and critical reflection of one's own social positioning (Tudor 2011; Tudor 2014). Critical self-positioning entails not only becoming aware of the discrimination and privilege one has as a consequence of the power relations' constitutive impact on the

social order. For the discriminated position, it provides a space for self-definition where they can voice and name oneself (Collins 2000). However, the privileged position is called upon to do something once the awareness of privilege has been acknowledged. For example, focusing in this study on how privilege is re_produced in naming practices and how I have been re_producing these privileging naming practices, as well as how they can be deconstructed are attempts to do something.

When analyzing naming practices, critical positioning is also essential. After having tried in vain to become a successful author, Claus Heck, a cis-male-identified non-migratized German, created the pseudonym Aléa Torik (Bendixen 2013; Schaschek 2013). With the new name, he succeeded in being recognized as a migratized, womanisized person and became a published author. Since he intended to be recognized as someone less privileged than himself, Heck occupied the position of the discriminated for his own benefit and, thus, appropriated a position from which he cannot speak speak because of a lack of a migratized cis-woman's experience and knowledge of discrimination (cf. Tudor 2011). Thus, the extent to which a name change is an intervention in discriminatory naming practices or not depends on the privileged people's critical positioning. For example, in 1960's post-war Germany, gentile Ingrid Hella Irmelinde Kirsch assumed 'Sarah' as her first name as a form of protest against the Holocaust and her father's anti-Semitic attitude (Munzinger-Archiv 2013). Twenty years earlier, National Socialist legislation forced Jewish womanisized persons to take on that name. The extent to which this name change needs to be regarded as an occupation and appropriation of the discriminated social position depends on the extent to which Kirsch silenced her *white*, non-Jewish privilege that was interpellated by her previous first names for her own social benefit. A privileged person assuming a name that is perceived and negotiated in a discriminatory way by hegemonic discourse might have intervening potential as long as the person acknowledges the privileged position. In that case, the name might become perceived as less and less discriminatory.

Thus, from a privileged position, critical self-positioning and the analysis of discriminatory naming practices can only be attempts to identify privilege, to raise awareness, and to intervene in such practices in an accountable and responsible way. This is why Tudor distinguishes between anti- and contra_self-positionings (Tudor

2010; Tudor 2014). Anti-self-positionings are interventions performed from a discriminated position that Collins describes as empowerment (Collins 2000, cf. chapters 6.2.2.2 and 6.2.2.5). Contra_self-positionings are interventions performed from a privileged position. Tudor suggests marking the privileged person's attempt for intervention by the underscore to interpellate the fractions those attempts can have. Privileged people's social positions are marked by 'contra' to remind that for privileged people, the fight against discrimination is a choice and not a risk (Tudor 2014:216–219). Privileged people might *be* against discrimination but this does not necessarily mean that they *act* against discrimination. Because of a lack of knowledge, they might also fail to identify and understand anti-discriminatory fights: Privileged people experience power as privilege and not as oppression. By negotiating privilege as the norm, a society's hegemonic setting provides privileged people the choice but not the necessity to actively engage against discrimination. Thus, there is no risk of losing privilege.

Taking into account the previously described characterization of structural discrimination and privilege, a privileged position cannot be changed or replaced with the discriminated position. Consequently, as a person privileged by racism and migratism, I cannot claim to have made the experience of being considered non-German or non-European when asked "where do you come from?" when people learn my name. I cannot claim that I know from my life experience what this question means to people that are questioned to be German or European. However, I can choose to challenge my own accustomed hegemonic perceptions of names. I can question the discriminatory interpellations that imply that only people with non-migratized names are a part of an imagined[24] German society.

1.3.3 Analyzing hegemonic naming practices through life stories

As previously stated, in this study life narrations from people experiencing structural discrimination are regarded as central resources of counter-activist knowledge productions in order to understand how structural discrimination is expressed in everyday naming practices. Various feminist researchers have employed life stories as a

24 For the conceptualization of how nations and nationalism have been developed through imagined communities cf. Anderson 1983.

method in order to bring "reflective positioning [...] into practice" (Ghorashi 2005:374).[25] By assessing and analyzing incidents of unequal treatment on the German and Swedish job markets (cf. below), structural discrimination becomes accessible as a practice that is experienced by individuals and shared collectively when people are denied Germanness and Swedishness and are cis-binary-gendered on the grounds of hegemonic perceptions of their names. Life stories that I as a researcher privileged by racism, cis-binary-genderism and, through my education and profession, also classism do not experience provide spaces to learn and understand the extent of structural discrimination and privilege. In the field of oral history, Izabela A. Dahl and Malin Thor stress the relevance of life stories in the making of history by expanding the variety of stories to include historisized events (Dahl 2013; Dahl, Thor 2009). By integrating individual and accidental stories in the analysis of the different naming practices examined in this study, I aim to reflect my position as a privileged researcher in particular and approach the privileging effects of discriminatory naming practices in general. In this respect, analyzing the various hegemonic ways in which people are excluded from, for example, an imagined nationalized community (Anderson 1983) is crucial. By ascribing a group of people a non-normative identity, this group is consequently constituted as a collective that does not belong. Consequently, being collectively labelled as 'different from the norm', as 'the Other', is an experience that is shared among people assigned to a gender non-conform group and people negotiated as non-European. Since a personal name hegemonically interpellates both the idea of a person's gender and nationalized origin, in this study, everyday naming practices are regarded as incidents where individual people share similar experiences on a collective level. In this way, life narrations can be regarded as individual accounts of people that share the experience of their identity co-constituted by hegemonic as well as counter-activist discourse.

By referring to Abu-Lughod (1993), Halleh Ghorashi states that "[s]tressing the particularity of experiences against simple generalizations leaves space for 'writing against culture', which subverts the process of Othering within anthropology" (Ghorashi 2005:366). Subversive examples are the life reports of Afro-Germans on their self-

25 Lykke calls them "life history narratives" (Lykke 2011:74–75).

naming practices, by which they took on a name that re_establishes the violently interrupted connection to their African descent as a form of anti-racist empowerment (cf. chapter 6.2.2.2). By assuming the 'new' names, the 'old' names which had been eradicated and silenced by colonial discourse become revitalized. In this way, these names symbolize Afro-German historiography 'writing against (hegemonic German) culture' (Kelly, Oguntoye 2015; Kelly 2016), which in its continuity has made Afro-German identification unintelligible. Thus, according to Ghorashi

> "the life story becomes one of the few methods that can grasp this process-like character [of the concept of identity, EH]. An identity is not a complete whole but is in fact unsettled, ambiguous, mostly elusive and subject to change in a new context. Still, all this does not mean identity is constantly shifting: despite the fact that identity is a process of 'becoming', there is a certain degree of continuity to it. Past experiences tend to determine (un)conscious preferences of people in the choices they make. These choices are reconsidered when someone comes into contact with new, often unknown possibilities." (Ghorashi 2007:119)

Thus, past experiences such as the identification of a person as German on the grounds of their supposedly German name has tended to (un)consciously prefer people with 'German' names on the housing and job markets. These experiences might have influenced migratized parents in naming their children, when they preferably chose to give them a supposedly German name (Gerhards, Hans 2009). Furthermore, the experience of unintelligibility has made it impossible for Afro-Germans to find a name that interpellates Afro-German genealogy, and for trans and gender non-conform people to find a name that interpellates gender-non-conformity against the background of hegemonic discourse.

The choices Ghorashi speaks of in the quotation above are related to people who experience discrimination. However, the extent needs to be questioned to which the choices' determination caused by "[p]ast experiences" (Ghorashi 2007:119) can also be observed in people who experience privilege. I argue that name choice is also constituted by the experience of privilege. *White*, non-migratized, gender conform people might be more likely to choose a name for their child that they have learned to know as being a (proto)typical name for a German cis-citizen. Thus, in this study I also attempt to

transfer and apply the approach of the life narration to a critical self-evaluation of my own life stories where I experience privilege. In this way, the privileged position is not only regarded as an effect of structural discrimination but also as the source for inequality, different life questions and unequal experiences. Privileged people do not need to actively understand the mechanism of structural discrimination in order to survive, since their privilege and survival is secured by hegemonic norms. This is why this study's focus is specifically directed at the silenced discriminatory everyday actions of the privileged and reflects on the questions which are not asked and the knowledge that is not known in order to deconstruct privilege and fight against discrimination.

1.3.4 Integrating a structure-oriented analysis of names

As mentioned in chapters 1.1.1 and 1.1.2 a structure-oriented approach is the most traditional and widely applied method to analyze personal names with regard to their linguistic and social effects. A structure-oriented linguistic approach acts on the assumption that a name can be described and differentiated from other names on the grounds of internal grammatical rules. Consequently, a structuralist linguistic analysis of names focuses more on grammatical entities, such as a name's phonology, morphology and semantics and less on the discriminatory effects of naming as an activity. Based on structuralist analysis results, naming would be classified as a practice that can ascribe a person to be German, Swedish, Turkish, Arabic, Jewish, Hindu, female and male. It would, however, not necessarily be identified as a practice that is discriminatory because it re_produces these classifications by negotiating them as given.

Yet, the discriminatory effect of social categorization is taken up in anthropological and sociological research on names which investigates the extent to which people with non-German names are discriminated at school, at university and on the job and housing markets. Although this study is conducted from a pragmatic constructivist perspective that challenges these forms of social categorization, the structuralist approach provides an important contribution to understand how personal names are negotiated in both hegemonic academic and hegemonic mainstream discourse. It is important to note that the structuralist approach objectives are different from those of the pragmatic

constructivist approach. Thus, they can only be compared to each other by analyzing what they can and cannot achieve.

It is vital for this study to recognize the powerful and sustainable impact that a structuralist perception of the world has in terms of categorizing people. Thus, identifying the impact of structuralism on peoples' way of conceptualizing the world is a helpful tool to implement empowering interventions by conceptualizing and recommending alternative, subversive ways to structure the world. For example, personal names that hegemonic discourse negotiates as nonEuropean can be promoted as German. The normative understanding that names need to specify a person's genderization can be contested against the background of an understanding that names first assign personhood to people (cf. chapter 6).

A conference organized by the interdisciplinary project "Un/doing Differences. Praktiken der Humandifferenzierung" in Mainz, Germany, in September 2015[26] shows how traditional academic disciplines such as linguistics and sociology open up to interdisciplinary research questions that incorporate the social impact naming practices have on people's lives. The conference aimed at discourse on current research that identifies personal names as social markers. By questioning the extent to which personal names represent social categorization, it had a clear focus on the pragmatic effects of names. For example, current research examines the extent to which particularly initial naming practices constitute the social birth of a child and influence a person's perception and negotiation in society[27] (cf. also chapters 6.1.1 and 4). However, social categorization itself was not questioned.

Other structure-oriented studies deal with the relationship between names and identity by questioning how names are perceived as markers that people use for social categorization (cf. Hagström 2006). For example, numerous studies have examined such questions as "who gets jobs, who owns homes, who gets racially profiled?" (cf. above, quoted from Shohat, Stam 1994:100). These structure-oriented anthropological

26 The project is directed by Damaris Nübling and Stefan Hirschauer from the Johannes Gutenberg University Mainz (cf. DFG-Forschergruppe 1939 2013-2019).

27 Cf. topic areas "Pränatale Namengebung und soziale Geburt" and "Soziale Faktoren der Rufnamenvergabe und ihre Wahrnehmung" (Akademie der Wissenschaften und der Literatur 2015).

and sociological studies often aim at defining verifiable, "empirically resilient" ways (Towfigh et al. 2014:10) in order to measure that people are treated differently, for example on the labor or housing markets (cf. Kaas, Manger 2010; Krause et al. 2012; Senatsverwaltung für Integration 2010) or in educational institutions such as schools and universities (cf. Carl von Ossietzky-Universität Oldenburg 16/09/2009; Stefanowitsch 2010; Towfigh et al. 2014). Since hegemonic discourse often requires measurable statistical data in order to recognize scientific research as 'valid', the indication for and verification of equal treatment can then be measured against the success of people with migratizable names receiving the same number of job and flat offers. Identifying the social categorization of the applicants and comparing the number of successful applications would then 'prove' that people with migratizable names are treated differently.

1.3.5 Pejorization as a constructivist pragmatic-oriented analysis of hegemonic naming practices as forms of linguistic discrimination

Since a structure-oriented analysis of names does not integrate the impact of structural power relations on naming practices in an intersecting way, it cannot answer questions related to structural discrimination that is the subject of this study. By applying a power-sensitive deconstructivist approach as described in chapter 1.1 a constructivist pragmatic-oriented analysis focuses on the processes and actions that are evoked by naming practices. Thus, it focuses on the impact naming practices have for individuals on a discursive level. Consequently, a constructivist pragmatic analysis of naming practices investigates how personal names are conceptualized and negotiated in hegemonic discourses, and more specifically, what names are prioritized, which persons are associated with what personal names, and what societal effects the hegemonic perception of personal names have for the name bearers. The analysis of the specific societal and historical context of naming practices is indispensable to understand the structural dimension of naming practices as a form of linguistic discrimination that people have become accustomed to in their everyday life experiences. Moving from a structuralist understanding of names as entities that 'show' or 'tell' something about a person to a constructivist pragmatic-oriented point of view can help to regard personal

names as a processual naming practice in which names are ascribed a conventionalized and normalized meaning.

The constructivist pragmatic-oriented approach of this study is based on Hornscheidt's pejorization model (Hornscheidt 2011b). Although it does not explicitly deal with the analysis of personal names, Hornscheidt's model provides a critical perspective to the analysis of linguistic discrimination. Hornscheidt negotiates pejorization as a linguistic activity that interpellates discriminatory images of people on a collective level. Pejorizations do not only occur when individual people are addressed explicitly, for example by calling them names and addressing them with pejorative 'foreign' and enforced appellation forms[28]. They also occur in contexts where people use ableist metaphors to describe a situation or an activity, such as 'this is so lame' and 'blind trust'. In these contexts, the interpellated disability is negotiated as the undesired one. Although no concrete person is addressed, the discriminatory linguistic activity is performed by the indirect negative evaluation of people's disabilities (Hornscheidt 2013:30–31). By distinguishing between a norm (ableized) and a deviant (disableized) position, pejorizations naturalize linguistic forms of Othering and thus the idea of people belonging to a collective group (Hornscheidt 2013).

In the context of indirectly performed linguistic discrimination, Hornscheidt also takes up Butler's intervention in Austin's speech act theory (Butler 1997). As Butler, Hornscheidt criticizes the focus on the speaker's intention while analyzing a linguistic activity and adds the dispositive approach to their model of analysis (Hornscheidt 2013). Thus, in the analysis of naming practices, discrimination is not defined by a speaker's intention but by structural power relations that constitute the situation in which naming practices are performed. With regard to studies on linguistic discrimination (cf. for example Arndt, Hornscheidt 2004; Nduka-Agwu, Hornscheidt 2010; Arndt, Ofuatey-Alazard 2011), naming practices such as the initial naming of newborn children have, to my knowledge, less often been regarded as discriminatory than situations where people experienced linguistic violence by use of collective personal appellations forms. A possible reason why naming practices have not yet explicitly been taken into account as

28 Cf. for example Nduka-Agwu, Hornscheidt 2010 and Arndt/Ofuatey-Alazard 2011 for a critical analysis of racist personal appellation forms in the German language communities.

forms of linguistic discrimination might be that conventionally, personal names are negotiated as usually interpellating an individual person. Since this study is based on the assumption that naming practices also interpellate discriminatory images of people on a collective level, the linguistic activities and personal appellation forms mentioned in Hornscheidt's approach are extended by naming practices and personal names.

By incorporating AG Einleitung's dispositive approach (AG Einleitung 2011) discussed in chapter 1.1.4, the pejorization model exceeds conventional structuralist approaches which regard linguistic utterances as offense, insult or violence (cf. for example Herrmann et al. 2007). Hornscheidt brings together the following dimensions of linguistic name-calling practices to identify the extent to which a linguistic activity is discriminatory (Hornscheidt 2011b). For the purpose of this study, they are applied to naming practices:

- the concrete linguistic activity that can be an utterance or non-utterance. The absence or silencing of personal names is also regarded as utterance.
- the conventionalized, constantly negotiated meaning of personal names,
- the situation of a linguistic activity including all persons that are involved in a naming practice,
- the person and/or normative perception that is interpellated by the naming practice.

The analysis of naming practices as a form of pejorization aims at identifying the discursive strategies as well as normative perceptions that constitute a discriminatory situation. It is not important for the pejorative effect of the naming practice whether or not the pejorization was intended by the speaker and whether or not the discriminated person identifies the naming situation as discriminatory.

For example, German registry offices usually object to a newborn child being assigned a personal name that contradicts the gender information provided in the 'International Handbook of Forenames' (Nüssler 2002) and claim to act in the child's interest. In a press release by the German Association of Registrars, the name Amos Raban She Kilua is mentioned as an example that is regarded as a threat to the child's well-being

(Bundesverband der Deutschen Standesbeamten 14/11/2008). According to hegemonic reading conventions, Amos Raban She Kilua is negotiated as migratized. Consequently, the child bearing this name is confronted with migratism. However, the extent to which the child has to deal with structural migratist discrimination depends on the child's social position as migratized or non-migratized, a fact that is fundamental for the child's life.

According to Hornscheidt's model, a person (with or without a migratizable name) is discriminated when they is assigned to the group that is interpellated by the pejorative categorization 'migrants' (Hornscheidt 2011b). Thus, a person that does not belong to the group of migratized people but has a migratizable name is not discriminated on a structural level. If they, however, feels insulted by the categorization, the person acts discriminatory because they re_produces the idea that statization is the only way to perceive people as German.

In the press release, a situation which takes place in Amos Raban She Kilua's kindergarten is also described in which the pejorative use of the name is trivialized as 'teasing'. In this way, the structural aspect of the discrimination is disregarded and de_mentioned, resulting in the perception of structural discrimination as an individual case linked to the specific migratizable name. Simultaneously, names that are not migratized are silently identified as the only possible names that are regarded as 'normal' and that comply with normative grammatical perceptions of names (cf. chapter 5).

Thus, in this study, the pejorization model will help to analyze the impact of structural power relations in the context of naming in a systematic way. The focus of analysis is on the comprehensive set of dimensions that need to be taken into account to identify naming practices as discriminatory: the concrete linguistic expression, the historically conventionalized and normalized hegemonic meaning of this expression, and the social positioning of the people involved.

1.4 Method & Material: Identifying Hegemonic and Counter-Activist Discourses

The dispositive approach has methodological consequences for my research and the material I have chosen for analysis. Since it acts on the assumption that power relations constitute everyday practices, it provides a certain 'liberty' and 'illimitability' to the corpus: Any material from everyday discourse will do, which is why I have come up with a research strategy that can only be explained retrospectively.

I started my research by investigating how naming practices are constituted and affected by the dispositive of structural power relations. Based on studies and personal reports on everyday naming discrimination, I aimed at identifying the mechanisms of why people who participate in hegemonic discourse are accustomed to perceiving and negotiating personal names in a discriminatory way. By counter-activist educational academic discourse, pragma-cognitive academic discourse and with counter-activist personal life stories, I conceptualized accustoming as an analytic tool to understand the re_production of hegemonic knowledge as a process of acquiring and getting used to hegemonic norms.

I then furthered my analysis by employing the dispositive approach in an intersectional way. Focusing on how naming is affected by racist and migratist ways of perceiving and negotiating people, I aimed at identifying situations where naming is and can be discriminatory by employing counter-activist discourses on everyday discrimination. By using the discriminatory effects of one or two power relations as a starting point of my analysis, I was able to question how ableism affects naming practices, a context that I had de_perceived as a potentially discriminatory one for naming. As a consequence of this chapter, I was prompted to look at the historical continuities of people's discrimination via their names, specifically in legislation and jurisdiction.

By help of historical studies, personal life stories and legal texts, I could emphasize how legislation had contributed to the persistence of structural discrimination by ways of institutionalizing accustomed discriminatory naming norms that simultaneously served to maintain the concept of the nation state and to justify the concept of *ius sanguinis* as the fundamental principle of German and Swedish citizenship. In this context, I was

made aware of another principle of hegemonic naming practices that is specifically applied in Germany, the child's well-being.

The child's well-being appeared to be a commonly accepted principle in German and Swedish legislation and in the decisions made by registrars, which is why I questioned what it actually meant for two plaintiffs that took court action, one from a privileged and one from a de_privileged position. As a result, a so-called German feel for language could be identified as another argument to justify discriminatory naming decisions, which is why I addressed this naming presupposition in another chapter. With the aid of different discourses that presupposed, discussed, defined and challenged the idea of an assumed 'natural' and 'authentic' feel for language, I aimed to illustrate the discriminatory impact of using *sprachgefühl* as a conceptual norm for decision-making in naming contexts.

The final chapter is built on the previous chapters' results and addresses the final consequence of discriminatory naming practices: the question of defining and denying personhood through naming practices. The chapter draws greatly on counter-activist artistic discourses and personal life stories that have been produced in situations of hegemonic silencing of traumatic names, enforced and empowering name change, and hegemonic silencing of discriminated people's original names that enabled the objectification and assassination of fellow humans.

Thus, both the questions and the material analyzed in each chapter have been generated and specified during my research and are organized in a way to make them recognizable as the intermediate results of the preceding chapter(s). In order to identify possible similarities and differences in naming processes, I compared in particular the historical institutionalization of discriminatory naming practices in Sweden and Germany, as well as the 'grammaticalization'[29] of names as German or Swedish.

29 Not to be confused with the linguistic theoretical approaches which describe 'grammaticalization' in the context of language change when a linguistic entity that conventionally was identified as a noun', loses' this conventional semantic meaning and is instead more frequently used as an entity that marks a morpheme (cf. Szczepaniak 2011). Grammaticalization here denominates the process of regarding, describing and defining language in a structuralist way and therefore ascribes names a grammatical function.

As mentioned earlier, based on my theoretical approach and assumption that power relations constitute everyday life, hegemonic discourse can be found everywhere. However, I chose to limit the material, or rather discourses, to public spaces where I expected to find naming practices that have a sustainable normative impact on people's lives in society, as well as to activist spaces where I had the opportunity to learn from empowering naming interventions. In this way, the material and naming examples in my study were found

- through systematic keyword research, for example by using the search options offered in library catalogues which provided results for further readings, official websites (*Patent- och Registreringsverket* (PRV), *Skatteverket*, Federal Association of German Registrars, legal institutions in both Sweden and Germany) or popular scientific media reports on names (*Språktidningen*, *Spiegel Online*), searching for keywords such as '*Kindeswohl*' (child's well-being), '*Sprachgefühl*' or '*språkkänslan*' (feel for language), '*Namensänderung*' or 'namn bytte' (name change) or '*personnummer*' (personal identity number),
- through references I found in academic literature that, on the grounds of their impact, I had identified as key literature, such as publications by onomastic scholars who are recognized and negotiated as experts in German and Swedish academic, media, governmental and juridical discourse (cf. Nübling et al. 2012; Seibicke 2008; Nüssler 2002; Brylla 2002; Nyström et al. 2013).
- through specific questions I addressed during interviews with three registrars (cf. Hayn 23/07/2012; Hayn 24/07/2012b; Hayn 24/07/2012a),
- as well as by chance such as in artistic counter-knowledge productions but also through personal talks and exchanges with friends, colleagues, family members and other people that showed interest in my work.

Thus, I predominantly analyzed (mostly written) knowledge productions from the following discourse areas that serve as both primary and secondary resources:

- academic discourse that is identified as expert discourse on naming by e.g. juridical and media/public discourse but also traditional academic as well as academic feminist knowledge productions on linguistic everyday discrimination,
- juridical discourse expressed through legislation, legal commentaries, and court decisions that negotiate naming as a right and obligation and that define and decide on the 'appropriateness' of names and naming on a legal level,
- legislative discourse expressed through legal bills and committee reports that suggest the adoption of a new and the amendment of an existing law,
- governmental/executive discourse expressed through explanatory information on laws and regulations provided by governmental authorities, such as registry offices,
- media discourse expressed through journalistic print and online articles of new papers and journals that negotiate e.g. the 'experts' opinions on names as well as legal decisions and/or regulations and instructions,
- popular scientific educational discourse expressed through specific websites that inform, for example the history of a specific social group from the group's own perspective for a mainstream audience;
- artistic discourse expressed through counter-knowledge productions and interventions such as literature;
- everyday discourse where people primarily are discriminated through hegemonic accustomed perceptions of their names, such as in job/housing application processes, as expressed through autobiographies, life stories, interviews, personal reports and comments.

Academic discourses on naming serve both as resources and as sources for my research which aims to apply a transdisciplinary perspective. I discuss what norms on naming have been institutionalized in selected studies on naming in both Sweden and Germany and the effects on the research. Since the media authorizes certain scholars by presenting them as experts, and since some legal decisions are also discussed in public, newspaper and online articles on naming contributed to my corpus for analysis:

- What are the topics to be discussed?
- What kind of presupposed silenced knowledge is (through historical accustoming) implied and negotiated in these contexts? Here, I focused on specific key-concepts I identified as silenced presuppositions.
- Who is authorized to speak as an expert?
- Are there any differences between the German and Swedish media's agenda-settings on naming?
- And how are these discourses inspired or confronted and challenged through everyday discourses where people deal with naming discrimination, for example in artistic knowledge productions? How do people regard and confront institutionalized discriminatory naming practices they are juridically forced to apply?

In my analysis I identified different levels of hegemonic discourse, as well as of discrimination against people whose personal names are perceived and negotiated as different from hegemonic discourse. These levels are constituted by the various discourses as follows:

- the structural level that constitutes as well as is constituted by societal norms e.g. reproduced in hegemonic everyday discourses,
- the institutionalized level that is constituted by institutional regulations of e.g. juridical discourses,
- the individualized level that is constituted by pseudo-individual naming practices e.g. the search for 'unique names' for 'unique persons'.

1.5 How is This Study Structured?

Given that I aim to discuss how discriminatory perceptions of personal names can be challenged and changed, it seems necessary to focus first on the identification of the hegemonic presuppositions, assumptions and perceptions that are interpellated with personal names and that constitute everyday discrimination. In order to develop answers to this question, it needs to be explained how discriminatory perceptions are conceptualized in this study, how they are expressed in the context of naming and why I think it is important to have them challenged and changed.

Being trained in deconstructivist as well as feminist, postcolonial scholarship, discriminatory perceptions of names is something that I understand as 'structural', to wit, as something so normal in hegemonic discourse that these structures are often denied. When reflecting about discrimination, I do not think of any thoughts and/or actions that are performed intentionally. Discriminatory perceptions of names are something people grow up with, experience, get used to, internalize – accustom and re_produce. Thus, when it comes to personal names, it is the hegemonic knowledge on how to read them that is shared in a society. As the concept of a society is not clearly defined or given, it is necessary to sketch the Swedish and German societal frameworks in which I conceptualize and develop my answers: How are they defined by conceptualizations of the nation state in legislation and mainstream discourse? Conceptualizations of personal names as well as institutionalized naming practices need to be investigated in their historical continuities; thus, it is crucial to briefly sketch the historical context that provides the background for today's legislation on names and its links to the personal status of people as citizens or non-citizens[30] of a state. That the state takes on a pivotal role in naming processes becomes evident with regard to the numerous court cases that deal with the institutional limitations and alleged principles (such as that of the child's well-being) of choosing or changing a name independently. It quickly becomes clear that there are several underlying presuppositions that are linked to naming. For example, what role does a structuralist perception of names play when

30 Cf. the concept of non-citizenship that was introduced by illegalized people ('refugees') and freedom fighters (OPlatz – Berlin Refugee Movement) in Berlin in order to pinpoint the institutional preconditions for the discrimination they face every day, the denial of the rights a citizen of a state – here Germany – would have in order to survive. Cf. Refugee Tent Action 2013 and The Action Circle of Independent Non-Citizens' Struggle 2013.

courts decide that a name does not comply with the German *sprachgefühl*? Another crucial aspect is that a personal name is a prerequisite in Western societies for people to be recognized as humans. But how is 'human' conceptualized and who is privileged to be considered as the default human? How are the concepts of 'individuality' and 'uniqueness' linked to a person's name, to the hegemonic perception of names and people, to privilege? In the following chapters particular attention is given to questions of the intelligibility of names as well as of persons and the challenges and chances that are linked to contexts of name change in the hegemonic societies of Germany and Sweden.

First, in chapter 2.2 on the acquisition of personal names I introduce the concept of accustoming as an analytic tool to understand ways of getting used to the re_production of hegemonic knowledge. Accustoming is a linguistic activity that constitutes hegemonic discourse by its normalizing and conventionalizing hegemonic practices. An example for this is the unquestioned norm in German registry offices that personal names need to be gendered (cf. chapter 4). With accustoming, I aim to provide an approach that explains how hegemonic knowledge on naming is acquired and how it is internalized in a structuralist way. I assume that this way does not only provide the acquisition and dissemination of knowledge with a structure, for example by classifying hegemonic knowledge productions as crucial, neutral, universal, and objective. Structuralism also essentializes hegemonic knowledge productions as given truths, instead of negotiating them as one possible, powerfully established way to perceive and structure the world. Hence, a structuralist perception of names that is constituted by hegemonic knowledge on names limits the way names can be negotiated: Why and when is there a need to read a name as gendered? Why cannot names like Ali be understood as German?

In chapter 2.3 titled "Framing Naming – Structuring Life in Germany and Sweden: Why hegemonic naming practices are discriminatory", I intend to show how the process of accustoming hegemonic knowledge on names is linked to power relations. Applying AG Einleitung's dispositive approach, I conceptualize power relations as a framework that constitutes a structural society. This chapter aims to provide a comprehensive methodological statement of how and why hegemonic naming practices are negotiated

as discriminatory in this study, and how this is fundamental for my analysis of naming practices.

In chapter 3 titled "Historical Continuities in Everyday Discrimination Through Names: Sedimentation of Accustomed Norms in Germany and Sweden", I take naming processes from the structural to the institutional level. On the example of administrative and legislative discourses, I demonstrate how hegemonic knowledge productions on naming are accustomed in and through discursive practices that decide how people are categorized and named institutionally. These discourses are powerful, since they define which personal names and which social positionings are intelligible in a society which re_produces and confirms them by hegemonic academic, medical, medial as well as everyday discourses. I distinguish these discourses for analytical purposes only as they are influencing and constituting each other. Academic discourses can be legislative and medical but whether they re_produce hegemonic or counter-discursive knowledge depends on their political agenda: Feminist, postcolonial and postmigrant counter-discourses have often challenged and rejected hegemonic knowledge productions. The rejection of the essentialization of gender, race, and origin but also of ability that are often negotiated as given categories in juridical as well as biological discourses is just one example.

The individual process of decision-making in the context of naming is further discussed in chapter 4 "What Is Best for the Child? Children's Welfare as a Strategy for Accustomed Individualized Structural and Institutional Discrimination". Here, the individualized level is added to the methodological framework. By questioning if the child's well-being is threatened by naming decisions, I will discuss how discriminatory structuralist accustomed knowledge on names is individualized by institutional discourses, such as registering a child. I argue that the name of a child is not an individual choice but is constituted by power relations on a structural as well as institutional level.

In chapter 5 "Feeling Grammar: '*Sprachgefühl*', Metaphors and Emotive Names", the concept of a feel for language (*sprachgefühl*) is investigated against the background of grammatical structures. By using the emotive concept '*gefühl*' (feeling/affect), language can be understood as being 'natural' and thus 'neutral' experiences for their speakers.

Therefore, it is possible to metaphorize and personify language as being in a relationship with its users. Against this background, I will argue that the normalization of a hegemonic understanding of a feel for a nationalized language enables the establishment and stimulation of an emotional relation to the 'nation'. It also authorizes people who identify a language as their first language to decide whether a certain way to use and negotiate language is 'right' or 'wrong' or appropriate.

Chapter 6 "Naming Me, Naming You? Becoming a Person: The Personal, the Collective and Their Name(s)" is devoted to the question of what role naming plays in the context of assigning people personhood in Germany's and Sweden's hegemonic legal discourses. When it comes to personal names, discrimination tackles people not only on a structural but also on a very individual level since names also re_produce and reinforce the idea of personhood. The personal name stands for personalization, making a person recognizable as a civic individual and as a citizen. I contend that without a name, a person is less likely considered as a person, such as when a name is silenced and/or replaced by a number.

The study concludes with a collection of some empowering interventions in discriminatory naming practices and some recommendations for a contra_discriminatory anti-structuralist perception of personal names. The idea is to transform the accustoming of hegemonic knowledge into a power sensitive as well as critical attitude that focuses on raising awareness among privileged people and encourage them to engage and learn about discriminatory sedimentations and actions in society. I suggest a deconstructivist approach that might help overcome mythical and unfeasible demands on knowledge production to be universal, neutral and objective. This would put power relations and their discriminatory effects at the center of research and not groups of people or language specific personal names that only can be described as such due to powerful discursive perceptions, negotiations and assignments.

2. Girl or Boy, Where Are You From? Getting Accustomed To and Accustoming Hegemonic Naming Practices

People are discriminated against everyday based on categorical perceptions of their personal names. People involved in naming activities, particularly when privileged, are often not aware of the discriminatory impact of the act. Since I, as a person privileged by cis-binary-genderism, racism, ableism and migratism, am no exception, I begin the analytical part of my study with an everyday example of my own. It deals with the discriminatory naming experiences a sales agent shared while visiting me in Berlin Neukölln in 2013. Since Neukölln is a Berlin district popular with migratized people, I would expect to meet people with migratizable names there. Analyzing the conversation I had with the sales agent helped me to approach some normalized presuppositions in the context of naming practices – knowledge about societal norms I need to accept in order to make sense of the way personal names are hegemonically perceived in German society. Presuppositions are defined by the silenced and often unconscious acceptance of that normative knowledge. They are silently interpellated such as when it is acceptable to distinguish names on a linguistic level as German, Turkish or Arabic, and when it is acceptable that I as a non-migratized Berliner do not need to know how to pronounce the names of fellow Berliners that are migratized.

This chapter is organized around the assumption that structural discrimination in hegemonic everyday practices are historically grown and accustomed by the people that live in a society and share these practices as experiences of discrimination or privilege. After examining an exemplary naming situation with the sales agent, I introduce the conceptualization of accustoming as an unconscious process of acquiring presuppositions as a form of hegemonic knowledge. Secondly, I employ the dispositive approach in order to question hegemonic normative naming practices, which are constituted by the discriminatory effects of intersecting power relations. The research questions are generated by the methodology described in chapter 1.3 which enabled me to question the impact of ableism on naming practices, which I would not have otherwise done due to my accustomed silenced privileged point of view. The analyzed corpus consists of material from various discourse fields (academic, literature, popular science, activism) which deal with the relationship between social categorization and

naming: popular scientific information websites and blogs, belletristic narratives, newspaper articles, governmental brochures and websites, and research papers written from different mono-, inter-, transdisciplinary perspectives (onomastics, history, ethnology, sociology, postcolonial and postmigrant studies, disability studies).

2.1 A Sales Agent Comes By: A Random Tale of Everyday Discrimination in the Context of Naming[31]

One day in spring 2013, someone knocked on the door to my flat. When I opened it, I realized it was someone I did not know. I immediately 'identified'[32] this person as male on the grounds of how I learned to read a body as unchangeably gendered throughout a person's life, as cis-male. While he was talking and showing me a laminated ID bearing his name and his company's name, I was able to draw some conclusions about his positioning in Germany – based on how I learned to distinguish the color of skin, hair and eyes as well as 'German', 'non-German', 'European' and 'non-European' names in racist and migratist ways (cf. chapter 5.1). My visitor asked whether I was aware of the announcement in the stairway that he was scheduled to come and talk to people living on the block about their energy consumption. I was not aware of this but since I was not happy with my gas provider, I agreed. The consultation ended with me signing a contract. As he was preparing it, he asked about my name and apologized for possibly pronouncing it wrong, a comment that astonished me. Why would he think he needed to apologize to me? And why did I not apologize for not having had the same thought when he told me his name – a name I assumed would most likely be pronounced differently according to hegemonic German conventions; conventions that are racist and migratist according to counter-activist anti-racist, anti-migratist scholarship (cf. Otoo 2012; Mai 2012; Klüger 2008; Klüger 2013; Prusher 2014; Tudor 2010; Tudor 2014; cf. chapters 5 and 6.2.2.4). And I did not even admit it, so it was actually I who should have apologized for my lack of knowledge. Yet, his comment and my silent acceptance of the apology are

31 I am grateful to an anonymous sales agent that shared his knowledge about racist name discrimination with me (Anonymous sales agent 2013).

32 For a critique on identity politics and the necessity of a politics of localization and critical positioning cf. Tudor 2010, Tudor 2011 and their reading of Collins 2000 and Rich 2003. Cf. also chapter 1.3.2.

meaningful because of the presuppositions that are implied in the context of the utterance, and the two of us implicitly seem to know that:

- personal names and naming practices are negotiated as being a part of the German language;
- concepts of 'nation', 'origin' and 'non-/belonging' are invoked, interpellated and re_constructed by personal names;
- the pronunciation and structure of personal names can be negotiated as signifiers for an assumed nationalized group membership;
- the idea of distinguishing between a 'right' and 'wrong' pronunciation of the so-called German language(s) or names is important and powerful in Germany;
- despite the variety of ways to pronounce German names or language phonetically, only those classified as either a German dialect or high-German (which can actually be regarded as just another dialect) are hegemonically accepted as 'right' (or German);
- the idea that names can be pronounced differently only applies hegemonically to oral language use as well as to the ability to speak orally; therefore, sign language is silenced and de_mentioned as a linguistic form to express names;
- ideologies such as 'integration' and 'equality' are negotiated as achievable as long as the German language is pronounced and re_produced according to hegemonic standardization as 'right' and 'original' (high-German and other dialects). A pronunciation that is classified as 'accent' just because a set of phones and phonemes are considered nonGerman (cf. chapter 5) is negotiated as deviant with different discriminatory implications: Some accents seem to be negotiated as more desired than others (Robinet 2015:12). However, this implies that instead of focusing on ways to communicate efficiently in different contexts or how communication can be made possible, an imagined and constructed correctness is re_produced. By defining what is right or wrong, language use results in exclusion and Othering – not because communication is impossible but because certain ways to pronounce linguistic entities do not comply with the hegemonic

phonetic norms and become exotified (Hayn, Hornscheidt 2010). They are placed outside the linguistic community of the very language that alternatively could be used as a means of communication.

- only *white,* non-migratized people are hegemonically perceived and negotiated as able to speak German without any 'accent', whereby the linguistic competence of e.g. migratized Germans including *white* Germans, Germans of Color and Black Germans is silenced (cf. Sow 2008; Ergün 2010) and the linguistic competence of people that are assigned an accent is de_mentioned;
- it is negotiated as acceptable to categorize and essentialize people by using terminology that interpellates the discriminatory position in society, such as the term 'migrants'.

While talking about how people are perceived according to their names in racist and migratist ways, what assumptions are made, and what stereotypes and discriminatory images are re_produced in people's mind, he shared some experiential knowledge with me. In particular he stressed how often people had asked him where he came from and – after receiving an answer – continued to ask more personal questions, such as what his religious confession was, an experience that I as a non-migratized person never made with my name. Quite the contrary: It is possible that non-migratized people are asked whether their name is English, for example. However, according to Tudor, people with names that are perceived as Western European and, I would add, Christian are not questioned to be German (Tudor 2010; Tudor 2014; cf. chapter 5.3). This hegemonic idea was also behind the anti-Semitic politics of the 19th and early 20th century that first forced German Jews to change and assimilate their names to hegemonic Christian norms and later to specify their religion (cf. chapter 3.2.2.2.3). Thus, non-migratized people with non-migratizable names have historically held privileges on the grounds of migratist and racist perceptions of their names and origin. This experience of privilege is re_affirmed when hegemonic phonetic norms are negotiated as exclusively relevant for communication. They enable privileged non-migratized Germans as myself to decide whether to make the effort to learn and memorize the pronunciation of a name that, according to hegemonic discourse, is identified as non-German. The option to choose is based on a hegemonic understanding that only the German language and only some

ways of speaking German are negotiated as 'correct' or acceptable. In this way, the optionality inherently implies inequality and unequal treatment and re_produces the correctness ideology (cf. chapter 5).

Although this episode may appear to be an individual and coincidental story, I insist that the experiences we both made are neither coincidental nor individual (cf. chapter 4). In this chapter I would like to illustrate that these kinds of naming presuppositions and assumptions are re_produced everyday, and that they are powerfully linked to the social categorization of people. Of course, this everyday episode of racism and migratism is experienced by individuals and is performed by individuals. However, I attempt to show that this experience is not exceptional but systematically shared by many, either from a deprivileged or privileged perspective; this experience is grounded in a hegemonically shared knowledge on how to negotiate people and their names. In particular, I question how people learn and get used to hegemonic ways of perceiving and negotiating people via their names. To what extent and when are naming practices discriminatory? Why is it important to acknowledge that being socialized in the hegemonic societies of Germany and Sweden means to have acquired an essentialist, discriminatory way of perceiving and negotiating people? I focus on naming strategies using not only my own example above but also various studies and individual but collectively shared stories which demonstrate that people are discriminated on the grounds of a conventionalized perception of their names and often not invited to job or housing interviews (cf. chapters 1.1.3 and 2.3.5).

During our conversation my visitor told me that in another job, he once had to do that exactly: sort out job applications according to certain criteria. His boss asked him to invite only those that had a 'German' name (such as Peter, thereby normalizing 'male' as well as non-migratized names as prototypical German and silencing migratized, non-male Germans) and whose application photo 'looked' German (without a full beard, implying that 'Germans' do not have beards, at least not at that point in time). While he was explaining the racist_migratist procedure, it also became evident how the procedure was simultaneously constituted by sexism and genderism and more implicitly ableism. He only mentioned names and 'looks' that met hegemonic images of males and masculinities. 'Male' employers are also considered the norm on the labor market (cf.

Krause et al. 2012). A person named Peter, with or without a beard, would only in counter-discourses be conceptualized and perceived as a trans*man. The same applies to a migratized person named Ali who my visitor introduced as the counter-prototype to 'Peter, the non-migratized German'. The fact that 'Ali' hegemonically is identified as 'male' might also be a stereotypical, normalized genderist practice for names that are perceived as non-European and non-Christian. Apart from a stereotypical perception of names, there is usually a hegemonic lack of competence on conventionalizations of how to gender migratized as well as racialized personal names (cf. chapter 2.3.1). In the hegemonic German linguistic community, the genderization competence regarding first names is mostly based on conventionalized use (cf. Seibicke 2008; Nübling et al. 2012:129). However, some phonological structures such as names ending with a suffix like *-a*, *-ine* and *-e* are indeed negotiated in a structuralist way as interpellating genderization (here: femaleness), though form-oriented genderization of names is not as widespread, according to Damaris Nübling, Fabian B. Fahlbusch & Rita Heuser (Nübling et al. 2012:129–130; cf. chapter 5). From a deconstructivist perspective, the structure-oriented identification of 'a name's gender' is nevertheless perceived as conventionalization, since this hegemonic knowledge about the normative effects of the suffixes *a*, *-ine* and *-e* as gender-distinct is also based on convention. Thus, I assume that racialized and migratized names are negotiated as gender-distinct only if they provide a phonological or phonotactic structure that is similar to the German one or if they are conceptualized as prototypical names.

This example shows how I became accustomed to perceiving and negotiating names in a German context that I have labeled here as hegemonic. With 'hegemonic' I mean the powerful effects of naming practices that are discriminatory and that are not reflected and challenged in a critical, power sensitive way. The classification of names as female or male, as German or non-German, as Christian or non-Christian is just one example. The categorization of names in these ways itself is motivated by hegemonic discriminatory perceptions of people. Names do not 'have' a meaning. They are *ascribed* to be German, female, and Christian. This is not what the name tells me. It is a knowledge that I have learned in order to read and perceive a name in this particular way. This form of classification is neither neutral nor objective (cf. chapter 1.2). Some

personal names are excluded from being intelligible as 'German' in the German hegemonic context. Instead, they are othered as migratized names. The option to conceptualize names as non-gendered, gender-free and gender-neutral is also made impossible. As the term 'personal names' suggests, the hegemonic presuppositions and assumptions on names rely on the idea that all people have names. This assumption is grounded in conventionalization and legislative obligation and less in the idea that people have a right to a name. Rather, the right to a name is limited by hegemonic conventions and obligations, as I discuss in chapter 6.1.2. That a name like my own, Evelyn, can be read as German (despite its classification as a loan name, cf. chapter 5.3) and as female (in English and Gaelic speaking contexts also as male though rather historically)[33] is an information I have *learned* to know. I became accustomed because the name and myself as linked to that name are negotiated as non-migratized and hence *white* as well as womanisized and not because the name *i s* female or a recognized English loan name in the linguistic framework of German language use.

Feminist scholars have negotiated this process of gendering – or more generally of categorizing people – as a powerful performative act (Butler 2008); as a linguistic appellation process (Hornscheidt 2006; Hornscheidt 2008a); as a way of becoming: becoming a woman (de Beauvoir 1949), a lesbian which is not a woman in de Beauvoir's sense (Wittig 1980), Black (Wright 2004), a migrant (Tudor 2010). Based on these scholarly knowledge productions it can be stated that identity is not given but ascribed and powerfully negotiated, re_produced and prevalently disseminated in Western discourses. When conceptualizations such as 'gender', 'race', 'migration', 'class', 'religion' and_or 'nation' are invoked by personal names, it is not only necessary to reflect upon where this knowledge comes from but to also ask:

- What do I presuppose as knowledge? What is the 'background' knowledge I need to know and accept in order to be able to classify names as German, female, Christian or not?

33 According to Nüssler, Evelyn is recognized as a 'female' (f) name in the Danish (DA), German (DE) and English (EN) sources, whereas in the English and Gaelic (GA) sources it is also recognized as a 'male' (m) name (Nüssler 2002:147).

- Why do I seem to share this knowledge as well as the non-questioning of it with so many people? How is this knowledge distributed, acquired and accustomed with what consequences?
- What effects does the re_production of this implicit, tacit knowledge have in what contexts?
- When is this knowledge challenged and questioned and why? How do I deal with this knowledge after having learned to reflect upon it as discriminatory?

I will come back to these questions throughout this study.

2.2 Acquiring Personal Names. Accustoming as an Analytic Tool to Understand Ways of Getting Used to the Re_production of Hegemonic Knowledge

While thinking about 'accustoming' as a conceptualization for the analysis of names, it was helpful to link education and socialization processes with the acquisition of naming practices. I assume that the knowledge about names is part of the socializing process in which children acquire and internalize not only how to categorize others according to hegemonic norms but also how to identify themselves within these normative discourses by help of personal names.

2.2.1 Acquiring social categorization: how to identify others and oneself

The 'identification' of people with regard to 'migration', 'race', 'ability', 'class' and 'gender' is something that people learn to do. To classify people is one of the first things children acquire. Against the background of a binary gender system that is powerfully normalized and re_produced in such Western societies as the German, Swedish and British (the following example is taken from the latter), Maisha-Maureen Eggers states from an educational, gender and critical race theory perspective that there is a diversity of options for women and men, girls and boys to identify and represent themselves as female and male:

> "Both women and men have various self-representations [...] at their disposal. [...] After only seven years, girls and boys develop different self- and world

> representations. A longitudinal study of the Open University London substantiates this work of distinction in a test situation entitled 'Rocket Pop and Princess Pop.' The same number of girls and boys is asked to choose a sherbet. The 'rocket sherbet' is presented with social symbols of masculinity, the color blue, an exploding stripe, a rocket. The 'princess sherbet' is presented with social symbols of femininity, the color pink, a *white* princess with yellow hair, a yellow wand with little stars. All children, except for one child, choose the sherbet that was assigned to their gender. All children, except for one, do not realize that it is exactly the same sherbet."[34]

These processes of 'identification' that constitute people's self-perception in terms of 'migration', 'race', 'ability', 'class' and 'gender' are not realized in separated spaces; rather they constitute each other as, for example, in Germany:

> "The current dominant image of childhood in Germany centers a *white*, middle-class, blonde child as an epitome of innocence. Despite increasing pluralization, there is still an antiquated prototype of a 'German' child [...]. It is a picture that was constructed especially in the second post-war period. It is an outdated picture of a naive, innocent child, as pictured, for example, on the *Kinderschokolade* package, or on the *Brandt Zwieback* package, or on the bottle of the *Rotbäckchen* juice."[35]

As Eggers illustrates, the hegemonic environment that children grow up in creates unequal opportunities for self-identification. (cf. Kilomba 2010a:00:58–1:48; Hügel-

34 Original: "Sowohl Frauen als auch Männern stehen vielfältige Selbstrepräsentanzen [...] zur Verfügung. [...] Bereits nach sieben Jahren entwickeln Mädchen und Jungen unterschiedene Selbst- und Weltrepräsentanzen. Eine Längsschnittstudie der Open University London konkretisiert diese Unterscheidungsarbeit in einer Testsituation mit dem Titel 'Rocket Pop und Princess Pop.' [sic!] Die gleiche Anzahl von Mädchen und Jungen wird vor die Wahl einer Brause gestellt. Die 'Raketen-Brause' ist aufgemacht mit gesellschaftlichen Symbolen von Männlichkeit, die Farbe blau, ein explodierender Streifen, eine Rakete. Die 'Prinzessin-Brause' ist aufgemacht mit gesellschaftlichen Symbolen von Weiblichkeit, die Farbe pink, eine weiße Prinzessin mit gelben Haaren, ein gelber Zauberstab mit Sternchen. Die Kinder entscheiden sich – bis auf ein Kind – alle für die ihnen geschlechtlich zugeschriebene Brause. Alle Kinder, bis auf einen [sic!], merken nicht, dass es sich um haargenau dieselbe Brause handelt." (Eggers 2012:15, translated by EH).

35 Original: "Das gegenwärtige dominante Bild von Kindheit in Deutschland zentriert ein weißes, bürgerliches, blondes Kind als Epitome von Unschuld. Es herrscht [...] – trotz zunehmender Pluralisierung – noch immer ein veralteter Prototyp eines 'deutschen' Kindes. Es ist ein Bild, das vor allem in der zweiten Nachkriegszeit konstruiert wurde. Es ist ein überholtes Bild eines naiven, unschuldigen Kindes, wie es bspw. auf der Packung der Kinderschokolade, oder auf der Packung von Brandt Zwieback, oder auf der Flasche von Rotbäckchen Saft abgebildet wird." (Eggers 2013a:11, translated by EH).

Marshall 2001:17). In contrast, as the citation shows, *white* children are able to identify themselves with their assigned gender roles, whereas

- children of Color are forced to identify with the *white* subjects, thus dis_identifying[36] their themselves.
- disableized children are also forced to identify with ableized subjects and dis_identify themselves;
- children that do not or do not yet know the extent to which they identify with gender are forced to echo the provided binary-gender norms and thus dis_identify themselves.

According to Eggers, the branding of gender differences is a manipulation of the fiction of gender differences (Eggers 2013b). These processes of manipulation and dis_identification lead to the irrecoverable de_perception of the idea that people can be equal, here symbolized through pop rocks. Thus, the concept of manipulation can be transferred to all forms of discriminatory differentiation that result in oppression. From the position of "a forty-nine-year-old Black lesbian feminist socialist mother of two, including one boy, and a member of an interracial couple" (Lorde 2007:114), Lorde describes this experience as follows:

> "For in order to survive, those of us for whom oppression is as american as apple pie have always had to be watchers, to become familiar with the language and manners of the oppressor, even sometimes adopting them for some illusion of protection." (Lorde 2007:114)

Hence, oppression resulting from differentiation is something that structurally oppressed people become not only familiar with, but which is internalized in order to survive in a discriminatory society. Holocaust survivor Ruth Klüger reports that even before her seventh birthday, she knew about her exclusion from Vienna's anti-Semitic society. In order to reject the anti-Semitic threat, she insisted on being called by her other first name that would most certainly be regarded as Jewish by hegemonic discourse (Klüger 2013, cf. chapter 6.2.2.3).

36 Cf. conceptualization of the use of the underscore chapter 1.1.2.

Eggers confirms that children by the age of seven have already adopted and internalized the re_production of difference and 'do difference' where there is not any (cf. pop rocks; Eggers 2013b:10–11). Thus, according to Eggers' reference to academic work by critical race theorists that identified racism as constitutive for the legal but also educational system of the USA, these fictions of difference which people learn to adopt have harmful effects. They appear to be neutral and even banal, as the pop rocks example above suggests. However, fictions actually re_produce dominant hegemonic images of people and silence how these images and fictions are secured in such everyday discourses as advertisement, children and school books, the news, forms of entertainment and, consequently, in naming practices. Eggers concludes:

> "The being of the social world is learned under the sign of inequality conditions. The self-view and the world view of children are therefore strongly influenced by this knowledge of inequality."[37]

Children's perception of themselves as part of the social world is constituted by the identification of the individual, unique self which is, as I will show later, manifested by the assignment of a personal name (cf. chapter 6) and the identification of the social group(s) the children are ascribed to on the grounds of social categorization. In this way, the identification and re_production of internalized fictions of difference, but also of individualized uniqueness from one's personal name, is just one aspect of hegemonic everyday discourse. In the following, I particularly want to question what knowledge is interpellated by naming processes. By following Eggers' and Lorde's observations, I examine how people become accustomed to naming processes on a cognitive level with the effect that the gendering, non-/migratizing and racializing of a name is normalized and taken for given.

2.2.2 Socializing personal names: how hegemonic naming practices are acquired, sedimented and structuralized cognitively

Sophia Marmaridou's approach on language use, meaning and cognition provides a crucial conceptualization to examine the relationship between the interpellation and

37 "Das So-Sein der sozialen Welt wird unter Zeichen von Ungleichheitsverhältnissen gelernt. Die Selbst- und Weltsichten von Kindern entwickeln sich daher stark geprägt von diesem Ungleichheitswissen" (Eggers 2013b:11, translated by EH).

internalization of knowledge productions: According to Marmaridou "language is grounded in human cognition and develops in society" (Marmaridou 2000:3). She claims that 'cognitive structures' evolve in people's cognition in response to their interaction with society. Hence, interaction provides the foundation for the negotiation and acquisition of meaning. This approach delivers an explanatory model for questions such as how people become used or accustomed to hegemonic naming practices and why, and takes both the processes of accustoming as well as structuralizing into account. While growing up, people learn to interact with hegemonic norms in society. Therefore, they acquire and accustom how meaning is negotiated, how things, events, people, and the way of conceptualizing knowledge becomes meaningful and what knowledge productions one 'should' know and re_produce. Hence, they learn and internalize the normative 'rules' of how to perceive and re_produce personal names, for example in German society, in a hegemonic way: as German or non-German, as female or male, as Christian or non-Christian. The fact that this way of perceiving and negotiating names is 'normal' or 'right' has been constantly confirmed in and through hegemonic discourse by traditional linguistics, media reports and court decisions (cf. chapter 2.3, chapter 5, chapter 4.3 and chapter 4.4). Simultaneously, as Marmaridou 2000 suggests, these 'rules' have been internalized and sedimented as 'cognitive structures' – or as I prefer to call them: structuralizations. According to a constructivist pragmatic point of view, I assume that structures are not given but instead appear to be given because of constant re_production and internalization. This structure-oriented, structuralist perception of the world silences the conditions under which structures evolve and sediment, namely within the framework of unequal and hierarchical power relations. Thus, by implicitly or explicitly assuming that, for example, a personal name represents a person's 'gender', 'race', 'non/migration', 'dis/ability' and 'class', it is silenced that 'gender', 'race', 'non-/migration', 'dis/ability' and 'class' are not neutral or given categories but powerful categorizations to structure and hierarchize the social world. There is a vital reason as to why personal names are distinguished on the grounds of this structuralist understanding, and carries with it an important consequence: It provides and guarantees privilege as long as the name complies with the hegemonic conceptualization of privilege.

But how and when does one 'comply' with regard to names? For example, a name that is hegemonically negotiated as German also makes its bearer appear German, which in Germany is associated with the 'default' privileged position of a *white*, non-migratized, cis-binary-gendered, Christian_secularized, ableized person (cf. also AK ProNa 2015:11–12). However, this privilege can be overruled by a racist, migratist, ableist, genderist and_or classist perception of a person's body, language use (e.g. style and/or pronunciation), looks and behavior. In hegemonic discourse, a name like Anna Kiss on a job application for an academic position might invoke the image of a non-migratized, *white*, cis-female, ableized person with an academic middle-class background. In this case, the name interpellates the normalized 'default' knowledge about a person that is shared in the German hegemonic discourse (cf. chapters 1.1.4 and 2.3.4). Yet, the same name might interpellate a different image or expectation when it is the name of

- a contact person that works in the Hungarian Embassy,
- a participant of the Special Olympics floor-ball team,
- the trainer of an empowerment workshop that addresses racist and genderist discrimination,
- or the artist of a transvestite performance show.

Hence, the perception of a name is always linked to a specific situation of utterance that determines when and to what extent a person is migratized, disabled, trans and gender non-conform and of Color. It also depends on the perspective a person has on names, whether counter-activist or hegemonic, that defines the relevance of a person who meets the respective expectations as being migratized, disabled, trans and gender non-conform and of Color. Conventionalized perceptions of names are bound to hegemonic discourse and reported in mainstream media. In this way, they are contrary to counter-activist discourses, such as the Special Olympics as well as anti-genderist, anti-racist empowerment workshops, which are mostly top news items in counter-discourses only.

Examining the perception of my own first name, Evelyn, I conclude that it usually is negotiated as 'German' and 'female' and no one was ever surprised to learn that I am *white*, non-migratized, Christian-socialized and ableized. I was also never surprised,

since this is how I learned to identify myself, as the default German, beyond my name and with different levels of consciousness. For example, I might have been conscious about the part-discriminatory effects of being perceived as 'female' from an early age but just like in and contributing to hegemonic discourse, I simultaneously silenced the privileging effects of cis-binary-gendering as well as being structurally positioned as *white*, non-migratized, ableized, Christian-socialized. Thus, the identification of myself by myself matched the expectations that are hegemonically interpellated by my first name. These expectations are linked to internalized structuralizations that powerfully position people within a society and that provide social positioning with meaning and relevance. To be identified in hegemonic discourse as 'German' or 'German-like' is relevant for a person's life performance in society. Names that in a structuralist way are identified as 'German' are 'inclusive' and interpellate belonging to German society. A 'non-German', 'non-Christian' name that according to accustomed hegemonic knowledge on 'German' names is not genderable is regarded in an excluding and Othering way. Thus, hegemonic political demands on 'integration' or 'inclusion' that negotiate in particular migratized people as those who need to take action, actually fail in their addressing practices. Addressees for actions would instead be people that are restricted in their way of perceiving and negotiating migratized people as Germans because of their structuralist perception of the world. Instead, the migratization and genderization of people based on their names are negotiated as relevant, necessary and inevitable practices in hegemonic discourse in Germany. Counter-activist discourses that intervene in this normative, structuralist understanding of necessity demonstrate the discriminatory consequences of name privilege, such as the exclusion of people on the job and housing markets (cf. chapter 1.2). However, by attempting to be and become aware of the discriminatory effects of hegemonic naming practices, privileged people can try to transfer this counter-activist knowledge into a critical positioning towards structural power relations (cf. chapter 1.3.2).

One way to reflect and deconstruct one's own accustomed ways of thinking, perceiving and talking about people is to question to what extent one is aware of structural discrimination. As mentioned above, I assume power relations to form a framework – a dispositive – that constitutes the intelligibility of people and the knowledge about

people (Butler 2008). As AG Einleitung (2011) and Hornscheidt (2012) illustrate, the non-gendering of people and their discriminatory effects – also in and through naming practices – is not even conceptualized and spoken about in hegemonic discourse. Only by nominating dyke_trans as the empowered position that is discriminated by genderism (AG Einleitung 2011) and introducing trans_x_ing as a visionary intervention (Hornscheidt 2012; xart splitta e.V. n.d.), the cognitively unthinkable became tangible and intelligible. As AG Einleitung (2011) states with reference to Butler (2008) it is the unthinkable and unintelligible, the abject, that defines the boundaries of the hegemonic discourse. As soon as the abject enters hegemonic knowledge production, it leaves its traces and loses its status as the unthinkable – regardless whether hegemonic discourse appropriates this counter-knowledge or rejects it.[38]

In naming, this concerns the idea that names are non-genderable. In current German hegemonic discourse, it is unintelligible not to gender a name. This is obviously linked to the normative idea that people need to be gendered as either female *or* male (cf. AG Einleitung 2011; Butler 2008). Although some counter-activist knowledge on trans*_genderqueer as a non-fix and flexible gender conceptualization might have entered the discourse the hegemonic normative perception is, however, grounded in the fiction of a binary-gender-system. Hence, gendering as one of the most fundamental cognitive categorizations makes gender-free and gender non-conform names more or less unthinkable in hegemonic discourse (cf. Hornscheidt 2012). This leads to the fact that people that re_produce accustomed hegemonic knowledge continue to question and investigate the gender of a person on the grounds of their name, while simultaneously asking where a name comes from (cf. chapter 5.1). Lann Hornscheidt expresses the intersecting simultaneity of migratization and genderization of personal names in a spoken word poem:

> "NO – A NAME [...] AH – NOT FROM HERE – THIS IS WHY I CANNOT ALLOCATE AND CLASSIFY THE NAME: WHERE IS IT FROM? WHAT DOES IT MEAN? IS IT A WOMEN'S NAME THERE? A MEN'S NAME; THERE?"[39]

38 Cf. chapter 6.2.2.2, footnote 227 on appropriation of names and for rejection cf. basically all chapters.

Only by constantly searching for counter-discursive knowledge productions on naming as well as learning, daring, training and trying can one become more aware of the powerful effects of naming privileges. The final chapter 7 is devoted to the question of how one can actively become involved in re_producing and de_silencing counter-knowledge on naming practices in an accountable way. But first, I attempt to provide some insights into the sedimentation processes that constitute the hegemonic framework within which names are perceived and negotiated in a discriminatory way in institutionalized and everyday discourses.

2.3 Framing Naming – Structuring Life in Germany and Sweden: Why Hegemonic Naming Practices are Discriminatory

> "Power comes to appear as something other than itself, indeed, it comes to appear as a name."
>
> (Butler 1997:35)

The extent to which a name appears to be powerful or why power can be expressed through the perception of a name is at the core of this subchapter. In order to describe the relationship between personal names and power, I apply the concept of accustoming to the hegemonic sedimented context, in which discriminatory norms and categorizations are created, negotiated, confirmed and re_produced. AG Einleitung's dispositive approach provides a methodological framework that has been conceptualized for the German context (AG Einleitung 2011) but may also be adapted to the Swedish one (Hornscheidt, Landqvist 2014). According to AG Einleitung (2011) and Hornscheidt (2012), every situation in which people interact is inevitably constituted by power. This consequently affects naming practices that are by no means innocent or non-effecting decisions, or as quoted in the beginning to this study: "Choosing, giving, and using a name are political acts" (Layne 2006:32).

39 Original: "NEIN – EIN NAME [...] AH – NICHT VON HIER – DESHALB KANN ICH DEN NAMEN NICHT ZU- UND EINORDNEN: VON WO DENN? WAS BEDEUTET ER DENN? IST ES EIN FRAUENNAME DORT? EIN MÄNNERNAME; DORT?" (Hornscheidt 2016, translated by EH).

In this study, power is understood as a structural framework. It is re_produced and confirmed by accustomed normative actions, such as naming, that are enacted every day and which are continuously negotiating what naming practices are thinkable, speakable and addressable or intelligible in society. As I illustrated in my introductory example, the intelligibility of naming is constituted by what I have learned as hegemonic knowledge productions. The knowledge on categorization presupposes that it is acceptable and normal to migratize and gender names. These presuppositions are taken for given and deeply sedimented in people's cognition as unquestionable structuralizations (Marmaridou 2000). This is why I do not think that my perception of names is individual or unique but a shared knowledge that is hegemonically accepted on a structural level; structural because the 'world' is continuously and systematically perceived and negotiated in a structuralist way. Consequently, it is the exclusionary or limited conceptualization of people in German and Swedish society that lead to discrimination and privilege. In order to make discrimination more graspable – as AG Einleitung suggests – it became necessary in anti-discriminatory activism to distinguish and specify the various forms of discrimination that affect people differently yet simultaneously and interdependently (AG Einleitung 2011): _racism_migratism_genderism_ableism_classism_.

2.3.1 When migratist, racist and genderist perceptions of names constitute each other

As stated in chapter 1.1.3 Tudor introduced migratization as an analytic concept that identifies the process of people's inclusion in and exclusion from society (Tudor 2010; Tudor 2014): The only groups affected by migratization are those who are denied being perceived as Western Europeans and whose 'origin' is thus placed outside of Western Europe (Tudor 2010:410; cf. also El-Tayeb 2011; Wright 2004). In this way, the perception of names as well as of their bearers as non-Germans and non-Western Europeans normalizes migratization on a cognitive level. Every time a person is forcefully migratized on the grounds of their name, it is because of the *normalization* to perceive certain names in a migratist way and not because of the *name* or *person*. Whether a name is perceived as gendered often depends on the linguistic knowledge on how a personal name is negotiated: If the name is hegemonically negotiated as 'German', then people will generally know how to gender the name through accustomed

conventionalizations accordingly. This form of accustoming is recognized in hegemonic discourse on names; while presenting a systematization on the 'characteristics' of first names in the German language, Wilfried Seibicke states that German speakers' ability to gender a name is related to conventionalization on how to perceive a name, either on the name's form and/or if 'irregular' (Seibicke 2008:106), as is mostly the case (cf. also Nübling et al. 2012:129), on its use. In her study on the gender perception of first names, Nübling poses the question of to what extent the sonority of names has changed during the second half of the 20th. She suggests that the sonority influences people's conventionalized perception of names, also in terms of their genderability century (Nübling 2009). Nübling performed a diachronic analysis of the phonetical system of first names by comparing the extent of changes in the structure of names, which are hegemonically assigned 'female' and 'male' names. Her research resulted in the observation that since the beginning of the 21st century, names such as Horst and Helga[40] that were popular during the Nazi regime and shortly afterwards have been replaced by names that share a similar sonority, such as Leon and Leonie (Nübling 2009). According to Nübling, this is expressed by the identification of an increased occurrence of vowels such as /a/ and /i/ in 'male' names that previously would have been negotiated as markers for 'female' names. At the same time, the length of names has also supposedly changed, with 'female' names becoming shorter (and more similar to 'male' names). Nübling describes this change as a processual 'androgynization' (Nübling 2009:83). However, the extent needs to be questioned to which this phonetic 'trend' actually represents a change in the cognitive perception of gender. For the US context, there is evidence that as soon as formerly 'male' names are more frequently used for 'girls', parents might tend to use these names less often for their 'male' newborns. Barry & Harper found out that those names that are identified as unisex are derived from names that previously were considered 'male' names in hegemonic discourse (Barry, Harper 1982; Barry, Harper 1993). An increasing use of the names for femalized children will ultimately result in avoiding their use for 'male' children (Nübling et al. 2012:127). Thus, this development illustrates how the androgenderist perception of cis-male people as the norm is re_produced and manifested by the

40 Cf. chapter 6.2.1 for the practice of naming children Horst and Helga in Germany before and after 1945.

hegemonic ideology that cis-male cannot be associated with anything that interpellates 'femaleness', whereas the other way around is acceptable. This androgenderist identification of the self begins at a very early age, when small boys re_produce hegemonic discourse on cis-masculinity and start to deny and avoid anything that might interpellate girlishness, thus fostering girl hate right from the start of their socialization (cf. also Nübling et al. 2012:127–128 and Alford 1988:148). As for the question of the interdependency of genderist and migratist name perceptions, it is necessary to stress that the name statistics on which Nübling's analysis is based upon only comprised names that passed as German names. Conventionalized accustomed genderization of names presupposes a tacit understanding of 'Germanness' as the silenced norm.

If the gender conventions of migratized names are unknown, usually an accustomed German *sprachgefühl* is applied to migratized names, such as when a German court argues that 'Kiran' does not sound 'female enough' according to a German feel for language (cf. chapter 5). Genderism and migratism may be perceived as the most prevalent power relations when it comes to names; the question of how to gender and 'originate' a person is interpellated in hegemonic discourses on names when names are negotiated as indicators for discrimination on the housing or job market (cf. chapter 1.2) or subject to court decisions on whether a name is gender-distinct (enough) (cf. chapters 4 and 6.1.2). Since migratism and genderism are constantly re_produced and confirmed, they are convenient for accustoming while interdependently linked to each other. This also becomes evident when Fatima El-Tayeb states that gender-identity actually is conceptualized as *white* in the hegemonic European context (El-Tayeb 2001:12).

Sharon Dodua Otoo presents another example that shows how *white*ness and non-migratization is normalized in hegemonic naming processes in her novella „the things i am thinking while smiling politely". The protagonist distances herself from her last name that is usually migratized in the hegemonic discourses of the countries where the novella takes place, in the UK and Germany:

> "Names are important, but I no longer know mine.

> I have never cared much for my so-called maiden name. Some officially suited *white* lady once glared at me in barely-hidden disgust when, in response to her customer-service trained polite enquiry, I told her that it really didn't matter how she pronounced it. 'Yes it does!' She clenched her teeth slightly but definitely as she spoke. 'It is your *surname*!'
>
> My eyes spotted something quite amazing on a wall somewhere to the right of her head. Perhaps she had identity issues of her own. In any case, I really didn't care. I didn't even quite know how to bend and squash my Ghanaian name to suit English tongues – and leaving it to freely expand across my lips in its full tonal glory would simply underline even more how much I really did not belong. I wish Auntie had thought of that and had given me appropriate Afro-centric guidance before abandoning me to the indoctrination generally referred to as the British education system. I may have better learned how to handle my identity in public." (Otoo 2012:9–10)

The *white* person here migratizes the protagonist by insisting that their surname would be pronounced other than suggested by the protagonist and therefore differently than a pronunciation which followed internalized rules of British-English phonetics (cf. also chapter 5). In this way, the *white* person re_produces the hegemonic structuralist myth that there is one correct pronunciation of a name that simultaneously allocates the name as well as the person to a 'place of origin'. As she insists that the pronunciation of the name cannot be British-English, the 'place of origin' of both name and person is then outside of the UK. It is also placed outside of Europe on the grounds of accustomed racist strategies, such as to cluster names linguistically as belonging to 'language families' (cf. for example Wikipedia 2016b; Lewis 2016), as well as to distinguish people visually in Black, PoC and – though hegemonically mostly silenced – *white* (cf. Wright 2004; Kelly 2012a; Tudor 2010; Tudor 2014) as well as chapter 1.1.3). Specific to hegemonic linguistic clustering in language families is the colonialist perspective from which languages were classified: Languages were not only assessed and categorized by Western comparative linguists; by claiming that languages are genetically related, they also applied the racializing as well as reprogendering concept of biological relationships within families to languages at a metaphorical level. In this way, the "officially suited

white" (Otoo 2012:9–10) person re_produced a colonial scenario in which the Black protagonist is conceptualized as genetically not belonging to Europe and thus not authorized to pronounce her last name as they chooses or to have a name that hegemonically is recognized as belonging to Europe, or, as in the following case, to Germany: When the protagonist actually changed her name after marriage to "a surname so unambiguously of the country he [=husband] was born, raised and lived in", "other officially suited *white* ladies in cold offices" still questioned the Black person's last name (Otoo 2012:10). In this way, *white*ness is re_produced as the norm for surnames that are perceived as European, as well as for all practices that are linked to hegemonic norms of acquiring a last name in Europe, such as by birth and/or by marriage. This is also expressed through the insistence that the correct pronunciation of the Black protagonist's surname is important, which does not allow the name to lose its repro- or androgendering impact. As a womanisized person the protagonist also has to deal with the complexity of genderism that negotiates the surname as a symbol for 'belonging' to the family of the biological father or, when heteronormatively married, husband (cf. chapter 6.2.2.1). This connection is also addressed in Otoo's novella:

> "And yeah, the other reason that I mistreated my name was because I did not want to be associate with my father any second longer than strictly necessary." (Otoo 2012:10)

In this colonialist setting, name change – which in Germany is legally normalized only in the context of marriage (cf. chapter 3) – can be regarded as a counter-activist, anti-racist and anti-reprogenderist practice (cf. chapter 6.2.2.1).

2.3.2 When a racist perception of names is linked to the invention of a Christian Europe

As stated above, a hegemonic perception of names as 'German' simultaneously interpellates not only non-migration and the 'ability' to gender people according to an assumed binary-gender system but also *white*ness per default. Next to the default classification of 'Germanness' as *white*, another strategy can be identified as a racist classification of people on the grounds of their names; namely, when names are ascribed religious (other than pseudo-secularized Christian, cf. El-Tayeb 2011:xx; El-Tayeb 2011:xxvii) and non-European belonging. This is the case when people are racialized on

the grounds of anti-Semitic or anti-Muslim images. With regard to the European hegemonic context, El-Tayeb defines the continental European perceptions of racism and race as conceptualizations that are denied existing:

> "Race, at times, seems to exist anywhere but in Europe, where racialized minorities have traditionally been placed outside of the national and by extension continental community. Europe can thus be situated within the larger context of ideologies of Colorblindness that prohibit discourses around racialized oppression [...] In its European version, this ideology is characterized by the convergence of race and religion as well as the externalization of racialized populations [...] European racial and religious diversity is less a reality than a threat to the continent's very essence." (El-Tayeb 2011:xvii)[41]

It seems important to note that names and naming practices in hegemonic *white* American,Cana dian or Australian society are also conceptualized in this context as European since in Europe, names and family background are often negotiated with links to 'immigration' as a form of European colonialism. In these contexts, migratism as a discriminatory power relation does not apply to naming practices, since the idea of a migration history or background constitutes the image of hegemonic North American and Australian nationalism (Shohat 1998; Shohat, Stam 1994). However, this does not prohibit migratism_racism in the form of racial profiling of people who are classified and criminalized as 'illegal immigrants' in the US context and who are considered as non-*white* and therefore of a non-European background (Murray 2010). Another example of naming that is influenced by Christianity's dominance in Europe is the anti-Semitic prohibition of the first name Judas at German registry offices. As the web portal www.vorname.com reports, 'Judas' was forbidden as a first name because of its Christianity influenced interpellation of Judas Ischariot's betrayal of Jesus Christ that could result in vilification (cf. Fröschle 2008). The name is also metaphorically widely-used as a synonym for betrayal. This dominant Christian image overruled the relevance of the name in Judaism.

41 Cf. also Hornscheidt, Nduka-Agwu 2010 for a culturalist understanding of racism, cf. Wright 2004 for a distinction between 'Others from within' and 'from without' Europe.

Hence, a name that is considered of 'German origin' in hegemonic discourse is also interdependent with religiousized conceptualizations; conceptualizations that negotiate religion as a crucial categorization of people (cf. Brunner 2011 for the concept of religiousization). Similar to racialization and migratization, the hegemonic 'religious' norm in Germany – Christianity – is silenced. Here, the conceptualization of Christianity also includes its pseudo-secularized continuities in, for example, negotiating Christian names such as 'Christian' as German (cf. Nüssler 2002:94) and the elsewhere mostly 'female' name 'Maria'[42] as an intelligible second name for 'boys' (*NamÄndVwV*, Bundesministerium des Inneren 2014: section 67).[43] The complexity of this privileged localization in hegemonic discourse is discussed and further analyzed by (Tudor 2010) and (Hornscheidt 2010) as 'statization'. Statization is the normalized linguistic conceptualization that defines the members of a group as belonging to the German 'nation state', for example, via their personal names and language use. In this way, statisized people are localized as privileged as opposed to migratized people who may have names that are perceived as non-German or non-Western European.

2.3.3 When an explicit ableist perception of names is exceptional

At the beginning of my research, ableism appeared to me as a power relation that has a less immediate constitutive effect on naming practices due to the normative perception of people I had become accustomed to. As far as I am aware, in current hegemonic Swedish or German discourses personal names are not negotiated as signifiers for people who are conceptualized as 'abled' or 'disabled'. Employing an intersectional approach, however, made me more conscious about the ableist perception of names. Some last names may interpellate ableist conceptualizations that today are no longer tied to the name bearer's social localization as abled or disabled. In German hegemonic discourse, the surname 'Lahm' can in its use as an adjective interpellate ableist conceptualizations, such as 'lame' or 'paralyzed'. This conventionalized meaning is mainly interpellated and linked to the name bearer to 'mock' them. For instance, influential onomastic linguist Jürgen Udolph explains that the last name of professional

42 According to Nüssler's sources, Maria is negotiated as f in BI, DA, DE, EN, ES, FR, GA, IT LA, NL, PL, PT, RM, SV and m in DE, NL, SV (Nüssler 2002:283).

43 Cf. also Lange 1993 for how Christianity has constituted hegemonic supposedly secularized European values.

soccer player Lahm could be linked to the fact that one of his ancestors was probably slow, had a weakness of the limbs or palsy and comments: "Completely inappropriate for someone who has to earn his living with his feet."[44]

By mentioning disability explicitly as a way to understand the assumed 'original' meaning of the name, the negotiation of 'lahm' as characteristic for its name bearer and as an impediment for playing soccer is discriminatory. Instead of advocating that people can also make a living from playing soccer in a wheelchair[45], the normative conceptualization of how to play soccer in order to be athletically and economically successful is re_produced. Thus, marginalized forms of playing soccer are de_conceptualized/made unintelligible as a sport that people in wheelchairs could do for a living. As Hornscheidt has discussed for the evaluation of linguistic pejorization (Hornscheidt 2011b), in this case it is not the ableized soccer player Lahm who is discriminated but those who are marginalized through the re_production of the ableist conceptualization of the name 'Lahm' in this very context.

From a historical perspective however, last names could have been negotiated as signifiers for a person's dis/ability. In what is called one of the German speech communities today, last naming became more and more common from the 13th century onwards. Nübling, Fahlbusch & Heuser negotiate the introduction or use of last names as a means to distinguish people with same first names from each other. While people were mostly named after their fathers (Nübling et al. 2012:149) or professions (Nübling et al. 2012:150), some names were used to describe a person's 'character' using the body perception (Nübling et al. 2012:155), particularly by describing diseases and deviations from a hegemonically conceptualized body norm (Nübling, Dammel 2007:145). Names such as Klein, Vogelhaupt, Schily or Lahm could at the time interpellate an ableist perception of those named so and most likely not in praise of their body height, head shape, position of their eyes or ability to walk (cf. Kunze 1998:141–145). Notions that interpellate body parts can also be associated with accustomed racialized and gendered perceptions of people in the context of racial and gendered distinctions. El-Tayeb

44 Original: "Völlig unpassend für jemanden, der sich seinen Lebensunterhalt mit den Füßen verdienen muss." (Udolph, Fitzek 2005:111, translated by EH).

45 Cf. Federation Internationale de Powerchair – Football Association (FIPFA), contact via website: http://fipfa.org. Germany and Sweden have not yet been assigned membership.

declares for the German context that in this way, Black people were de_classified as well as belittled and thus de_ableized on an 'intellectual' level (El-Tayeb 2001:23, cf. chapter 6.2.2.1). Hence, this form of naming people that seeks to name and mark their discriminatory social localization in society is regarded as an example for name pejorization (cf. chapter 1.3).

In comparison to naming conventions in Sweden (cf. chapter 3.2.3) it seems that in the 'German' context, last names are less self-chosen and more assigned from others within the speech community. Thus, it needs to be asked if all people who were disableized before registration was institutionalized were actually recognized as people/citizens and assigned a last name. Furthermore, what forms of ability were recognized and negotiated as dis/abled needs to be discussed. As it can be assumed that only disableized people received a pejorizing last name, it remains an open question whether all other last names were assigned to ableized people only. Consequently, all last names that did not interpellate disability could have been negotiated as signifiers for ability. These questions must be investigated further.

2.3.4 When an ableist perception of names is unintelligible

The negotiation of last names as ableized is a practice still common today, not on the grounds of the negotiation of their meaning but on the grounds of the conventionalized perception of people as ableized – or according to Linton – as the default non-disabled (cf. chapter 1.1.4). Linton states:

> "In this book [the disability studies reader, EH], the terms disabled and non-disabled are used frequently to designate membership within or outside the community. The use of non-disabled is strategic: to center disability. [...] This action is similar to the strategy of marking and articulating '*white*ness'. The assumed position in scholarship has always been the male, *white*, non-disabled scholar; it is the default category. As recent scholarship has shown, these positions are not only presumptively hegemonic because they are the assumed universal stance, as well as the presumed neutral or objective stance, but also undertheorized. The non-disabled stance, like the *white* stance, is veiled. [...] Therefore, centering the disabled position and labeling its opposite non-disabled

> focuses attention on both the structure of knowledge and the structure of society." (Linton 2006:163)

Since the association with a default ableized name bearer is more implicit in the context of naming, it can be asked to which extent disableized people are made unintelligible in hegemonic naming contexts. Which consequences does this have for the recognition of disableized people as citizens (cf. chapter 6.2.3). They become evident when regarding conventionalized accustomed forms of politeness and respect. In conventionalized German discourse, at a certain age and status people are addressed by the personal appellation 'Frau' (Ms or Mrs) or 'Herr' (Mr) followed by their last name in order to comply with a hegemonic understanding of politeness. This understanding is not only constituted by the assumption of a binary-gender system but also by ableist conceptualizations of age and status. The web portal Leidmedien.de confirms that disableized people are often denied the same norms of politeness and respect (cf. chapter 6.2.3). This is why it suggests some strategies of how to address and talk to disableized people when they are accompanied by another person for an interview: They are the addressees, not the company (Masuhr n.d.a). The website also presents positive and negative examples of news reporting. Just to name a few that are linked to addressing people, positive examples would represent adult disableized people just like adult ableized persons with their full or last name in an article's title (Maskos n.d.b)) and not with their first name only or with an appellation form that marks their ascribed disability in a discriminatory way (Maskos n.d.a, chapter 6.2.3). The refusal to address them with a personal appellation – though gendered and related to age – can also be regarded as a form of depersonalization in a society where genderization and the idea of a 'legal age' is conditional for the recognition of being a human, which also implies the recognition of 'full legal capacity'. Also, poor people, migratized people, Black people and People of Color are often denied the same forms of politeness and respect that the privileged default group of people conventionally regards as being entitled to.

Centering disability would de_conventionalize hegemonic discourses in order to reflect upon their ableist exclusions. The conceptualization of my own research is constituted by ableist exclusions, as well. For instance, due to my present lack of knowledge of the German and Swedish sign languages, the analysis of naming practices in sign language

use is not a part of my research. As an example, Julia Probst explains that there are at least three different sign names for German chancellor Angela Merkel that interpellate different conceptualizations of Merkel e.g. by using a sign word for 'Merkel' that reminds of the chancellor's name – '*merken*' (to memorize). The other two express visual characteristics of Merkel (Probst 2010; Schulz 2012:00:35–00:58), which is one typical way the community assigns a sign name to a person.

2.3.5 When the perception of names is classist – and migratist

Returning to the historical establishment of last names as a more and more obligatory social practice, people were also classified and named in classist ways, such as poor. This was expressed in last names such as 'Klum', perhaps conventionally negotiated at the time as 'short of money' (Udolph, Fitzek 2005:90–91). However, this name today would not be associated with poverty. In fact, it appears that today also first names are perceived in a classist way. The knowledge that names are negotiable as signifiers for a lower class background has even entered the hegemonic discourses. However, this classist recognition of names applies only to names that pass as 'German' – thereby imagining their name bearers as non-migratized and *white*. Thus, the medial attention cannot be regarded as coincidental. This default association has already been confirmed by El-Tayeb, who stated for the German context that 'classism' is a *white* conceptualization (El-Tayeb 2001:70–71).

This is why the hegemonic reception of classist name perception in Germany concerns only a certain group of names (cf. Hayn 2015). In public discourse, giving children names of ascribed American or French 'origin' is identified as a trend that is derogatorily labeled as 'Kevinism' or 'Chantalism' and that, consequently, prototypes 'Kevin' and 'Chantal' as 'lower class' names (cf.

Weiler 2007; Pribyl 2008; Bielefeld [2009]; Carl von Ossietzky-Universität Oldenburg 16/09/2009; Chantalismus 2013). Mandy, Peggy, Ronny and Sandy, all names ending with 'y', fall under a similar stigmatizing classist perception (cf. Hähnig 2012) that builds upon a negative image of Eastern Germany. During the 1970s, these names were popular in the GDR (Nübling et al. 2012:141) as they, according to Denis Huschka, Jürgen Gerhards & Gert G. Wagner, were negotiated as counter-reaction to the oppressive political system. They conclude that

> "[a]lthough East Germany was part of the East European world, parents did not adopt names from their socialist friends but rather oriented their choices Westwards — and particularly across the Atlantic. This may be due to a widespread rejection of Communist ideology on many levels of society. Russian names were extremely unpopular, which can be regarded as a form of silent (but visible) protest." (Huschka et al. 2009:224)

However, after the accession of the GDR to West Germany, hegemonic negotiations of names became dominated by Western discourses, which led to a change in the perception of these y-names. Educationalist Astrid Kaiser is quoted in the online version of the German weekly newspaper Die Zeit Online as saying that the stigmatized perceptions of names as typically Eastern as well as the lower-class phenomena have become fused (Hähnig 2012). Another form of perceptive fusion comprises migratized names that are simultaneously associated with an assumed lower-class background. However, this classist perception is subordinated by the immediate perception of migratized names as non-German, which implies an image of lower class. Hence, an analysis that only focuses on the classist perception of names would silence *white* privilege (cf. Steinmetz 2014).

As for the Swedish context, it is interesting to note that the hegemonic perception of names as classist is comparable to the hegemonic naming practices in Germany. The classist – hence migratist – perception of names also concerns in particular names that end with the letter 'y' (cf. Hayn 2015). Similarly, the so-called y-name syndrome (cf. e.g. Hagström 2006; Segerborg, Söderström 2010) was also vividly discussed in the media, especially since in 1996 Ronny Ambjörnsson, a Swedish *white*, non-migratized, cis-male academic and author, published his autobiography "My first name is Ronny" (Ambjörnsson 1996). The title of the book presupposes a prototypical classist perception of y-names in order to make sense. As in German hegemonic discourse, y-names are conceptualized as US-American/English names and thereby associated by default with images of *white*, non-migratized people with low economical and educational backgrounds who cannot be or become professors (cf. Hagström 2006; Segerborg, Söderström 2010). According to Charlotte Hagström, the latter is due to the assumption that names, which are negotiated as modern, are particularly used in communities that

want to demonstrate their recognition of modernity and progress through naming practices (Hagström 2006:60). Simultaneously, elitist and established communities use conservative names, which are also in line with social expectations (cf. Hagström 2006:61). Thus, the sustainability and continuity of their high-class position is secured:

> "An obvious sign that he [Ronny Ambjörnsson, EH] did not really belong, that he was not one of them was his name. It is a working-class name and a professor is not called Ronny! The same applies for most original American (nick) names. They signal a different origin, a different environment."[46]

Hence, it might not be surprising that despite this hegemonic prejudice, it was nevertheless possible for *white*, non-migratized, cis-male Ronny Ambjörnsson to succeed as a well-known professor. Today, this case also demonstrates that the hegemonic classist associations with y-names may have changed due to the privilege of being positioned as a *white*, non-migratized, and cis-male person.[47]

This is the reason it is important to apply an interdependent perspective to the analysis of naming practices. 'Ronny', 'Kevin' and 'Chantal' may be negotiated in classist ways. However, the hegemonic perception of names as racialized, migratized and gendered can result in similar classist effects, such as higher unemployment rates. Several studies on social equality give reason for linking discrimination on the housing and labor market to the discriminatory perception of personal names as binary-gendered or migratized (cf. for instance Akman et al. 2005; Ahmed, Hammarstedt 2008; Bursell 2007; Kaas, Manger 2010; Krause et al. 2012; Senatsverwaltung für Integration 2010). By dealing with classist questions such as income and education, these studies show how a sexist/genderist, racist and migratist perception of names also results in classist discrimination. A person with a migratizable name is often excluded from the job market because of a hegemonic discriminatory image that excludes migratized persons from being recognized as Germans. They are likewise also excluded from the housing

46 Original: "Ett tydligt uttryck för att han [Ronny Ambjörnsson, EH] inte riktigt hör hemma, att han inte är en av Dem, är namnet. Det är ett arbetarnamn och en professor heter inte Ronny! Samma sak gäller för flertalet ursprungligen amerikanska (smek-)namn. De signalerar ett annat ursprung, en annan miljö." (Hagström 2006:61–62, translated by EH).

47 I am grateful to Eva Brylla and Lann Hornscheidt for their feedback on the Ronny Ambjörnsson case when I presented my paper at the 8th Nordic Conference on Language and Gender at Södertörn University, 11 October 2013 (Brylla, Hornscheidt 2013).

market. However, most of these studies have not yet applied an intersectional approach that recognizes ways of how the racializing, gendering and migratizing of names constitute an interdependent discriminatory situation. Based on the intersecting effects of structural power relations, it can be assumed that migratized womanisized persons are less likely invited to a job interview as migratized 'men', if their name is recognized as 'female'. In comparison to non-migratized women, migratized 'men' are less likely to be chosen. Thus, there is a lack of statistics-oriented studies that take intersectional discrimination into account.

2.3.6 When cis-binary-gendering is a statisized naming practice

Another similarity between the hegemonic naming practices in Sweden and Germany concerns the nationalized conceptualization of names as 'Swedish' or 'German'. Those naming practices can be identified as 'statization'. Tudor 2010 as well as Hornscheidt 2010 introduce and discuss statization as an interdependent conceptualization for the German and for the Swedish contexts[48] that negotiates the localization privileged by migratism (Tudor 2010; Hornscheidt 2010). This means that names are not only constituted by non-migration, concepts of *white*ness and pseudo-secularized Christianity but also by the practice of gendering people as cis (that is non-trans) and in accordance with the binary-gender system. Statization as a localization is usually either silenced or under-theorized[49] in hegemonic discourse. Hence, when it comes to the perception and negotiation of last names in Germany and Sweden, cis-binary-genderable names are mostly conceptualized as statisized.

As stated above, the genderability of names depends on their statisizability. El-Tayeb identifies the hegemonic conceptualization of gender in a German context as white. In this way, only the white subject is thought of when gender is at stake (cf. El-Tayeb 2001:12). Additionally, the statisized gendering of names also comprises hetero- and repronormative naming practices. 'Heteronormative' means here the normalization of a

48 Cf. workshop "Feminist Approaches on Racism and Migratism as Concepts for Analysing Swedish and German Realities from a Constructivist and postcolonial Perspective" at Institutionen för moderna språk: Tyska, University of Uppsala/Sweden, 13.-15. May 2010. The workshop was organized and co-chaired by Lann Hornscheidt; Alyosxa Tudor introduced and discussed 'migratism' for the Swedish context.

49 A hegemonic conceptualization of 'Swedish' or 'German' as *white* makes identifications such as Jewish Swedes of Color or Muslim Black Germans unthinkable and unintelligible (cf. chapter 3.2).

heterosexual, pseudo-secularized Christian form of lifestyle that is expressed through sexist or hetero- as well as androgenderist (AG Einleitung 2011) naming practices: In the case of a heteronormative marriage, the womanisized person assumes her husband's last name. Thus, the sexist secularized-Christian idea of the 'woman's belonging' to the household of a male person (cf. Limbach 2003) is re_produced and the 'male' (= andro) is re_centered (hence the conceptualization of 'androgenderist').[50] With the legislative introduction of equal rights between people that identify as women and men in 1958, womanisized persons in West Germany[51] were allowed to keep their 'own' (= their father's) last name when marrying but only as a hyphenated last name (Wiegmann 2003). Yet, this name would not be used as a 'family' name for the children; therefore, the androgenderist naming tradition was and mostly is still re_produced, since the woman's last name is not passed on. Today the family name can be either the woman's or her husband's last name (Nübling et al. 2012:162). In the GDR, hyphenated names were accepted only in 1988, despite the fact that the legislative equalization of cis-binary-gendered people was introduced earlier than in the FRG (Ministerium des Inneren 1954). Politician Katrin Göring-Eckardt is negotiated as a prominent example of one of the first married women bearing a hyphenated last name in the GDR. In an interview, she explains that the hyphenation was meant to prevent sharing the same name with a Nazi mass-murderer (cf. Zylka 2003, chapter 6.2.1). However, legislation did not prevent her from having to assume the last name of her husband, Göring, and the extent needs to be questioned to which hyphenation really helped to disrupt the Nazi appellation. This begs the question of why name legislation still favors and protects names that can interpellate trauma to people who were persecuted and lost their families, relatives and friends during the Holocaust and Porajmos.

The idea of 'belonging' is also realized in a racist repronormative or reprogenderist (AG Einleitung 2011) way: Since in Germany last names are distinguished and

50 This stands in a historical continuity as also expressed in the *RuStAG* of 1913: Women assumed the citizenship of their husbands. That is, a non-German womanisized citizen became a German citizen by marriage, whereas a German womanisized citizen lost German citizenship and took on the citizenship of her non-German husband. This did not apply for men. Despite the advances of women's suffrage, the law was not changed and therefore re_produced the hetero-repronormative concept of 'family' as highly patriarchic. This was only changed in 1969. Cf. Ehmann, Stark 2008:22–23.

51 Federal Republic of Germany (FRG).

institutionalized as names of the 'marriage' as well as 'family' (Nübling et al. 2012:161–164; cf. chapter 6.1.2) they interpellate the idea of families as mostly biologically connected communities. These communities of 'German families' have been institutionalized as *white* and pseudo-secularized Christian[52]. They are still conceptualized as such in hegemonic discourse in the context of default-setting. In Germany, belonging to a family is realized through a shared name with the supposed 'father'. In Sweden, the repronormative practice has additionally and even more explicitly been expressed through patronymics and less often metronymics: The 'father's' or mother's first name was put into the genitive and the suffixes *-son* (interpellating 'male' child) or *-dotter* (interpellating 'female' child) were added. According to Brylla this was a normalized practice in rural areas of Sweden until the second half of the 19th century, when last patronymics and less often metronymics ending with *-son* became more established as shared family names (Brylla 2002). However, this did not apply to names ending with *-dotter* (cf. Brylla 2002:70). This omission of the 'daughterized' form of the metronymics or patronymics as a generic valid family name is still re_produced with the name legislation of 1982. Although it enabled to create the own last name according to the former metronymic/patronymic practice, it is still regulated by sexist/cis-binary-androgenderist norms: Fatimasson can be the metronymic for both Fatima's daughter and son but Fatimasdotter is restricted for the womanisized child only (cf. chapter 6.1.2). However, before the establishment of the personal name law in 1963 that made having a last name obligatory, only names ending with *-son* were used as family names (Brylla 2002). With the name law of 1982, the chronology of the reprogenderist practice of the metro- and patronymic in some cases is disrupted by the daughter's first name as the root, for example Nathaliespappa[53]. The new name law that shall enter into force on July 1st, 2017 is expected to be even more liberal with regard to the passing, choosing and changing of names (cf. chapter 3.1.2, Justitiedepartementet 2016).

52 Cf. debate on 'interracial' marriages as a political topic at the German Reichstag in 1912, as well as the establishment of the Nuremberg Laws of 1935 which were repealed on September 20th 1945 by Law No. 1 of the Allied Control Council (cf. El-Tayeb 2001, Deutschland (Gebiet unter Alliierter Besatzung). Kontrollrat 20/09/1945).

53 'Nathaliespappa' here means 'Nathalie's dad'.

2.4 Summary

In this chapter I aimed to conceptualize accustoming as an approach for the analysis of why and how naming practices are and remain discriminatory. The conceptualizations of the dispositive and of default-setting provide an important methodological framework for the analysis of accustomed naming practices. I have focused on the structuralist way of how discriminatory naming practices are enacted in order to demonstrate on a structural level why and how the discriminatory way to conceptualize, perceive and negotiate names and naming practices are deeply rooted in hegemonic discourse and re_produced everyday, also cognitively. This is expressed e.g. through linguistic strategies such as the de_mentioning of counter-discourses and the denaming (Hornscheidt, Nduka-Agwu 2010) of the bias in hegemonic knowledge production: For example, in Swedish and German societies the invention of the binary-gender-system, of a nationalized 'origin', of (pseudo-secularized) Christianity and more implicitly of the ableized name bearer as well as of the migratized/racialized 'Other' is presupposed in naming practices and never questioned as historical constructions. These forms of silencing knowledge are just some examples of how hegemonic naming practices have been accustomed collectively on a structural level and how this form of accustoming is discriminatory (cf. chapter 2.2).

Accustoming can be understood as a central social process by which the conditions to perceive and negotiate the social world are constituted. Even without knowing a person, one makes powerful assumptions about them simply from the perception of their name. People became accustomed to differentiating names on the grounds of specific criteria, such as linguistic entities they learned to perceive as a German/non-German, female/male, Christian/non-Christian name (cf. chapter 5). This form of dichotomous classification is based on the idea and belief that there are structurally distinguishable languages as well as people that are not only labeled but that *are* substantially German/non-German, female/male, Christian/non-Christian. The idea of 'being' is an effect of the making and fixation of criteria according to which people and languages are differentiated. Children growing up in German and Swedish societies quickly accustom these forms of social differentiation as knowledge that plays an important and crucial role in society. Therefore, they get used to perceiving and negotiating people (and

languages) in a categorically fixed, distinct and inflexible way instead of understanding the identification and differentiation of people (and languages) as a process that is constantly re_produced by the linguistic assignment of categories and labels, for example. As this ongoing process of identity construction is barely questioned in hegemonic discourse, people conventionalize and normalize – accustom – the re_production and affirmation of the identity construction process as an existing structure or system on which a society is supposedly based. Hence the idea that a name is migratizable/non-migratizable, racializable as well as genderable is negotiated as an already existing, given and essential knowledge and not as a constructed, constantly re_produced and structurally and collectively ascribed idea and effect of ableism, migratism, racism and genderism. Furthermore, the fact that power relations constitute each other interdependently is made unintelligible in naming practices. In order to challenge one's own accustomed discriminatory expectations and perceptions of people via their names, one can start to question the knowledge that one has accustomed, negotiated and made un/intelligible in naming contexts: Who do I think of, who do I expect to meet when I read the names 'Andy Ismailsdotter' or 'Emel Müller'? What do I think I know about these persons without having met them? And what could I think of instead?

In the following chapter and by using the establishment of registrar offices' as well as the introduction of citizenship and name laws in Germany and Sweden as examples, I will discuss how and where these structurally discriminatory naming practices have been institutionalized in and by hegemonic discourses, and how they provided an opportunity for accustoming.

3. Historical Continuities in Everyday Discrimination Through Names: Sedimentation of Accustomed Norms in Germany and Sweden

This chapter focuses on the legal rules and institutions that are understood as materializations of sedimented accustomed norms in Germany and Sweden. As I have shown in the previous chapter, the perception and negotiation of names can be discriminatory on a structural level. The 'structurality' of this perception is linked to the shared way of how one learns and accustoms hegemonic norms as cognitive structuralizations while growing up. People participating in hegemonic discourse are so used to reading names as non/migratized, racialized and gendered that they are not aware of the discriminatory dimension when they perceive names and their conventionalized meaning as given and not as the effect of a structuralist way to talk and think about 'identity' (cf. Hornscheidt, Landqvist 2014:92). By being constantly re_produced everyday, this knowledge has structured societal order over time. Thus, people are usually not inspired to question the categorical classification of names as gendered, racialized and non/migratized while being confronted with hegemonic discourse and its re_production of longstanding norms (cf. Hornscheidt 2011a; Kelly 2016). On the example of racism, David T. Goldberg provides a comprehensive definition of the discursive fields that constitute and are constituted by these historically accustomed norms:

> "Included in racist culture, as in culture generally, are ideas, attitudes and dispositions, norms and rules, linguistic, literary and artistic expressions, architectural forms and media representations, practices and institutions. These cultural expressions and objects embed meanings and values that frame articulations, undertakings, and projects, that constitute a way of life. In this sense, a culture is both, and interrelatedly a signifying system and system of material production." (Goldberg 1993:8)

By referring to Goldberg 1993, El-Tayeb points out that racist conceptualizations are continuously re_produced (El-Tayeb 2001:8–9). Discriminatory categories are conceptualized as a part of a person's identity and negotiated as crucial knowledge about a person. However, not all categories are recognized the same way in every society: In

both Sweden and Germany, 'race' as a category (e.g. Habel 2011; Kelly 2016) and the establishment of an intersex and of a transgender position (e.g. IVIM/OII Deutschland 2013; AG Einleitung 2011; Hornscheidt 2012; Berg, Summanen 2011) are often silenced in current hegemonic discourses[54] in which a gender-free society is made unthinkable or met with aversion (cf. Hornscheidt 2011c; AG Feministisch Sprachhandeln der Humboldt-Universität zu Berlin 2014/2105:44–48; Baum 2014; Wojahn 2015:154–189). In the following, I want to discuss, using the legislative discourse on names as an example, how structuralist knowledge on people is institutionalized in and by naming laws, court decisions on naming, and the registration of people.

I focus on the discriminatory presuppositions of name perceptions and the consequences this institutionalization of structural discrimination has had for naming practices. Applying Critical Race and Critical Trans Theorists' thoughts (cf. Bell 1980; Harris 1993 and Crenshaw 1995 as well as Spade 2011) and transferring them from the US to the German and Swedish contexts, I assume that the establishment of administrative registration and the introduction of legislative name regulations in Germany and Sweden have restricted the choice of naming and enhanced their discriminatory perception and negotiation. Therefore, current as well as past legislation, administrative instructions and juridical court decisions on naming serve as crucial material for analysis in this chapter in order to identify the impact of institutionalized legislation on people's naming practices. For a better understanding of the implementation of German legislation, I conducted spontaneous qualitative interviews with two German registrars and one employee at the *Namensänderungsbehörde*, a local German authority responsible for (the prevention of) changing names.

54 This also despite the recent and false international reports that Germany had introduced a third gender option (cf. IVIM/OII Deutschland 2013).

3.1 Current Naming Legislation in Germany and Sweden

There are different state authorities in Sweden and Germany that deal with names: the registry offices, *Skatteverket* in Sweden and *Standesamt* in Germany, for the registration and acknowledgement of personal names and for the authorization of name change, *Skatteverket*[55] in Sweden and in Germany *Namenänderungsbehörde* and, in the case of name change on the grounds of transsexual discrimination, the local court (*Amtsgericht*). The registry offices are responsible for naming practices that are covered by repro- and heteronormative naming conventionalizations regulated in family legislation, such as changing the last name after marriage (*Lag (2001:182) om behandling av personuppgifter i Skatteverkets folkbokföringsverksamhet,* Finansdepartementet S3 1/01/2014; *Lag (2016:1013)*, Justitiedepartementet L2 17/11/2016, and *Personenstandsgesetz*, *PStG*, Deutscher Bundestag 1/01/2009), as well as the 'assimilation' of 'post-war repatriate's' names with naturalization (*PStG*, Deutscher Bundestag 1/01/2009). Important to note here is that the Swedish legislation does not ask for the explicit denomination of gender during registration. However, after registration, *Skatteverket* issues a personalized number (*personnummer*) that in its compilation is constituted by binary-gendering (cf. *Lag (2001:182)*, Finansdepartementet S3 1/01/2014; Skatteverket 2007, chapter 6.1.1).

Unlike in Germany, Sweden has one single law, *Lag (2016:1013)* – and until July 1st, 2017 *Namnlag (1982:670)* – that covers the regulations on name registration as well as the changing of names. Until 2017, it was implemented by both *Skatteverket* and *Patent- och registreringsverket* (cf. Namnlagskommittén 2013: 477–478). In Germany, registration and the changing of names are regulated separately: the *PStG* for registration and the *Namensänderungsgesetz* (*NamÄndG*; Deutscher Bundestag 1/09/2009), *Erste*[56] *Verordnung zur Durchführung des Gesetzes über die Änderung*

55 As of July 2017. Before, *Patent- och registreringsverket* (PRV) was in charge. This dissertation was submitted in July 2016 which is why this study analyzed the naming practices and conventions of PRV primarily.

56 The denomination "*Erste Verordnung*" (First Decree) implies the existence of at least one other decree. The Second Decree was introduced on August 17th, 1938 to force Jews to bear specific names that would make them identiable as Jewish. It was abolished in 1945 by the Allied Control Council (cf. Deutschland (Gebiet unter Alliierter Besatzung). Kontrollrat 20/09/1945, chapter 6.2.2.3). In light of this, it needs to be questioned why this implication of an anti-Semitic regulation is still part of current legislation.

von Familiennamen und Vornamen (*FamNamÄndGDV* 1, Bundesministerium des Inneren 15/08/2013), *Minderheitennamenänderungsgestz* (*MindNamÄndG;* Deutscher Bundestag 30/07/1997) as well as the *Transsexuellengesetz* (*TSG*) (Deutscher Bundestag 23/07/2009) for the changing of names. Consequently, the legal acts are implemented by *Namensänderungsbehörde* and *Amtsgericht*. For the Swedish case, the responsibility for names might soon change with the expected introduction of the new name law on July 1st, 2017 establishing *Skatteverket* as the only naming authority (Namnlagskommittén 2013:13; Justitiedepartementet 2016).

3.1.1 Legalized naming in Germany

In Germany, the first legislation on registration, the *Reichsgesetz über die Beurkundung des Personenstands und die Eheschließung*, was introduced in 1875, shortly after the constitution of the German Empire. It intended to put an end to name changing and to control naming processes (cf. Nübling et al. 2012, cf. chapter 3.2). The *NamÄndG* was established in 1938 in order to systematically register Jews by enforcing them to bear specific names (cf. chapters 3.2.2 and 6.2.2.3). With the exception of the Second Decree which concerned name enforcement for Jews, *NamÄndG* is still in force today and negotiates name changes under the rule of German law as strictly exceptional (cf. *NamÄndVwV*, Bundesministerium des Inneren 2014: section 27, paragraph 1). However, as Michael Wagner-Kern points out, the extent to which the anti-Semitic context of *NamÄndG's* establishment still constitutes this restriction needs to be questioned (cf. Wagner-Kern 2002:2). According to articles 3 and 11 of *NamÄndG*, "[a] family [and first] name may only be changed when an important reason justifies the change".[57]

Wagner-Kern's critique concerns the continuous constitutional and historical belittlement that legitimizes the application of the "important reason". By analyzing legislative documents on the question of name change that are available dating from the 18th century until today, Wagner-Kern could identify in his study that the reason the *NamÄndG* restricts name changing is still rooted in the anti-Semitic context in which the law was introduced: the preservation of the name's controlling function for social

57 Original: "[e]in Familien[- bzw. Vor]name darf nur geändert werden, wenn ein wichtiger Grund die Änderung rechtfertigt." (*NamÄndG*, Deutscher Bundestag 1/09/2009: articles 3 and 11, translated by EH).

order (cf. Wagner-Kern 2002:407, 414-415). Accordingly, the *NamÄndG* still seems to prioritize the same discriminatory understanding of social order and German citizenship that was promoted by the Nazi regime (cf. chapter 3.2.2).

This is why the *NamÄndG*'s instruction for implementation, laid down in *Allgemeine Verwaltungsvorschrift zum Gesetz über die Änderung von Familiennamen und Vornamen* (*NamÄndVwV*) of 1980, needs to be questioned. By seeming to focus on last names, the administrative regulation provides a list of typical cases according to which name change is acceptable. Although there is no explicit list of cases for first names, the one for last names is applicable to a certain extent.

Some of the typical cases for name change are the changing of children's last names as a consequence of a divorce, as well as cases in which people face difficulties because their first and/or last name sounds 'offensive', is constantly spelled the 'wrong way' or is a collective name such as Müller, Meier and Schmidt, which leads to confusion due to its conventionality. The option to change the first name on the grounds of cis-binary-genderist initial registration is not mentioned (cf. Bundesministerium des Inneren). However, instead of adding this 'case' to the list, an additional law was introduced in 1980, the *Gesetz über die Änderung der Vornamen und die Feststellung der Geschlechtszugehörigkeit in besonderen Fällen (Transsexuellengesetz, TSG,* Deutscher Bundestag 23/07/2009). As the title implies, German legislation neglects the structural and society constituting dimension of discrimination against transsexual people by negotiating it as a "special case". Thus, genderist discrimination is not recognized as an important reason that can be negotiated at *Namensänderungsbehörde*. Unlike for name changes under the *NamÄndG*, people who want to change their first names under *TSG* are forced to go to specific courts. As there are fewer of these local courts[58], they are not as approachable as *Namensänderungsbehörde*, which can basically be found in any district. As *NamÄndG* does not apply to people who intend to change their name because of incorrectly gendered initial registration, they are not only forced to initiate a cost-intensive court procedure that might end up with them paying for their own

58 According to the *TSG*, there are specific premises linked to the local courts, for example that they need to be located in the same place as the county court (cf. Deutscher Bundestag 23/07/2009: article 2).

discrimination[59]; there are also fewer addresses they can refer to. Additionally, trans and gender non-conform people are made unintelligible under *NamÄndG*, which has not changed since the law's introduction in 1938. However, according to a report from Jamie Pax Abad of July 2015, the *Namensänderungsbehörde* accepted the name change request of a gender non-conform person (Abad 2015), to my knowledge for the first time. Since the person did not identify as 'transsexual' according to *TSG*, the *TSG* could not be applied. According to Abad, the authority explained in their statement:

1. Current legal practice needed to adapt to current societal 'change' in terms of gender identification; and
2. Abad's interpretation of a court decision on the grounds of which equal access to gender-neutral names for anyone could be claimed was correct (cf. Abad 2015:4, chapter 4.4).

This decision is a milestone in gender non-conform people's fight against genderist name discrimination in Germany. Until now, a pseudonym was the only way for non-binary trans*_genderqueer and gender non-conform people to identify with a self-chosen name on their ID card. However, the changing of one's name to a gender 'contrarian' name might not be covered by the authority's decision (cf. for the Swedish case chapter 3.1.2).

In this context, it needs to be asked to which extent the name change under *NamÄndG* is implemented without pathologization and the provision of two 'professional' e.g. medical or psychological 'attestations' as required under *TSG* (cf. *TSG*, Deutscher Bundestag 23/07/2009: article 4, paragraph 3). In comparison, people that marry are never asked to provide a psychological 'attestation' in which a professional declares that they are diagnosed with hetero- and reprogenderism, making them aware of the discriminatory implications and consequences of a heteronormative marriage for their children when they assume a common family name and/or name their children. A person working at the *Namensänderungsbehörde* said during one of my interviews that

59 People initiating a court procedure in Germany are usually in the obligation to pay for it. Although people with lower income can apply for financial support, they are still forced to take care of the application and agree with the risks specified for example in Bundesministerium der Justiz und für Verbraucherschutz 2011. For the complexity of the application cf. Bundesministerium der Justiz und für Verbraucherschutz 2014.

it is not unusual to ask for proof of the necessity for a name change, for example, after a person has experienced sexual violence in the family. In comparison, when people want to change their name on the grounds of spelling difficulties, they may do so without attestation, since the case "speaks for itself" (Hayn 24/07/2012b). At the same time, the normalization of hetero- and repronormative naming practices silently re_confirms the nationalist idea of the reproduction of the nation.

People that are about to naturalize as German citizens are also 'allowed' to change their last name in the context of naturalization under *NamÄndG*. However, this is only possible if the "foreign origin of the name bearer" can be recognized to a certain degree (*NamÄndVwV*, Bundesministerium des Inneren 2014: section 37, paragraph 2). This is grounded in 'the difficulties' to write or pronounce the assumed non-German name and not because the name's sound is assumed to be 'non-German'. By denaming those who face these difficulties, the legislation normalizes hegemonic German language use. Surely, people with 'non-German' sounding names are not taken into consideration because for them, it is, ableized or not, most likely no problem to pronounce their name in their language specific way. However, in this context people who communicate by ways of sign language are most likely also silenced. The idea of having difficulties with a name's pronunciation conventionally interpellates oral expression, whereas a name's expression by hand sign and facial expression might not cause the same difficulties. Thus, it is highly possible that people who have difficulties in pronouncing names can be identified as ableized German L1 speakers who simultaneously are also imagined as statisized (cf. chapters 1.1.3 and 1.1.4).

With the Framework Convention of the Council of Europe on the protection of national minorities from February 1st, 1995 Germany was obligated to introduce a law on name changes by minorities (*Minderheitennamensänderungsgesetz*). According to articles 1, 2 and 3, a person belonging to a recognized national minority in Germany can change their first and last name (cf. *MindNamÄndG*, Deutscher Bundestag 30/07/1997). This currently applies to the Danish minority of Southern Schleswig, Frisians in East and North Frisia, Sorbs and Roma (cf. Bundesministerium des Inneren 2014). Roma people as well as Sorbs, Danes and Frisians of Color have also faced racist discrimination by being neglected as Germans (cf. chapter 3.2.2.1). The name change can be performed

free of charge by translating the current name either conceptually or phonetically to the respective language of the national minority. The law also enables the person to revert to a former name if the name was Germanized or exchanged for another name. However, the law does not allow one to take on a name that is not linked to the current naming practice. Thus, it re_produces the German restriction of changing names and silences the normalization of statisized names.

To summarize, current legislation on name change favors cis-gendered statisized ableized German L1 speakers and protects hegemonically accustomed knowledge on names that are perceived as German. Instead of challenging this knowledge on 'German names' by expanding the perception of names that should be recognized as German (e.g. Kiran, Fatima and Ali), the privilege re_produced by statisizable names remains unquestioned and denamed. Thus, German legislation appears to have no interest in helping newly naturalized migratized people to 'succeed' in German society and to jointly fight against migratist as well as ableist and genderist discrimination on the labor and housing markets. Rather, German legislation manifests the normalization of a hegemonic conceptualization of 'Germanness', here by example of a standardized German pronunciation and orthography of names, in order for statisized ableized German L1 speakers to accustom and remain accustomed to the dominance of the standardized German spoken language. The protection of the name's function for 'social order' as well as the 'public interest', which again can be assumed to represent the hegemonic discourse, are indicated as central arguments for the prevention of name change (cf. *NamÄndVwV*, Bundesministerium des Inneren 2014: section 28). The perpetuation of the social order is in the state's interest, whereas 'public interest' privileges statisized Germans. The interest of the individual person who experiences structural discrimination is not taken into account but is subordinated to the public interest. Transsexual people's attempt to change their first names is negotiated as 'a special case' and hence individualized and pathologized. The same applies for people experiencing sexual violence. Name changes by non-binary trans*_genderqueer and gender non-conform people has become intelligible in legal practice but not yet in legislation. Thus, German jurisdiction mistrusts people who aim to change their names on the grounds of structural discrimination and violence. Therefore, German legislation

does not actually protect citizens who experience structural discrimination but instead perpetuates discrimination, despite the fact that there is an awareness for the harmful impact conventionalized hegemonic discourse can have on people: Namely, when names that sound 'offensive' or 'ridiculous' are allowed to be changed (cf. *NamÄndVwV*, Bundesministerium des Inneren 2014: sections 35. and 66.).

3.1.2 Legalized naming in Sweden

Unlike in Germany, the changing of names is not negotiated as exceptional in Sweden. In addition to establishing a systematic registration of last names and a 'copyright' that aims at protecting already existing and in particular aristocratic last names, the first Swedish naming regulation of 1901, *Släktnamnsförordningen*, was also introduced to motivate citizens to change their last names (Brylla 2002). Before the new name law entered into force on July 1st, 2017 (*Lag (2016:1013)*, Justitiedepartementet L2 17/11/2016), *Namnlag (1982:670)* (Justitiedepartementet L2 1/03/2012), in force since January 1st, 1982 regulated both first and last naming practices by particularly focusing on the regulation of the latter. Besides regulating name changes in the context of birth, adoption or heteronormative marriage that are monitored by *Skatteverket*, it also defined the rules for the creation of new last names that were supervised by PRV until 2017. In 2013, a commission report presented to the Swedish government recommended to put the adoption of a new name law into effect on January 1st, 2015 (Namnlagskommittén 2013). One of the changes included in the report was to establish *Skatteverket* as the only naming authority, thus relieving PRV from its responsibilities. Both authorities were still in charge when this dissertation was submitted in July 2016 as the law's passing was delayed. The Swedish Government submitted the bill (*proposition*) for the new name law to the Swedish Council on Legislation (*Lagrådet*) only on April 14th, 2016 to have them pronounce on the bill's legal validity (Justitiedepartementet 2016), and to the Swedish Parliament (*Riksdaget*) only on June 16th, 2016 to have them adopt or reject the bill (Justitiedepartementet 2016). According to the bill, the new name was to enter into force on July 1st, 2017 (cf. also Regieringskansliet 14/04/2016; Regieringskansliet 29/06/2016).

Skatteverket's and, at the time, PRV's websites on name change were quite informative and supportive in comparison to (the lack of) websites in Germany, where it is up to the

individual administrative district (*Landkreis*) to decide how much information to provide about the im_possibilities of name change[60]. Swedish citizens can change their names without being forced to provide a reason that needs to be supported by a professional attestation. However, just like PRV, *Skatteverket* requires the motivation for name change on their forms.[61]

Although both the past and the current Swedish name law still offer more options to change one's name than the German legislation, the freedom to choose one's name is still restricted. For example, existing last names as well as names and name parts that interpellate nobility such as 'von' and 'de' are protected and neglected. A classist naming privilege is maintained and re_produced particularly in the latter case. The protection of names also applies to a family's and a person's right to their individual names according to the family's naming tradition or if a person is commonly known under their artist name, for example (*Namnlag (1982:670)*, Justitiedepartementet L2 1/03/2012: articles 20 and 21, *Lag (2016:1013*), Justitiedepartementet L2 17/11/2016; cf. chapter 6.1.4).

Some of the restrictions on both first and last names are summarized by Brylla as Swedish naming conventionalizations and can also be found in German legislation (cf. above): the prohibition of offensive names to others, of names that cause discomfort for the name bearer or of names that are used as first name(s) (cf. Brylla 2002: 53; *Namnlag (1982:670),* Justitiedepartementet L2 1/03/2012: articles 12 and 34; Namnlagskommittén 2013:460; *Lag (2016:1013)*, Justitiedepartementet L2 17/11/2016 article 14). Before July 2017, also the number of name changes allowed determined the freedom of choice: A first and a last name could only be changed once without having to

60 The websites of the respective *Namensänderungsbehörden* in Germany differ in terms of information. For example, the website of the *Namensänderungsbehörde* for Berlin Steglitz-Zehlendorf informs about the implications of various motivations for name change by referring to the responsible authority. However, it does not refer to the implications according to *TSG* (Bezirksamt Steglitz-Zehlendorf n.d.). In comparison, the *Namensänderungsbehörde* of *Landkreis* Dachau provides the respective forms for name change but no further information on the motivations for name change. It suggests that the most prominent motivation for name change is emotional distress, without reflecting upon the reasons that might have triggered such distress, for example genderism. There is also no reference to the *TSG* (Landratsamt Dachau n.d.).

61 *Ansökan om fornamn:* Patent- och Registreringsverket 2014b, *Ansökan om efternamn (nybildat namn)*: Patent- och Registreringsverket 2014a, *Förnamnsändring. Ansökan*: Skatteverket 2018a, *Efternamn, byte. Ansökan*: Skatteverket 2018b, *Efternamn, byte – avgift. Ansökan*: Skatteverket 2018c, *Nybildat efternamn, byte – avgift. Ansökan*: Skatteverket 2018d. The reasons mentioned in *Anökan om efternamn (befindligt namn)* were similar: Patent- och Registreringsverket 2014c.

submit particular reasons (*Namnlag (1982:670),* Justitiedepartementet L2 1/03/2012: articles 11 and 31). According to the proposal for a new name law, this was suggested to be thrown out (cf. Namnlagskommittén 2013:13). Accordingly, there are no longer any restrictions to be found in the new legislation in this respect (*Lag (2016:1013)*, Justitiedepartementet L2 17/11/2016 no articles). However, the indication of a reason is still required on the *Skatteverket's* forms (cf. above).

Brylla states that compared to the law of 1963, which pursued the 'public interest' in name stability, the current name law of 1982 aimed at taking the individual's freedom of choice into account, as well as questions of equality "between on the one side women and men and on the other side children born within and outside marriage" (cf. Brylla 2002:87–88). Under *Namnlag (1982:670)* it was possible to change, add or delete first names that were initially assigned to a person during registration, as long as one of the initial names is retained (cf. *Namnlag (1982:670)*, Justitiedepartementet L2 1/03/2012: article 31). In their recommendations for a new name law, the members of *Namnlagskommittén* propose amendments to the current name law, which would increase the previously assumed 'freedom of name choice' with regard to the gendering of both first names. They would also accept various naming conventionalizations regarding last names, which go beyond Swedish naming traditions.

The implementation of current regulations on first names has resulted in recommendations to parents to give their child at least one gender-distinct name (cf. Brylla 2002:58) that 'meets' the assigned birth gender (cf. Namnlagskommittén 2013:126–127). Yet, names hegemonically negotiated as gender-neutral have been broadly accepted for both children and adults by the Swedish naming authorities (cf. Namnlagskommittén 2013: 249). However, this did not apply to so-called gender-'contrarian' names until 2009: A person who juridically was identified as 'male' had to go to court before she could have a 'female' identified name added to her initial gender-distinct first name (cf. Namnlagskommittén 2013:128–129). Previously, it was only possible for trans and gender non-conform people to add a gender-neutral name to their initial gender-distinct one (cf. Lagerblad 2010d). To assign 'gender-contrarian'

names[62] to children is still a subject for consideration and might remain a case-to-case decision under the new law. Thus, though seemingly more liberal than the German jurisdiction in terms of accepting first names regarded as 'appropriate for both gender', as well as even partial gender-contrarian names, Swedish legislation nevertheless re_produces the perception of names as cis-binary-gendered and makes the gender-free conceptualization of names unintelligible (cf. chapter 4).

As for migratized names, the 1982 name law sought to establish the principle that "immigrants should be able to keep their country of origin's culture, habits and language as long as possible"[63]. In this context, the Swedish government also aimed at determining that changing a 'non-Swedish' last name's gendering should not be recognized as a name change under the 1982 name law. For example, a name that ended in *-ova* and thus interpellated 'femaleness' could be changed free of charge when people register. According to *Namnlagskommittén's* report, in this way the government promoted the interests of migratized people (cf. Namnlagskommittén 2013:387) who wanted to change their hetero- and/or reprogendered last names.

Nevertheless, the discussions surrounding the introduction of the 1982 name law also provided the context for migratist naming discrimination. Changing, deleting or adding a name, which previously underlined the principle of 'only one name and one option are possible' should be made easier. The idea behind this was to provide migratized Swedish citizens and statisized Swedish parents who adopted children from abroad more options to change their own or their children's names by adding names hegemonically negotiated as 'Swedish' (cf. Lagerblad 2010a) and/or delete migratized names free of charge, as the example *Namnlagskommittén* suggests (Namnlagskommittén 2013:455). In this way, statisized names are, as in Germany, hegemonically normalized and presented as the desired and only option to succeed in society. This is also confirmed in statements that argue for taking the hegemonic perception of names as the decisive authority in unresolved naming cases which are 'against Swedish naming traditions', although these claims were sometimes overruled by upholding court decisions.

62 Cf. Skatteverket Dec 14, 2009 to gender-contrarian names, cf. talk by Leibring (2015) at Rufnamentagung 2015 in Mainz.

63 Original: "invandrare så långt som möjligt bör kunna behålla sitt ursprungslands kultur, vanor och språk" (Namnlagskommittén 2013:191, translated by EH).

The principle that migratized citizens did not need to or should not be forced to assimilate to Swedish naming practices was also adopted in the case of Beatriz del Carmen as a first name, that had been initially denied. The reason for its rejection was the assumption that 'del' was inappropriate and would not reflect a first name. The Swedish administrative court of appeals, however, finally accepted the name in 1995, arguing that it should be respected that "first names from different foreign cultures have been brought to Sweden through the great immigration. This should apply especially when the registered name comes from a culture where the one that shall bear the name has their origin."[64]. This case, however, proves this was not implemented. Although the 1982 legislation suggested accepting name forms that were not perceived as Swedish but were appropriate elsewhere, in 1995 the authorities still refused to recognize a non-Swedish form. Thus, to what extent the changes of the new naming law will contribute to a broader acceptance of migratized and thus assumably non-Swedish naming traditions at *Skatteverket* needs to be questioned. By agreeing to accept double last names in the future, *Namnlagskommittén* aims at promoting the opportunity for people socialized in all different kinds of naming traditions to choose the name they want (Namnlagskommittén 2013:527). Yet, by simultaneously promoting the Swedish naming tradition as equally acceptable without deconstructing privilege, there is a high probability that the hegemonic discourse remains biased.

Before the 2009 court decision on 'gender-contrarian' names, migratized names were also negotiated as acceptable only when the names complied with the hegemonic way to perceive them as gender-distinct and in its distinctivity as 'gender-conform'. As brought forth in a court case, parents wanted to assign the additional name of Bent Mohamed Moncef to their child's first name Nadia, which according to Tunisian naming conventionalization, represents a patronymic that is also a hegemonic naming tradition in Sweden. However, it was first rejected with the argument that "here in this country, it could give the false impression that the girl received three male first names in addition to Nadia"[65]. The Swedish Supreme Administrative Court did agree with the previous

64 Original: "förnamn från olika främmande kulturer har förts in till Sverige genom den stora invandringen. Inte minst bör detta gälla när det anmälda namnet kommer från en kultur där den som skall bära namnet har sitt ursprung" (Namnlagskommittén 2013:625–626, translated by EH).

65 Original: "här i landet skulle kunna ge det felaktiga intrycket att flickan utöver Nadia erhållit tre manliga förnamn" (Namnlagskommittén 2013:641, translated by EH).

authorities' impressions but accepted the name in the end on the grounds that the child possessed double citizenship and should be allowed to have the same name in both passports (cf. Namnlagskommittén 2013:641). In this way, the principle of non-assimilation to Swedish naming conventionalization was respected. However, just like in Germany, gender-distinctivity is negotiated here against the ability of the hegemonic discourse to gender a migratized name (cf. chapter 2.3.1).

As previously suggested, despite the new naming law's assumed liberal attitude towards the provision of freedom of choice for trans, gender non-conform and migratized people, the hegemonic discourse beyond Swedish legislation might not accept the changes immediately.

According to a poll commissioned by *Namnlagskommittén* to *Statistiska Centralbyrån* (Statistics Sweden) in 2012 and which distinguished between migratized and statisized Swedes, the latter group showed a larger unwillingness to accept offensive and discomfort-provoking names as well as gender-contrarian names (cf. Namnlagskommittén 2013:243). The committee explained the more positive attitude of migratized Swedes towards gender-contrarian first names with the (certainly experienced and proved) assumption that the Swedish authorities did not have a comprehensive understanding of non-Swedish naming traditions. Similar results can be found for grammatically non-conform names, i.e. names spelled or pronounced in a non-conventionalized way according to hegemonic Swedish discourse.[66]

Although there was no positive majority in either group, there seems to be a more liberal attitude towards hegemonically non-conforming names among migratized Swedes. The committee did not think the established court practice towards gender-contrarian caused any problems: Gender non-conforming names are admitted for adults in the context of name changing, since they are in the position to define for themselves which name is comfortable. However, for children decisions are taken on a case-to-case level, which shows that gender-conformity is still re_produced (cf. Namnlagskommittén 2013:248–249). Bearing in mind that until 2013, enforced sterilization was obligatory in

66 This might not be surprising given that all conventionalized examples showed statisizable names and did not include any migratizable names. Cf. chapter 5.4 for a short analysis of *Namnlagskommittén's* comments on these results.

Sweden to transition from one gender to the other according to the binary-gender system, it should be questioned why gender-conformity is still regarded as a necessity for socialization when the case that allowed a gender-contrarian first name proved the opposite.

One the one hand, the committee members concluded that there was an integrated conservative attitude among Swedes against the question of gender-contrarian names. On the other hand, they declared that after their acknowledgement by Swedish naming authorities, hegemonically nonconforming names might sooner or later be regarded as acceptable from a linguistic perspective, thus being negotiated as grammatically correct (cf. chapter 5). In this way, the authorities as well as courts were more liberal than what "commonly would be regarded as adequate" (Namnlagskommittén 2013:250). With regard to their statement that "a country's legislation is always the result of varying considerations in which different interests need to be balanced", it is interesting to learn about *Namnlagskommittén's* negotiation of Swedish jurisdiction and what they call "public opinion"[67]. I transfer the latter to the conceptualization of hegemonic discourse I use in this study, which the committee explains as meaningful in the context of legislation but which also "may never solely dictate a particular legislation's content"[68]. In the best operable case, the legislation on names would respond to the majority's opinion on what is right, wrong and appropriate and satisfy their needs (cf. Namnlagskommittén 2013:241).

With regard to the majority's objection against gender-contrarian names as well as the Swedish jurisdiction's recently established acknowledgment of gender-contrarian names for at least adults, it seems that Swedish legislation did not respond to the majority's opinion but to the needs of trans persons. Legislation aims to serve both sides, the hegemonic discourse (here the so-called majority) and the counter-discourse of marginalized people. However, as hegemonic discourse is still equated with marginalized counter-discourses, discriminatory naming practices are only addressed one-way when responding to marginalized group's 'needs'. The consequences of

67 Original: "Ett lands lagstiftning är resultatet av skilda överväganden, där olika intressen balanseras mot varandra." And "[f]olkliga opinioner" (Namnlagskommittén 2013:241, translated by EH).

68 Original: "aldrig ensamma bör få diktera innehållet i en viss lagstiftning" (Namnlagskommittén 2013:241, translated by EH).

privilege are not addressed: Swedish naming conventionalization still remains the desired norm and is even promoted without critically reflecting on the exclusionary impact this hegemonic support has for the perception of names as migratized and thus non-Swedish.

In the following, I aim to contribute to an understanding of historically accustomed similarities and differences in the constitution and implementation of hegemonic German and Swedish naming practices by analyzing the historical contexts and presuppositions of legislation on naming, the constitution of nationality and citizenship.

3.1.3 Similarities and differences in German and Swedish hegemonic naming practices

Swedish and German legislation share several naming principles not only among themselves but also with other Western societies. One of those norms is the idea of last names being passed down as family names. This naming tradition does not only support the hetero_repronormative perception that a person – mostly through biological birth (cf. chapter 6.1.1) – belongs to a family but it also seems to simultaneously re_produce the idea that 'families' are more easily recognizable as statisized Swedish or German with a commonly shared last name, a 'family name', than with first names. The focus on last names in both German and Swedish legislation can be regarded as an expression of that thought. Thus, the idea of belonging to a family symbolizes belonging to a state. The Swedish administrative regulation on naming encourages statisized people to change their last names. As the 'suggested' change of last names prioritizes Swedisizable morphological structures[69], for migratized people this 'encouragement' from topdown can be understood not as a suggestion for unsolicited name change but as enforcement (cf. chapter 6.2.2.4). This practice follows a tradition that forced Sami or Finnish people as recognized national minorities and entitled to Swedish citizenship to make their first and last names sound and look as Swedish as possible (cf. chapter 3.2.3). The encouragement and the enforcement to Swedisize the last name is an example for the normalization of what is hegemonically regarded as 'Swedish'. As it is addressed to both

69 If people want to change their last names and create a new one, Patent- och Registreringsverket offers a list of pre- and suffixes to facilitate the creation of the new name. However, they all are perceivable as 'Swedish' according to hegemonic structuralist discourse: Patent- och Registreringsverket n.d.a.

non-migratized and migratized Swedes, it might also support the hegemonic idea in Swedish society of presumably making everyone equal (cf. Hornscheidt 2008b).

In contrast, German legislation aims at preventing their citizens from changing names, with the exception of heteronormative marriage and recently also of naturalization, as I will show. Instead of equating both marginalized and hegemonic naming practices like in Sweden, German jurisdiction focuses on the preservation of hegemonic norms. In this way, legislation ensures that statisized, cis-binary-gendered, ableized citizens as representatives of the public interest will always be able to identify the names of German citizens as what is considered a 'German name'. In other words, names that are hegemonically negotiable as German will help privileged Germans identify fellow German citizens. Both the German and Swedish strategies presuppose an understanding that names will be classified as 'Swedish' or non-Swedish and 'German' or nonGerman, and both naming practices are intrinsically bound to conceptualizations of citizenship and nationality. Through the more restrictive administrative practice in Germany, people who lived and worked in Germany without German citizenship could not officially assimilate and Germanize their full names according to German law until January 1st 1990[70], not because they necessarily did not want to but because of a biologist legislative principle, *ius sanguinis*, that links Germanness and citizenship to blood relations (with the exception of adopting people as German citizens but not *ius sanguinis* Germans). Prior to this date, naturalization and thus the changing of names was only possible for a limited number of people,[71] mainly those who were considered '*ius sanguinis* Germans' without German citizenship (*Statusdeutsche* according to article 116 paragraph 1 German Basic Constitutional Law (*GG*, Deutscher Bundestag 31/12/2014), cf. (Bergmann, Korth 1989:31)), as well as people who with the Second law regulating questions of nationality of 1956 (*Zweites Gesetz zur Regelung von Fragen der Staatsangehörigkeit*) could retrospectively naturalize after their heteronormative

70 Cf. so-called simplification of naturalization according to *AuslG* of 09.07.1990 which enables adult non-German citizens to apply for German citizenship after residing in Germany for at least 15 years, giving up their previous citizenship, having no criminal convictions and are able to make a living independently from state subsidies (cf. Deutscher Bundestag, cf. below).

71 According to *NamÄndVwV* article 37, paragraph 2 of 11. August 1980, non-German citizens were 'allowed' to change their family name in the context of naturalization; cf. Bundesministerium des Inneren 11/08/1980:6.

marriage (cf. Bundesministerium des Inneren; Bundesministerium der Finanzen 23/05/1956: article 3, paragraph 2).[72] Although *RuStAG* before 1990 mentions the opportunity for non-German people to naturalize according to *ius domicilii*, it must be considered as a theoretical option only since it was left to the authorities' discretion to decide whether or not a person's naturalization was considered to be in the state's interest (cf. Bergmann, Korth 1989:56–59 and therein in particular the conceptualization of *Ermessenseinbürgerung*, discretionary naturalization).[73] In this way, the general principles for naturalization prioritized 'public interest' before a person's interest and put the previously mentioned focus on the hegemonic discourse in German legislation. As indicated, 'non-German' or non-European names (cf. chapter 5) could be and still are read as synonymous with non-German citizenship as well as nationality that is hegemonically considered to be *white* Christian-secularized. The Germanization of names has been an institutional tool to mark and distinguish people as '*ius sanguinis* Germans' and 'non-Germans'. This name marking practice stands in a

72 The introduction of the Second law regulating questions of nationality suggests that married women were considered as belonging to a male household and would therefore acquire their husband's citizenship. Furthermore, since the change in *RuStAG* on 20.12.1974, children whose mothers are German citizens can become German regardless of their father's citizenship (cf. Bergmann, Korth 1989:44–45).

73 Cf. also Bergmann, Korth 1989:41–54, appendix: "Gesetz- und Verordnungstexte zum Staatsangehörigkeitsrecht (Auswahl)", chapter 10. "Einbürgerungsrichtlinien of 15.12.1977 (ergänzt durch Rdschr. Vom 13.11.1984)" for the juridical premises for naturalization:
paragraph 2.2: "Die Verleihung der deutschen Staatsangehörigkeit kann nur in Betracht kommen, wenn ein öffentliches Interesse an der Einbürgerung besteht. Öffentliches Interesse ist hier ein staatliches Interesse oder ein gesellschaftliches Interesse von gleichem Rang; die persönlichen Wünsche und wirtschaftlichen Interessen des Einbürgerungsbewerbers können nicht ausschlaggebend sein, zumal auch die hier ansässigen Ausländer nach der deutschen Rechtsordnung weitgehende Rechte und Freiheiten genießen."
paragraph 2.3.: "Die Bundesrepublik Deutschland ist kein Einwanderungsland; sie strebt nicht an, die Anzahl der deutschen Staatsangehörigen gezielt durch Einbürgerung zu vermehren."
paragraph 3.1.1.: "Die freiwillige und dauernde Hinwendung zu Deutschland wird aus der nach dem bisherigen Gesamtverhalten zu beurteilenden grundsätzlichen Einstellung zum deutschen Kulturkreis zu schließen sein. Eine dauernde Hinwendung zu Deutschland ist grundsätzlich nicht anzunehmen, wenn sich der Einbürgerungsbewerber in einer politischen Emigrantenorganisation betätigt."
paragraph 5.2.1: "Die Einbürgerung von Angehörigen der Entwicklungsländer, die im Bundesgebiet oder in anderen Industriestaaten im Rahmen der personellen Entwicklungshilfe eine Aus- oder Weiterbildung erfahren haben soll deshalb unterbleiben."
paragraph 6.4.2: "Für heimatlose Ausländer gelten [...] die allgemeinen Vorschriften über die Einbürgerung. [...] Es ist davon auszugehen, daß ein gewisses öffentliches Interesses [sic!] an der Einbürgerung heimatloser Ausländer vorgezeichnet ist."
paragraph 6.4.3: "[...] die Einbürgerung der Asylberechtigten und der in die deutsche Obhut übernommenen ausländischen Flüchtlinge [soll] erleichtert [...] werden". paragraph 6.4.4: "[...] die Einbürgerung der Staatenlosen [soll] erleichtert [...] werden".

historical continuity to when Jewish people were marked as non-German/non-Aryan through enforced name practices (cf. chapter 6.2.2.3). In both cases, the hegemonic distinction between 'German' or 'Swedish' and 'non-German' or 'non-Swedish' names leads to discrimination e.g. on the job or housing markets because 'non-German' or 'non-Swedish' names are prevented to be recognized as possible 'German' or 'Swedish' names in the hegemonic mindset.

In the following I will attempt to sketch and compare the historical contexts and repeated consequences of the introduction and establishment of registration offices and legislation in both Sweden and Germany. I negotiate them as material results for the institutionalization of accustoming that constitute the similarities and differences in the naming practices in Sweden and Germany.

3.2 The Institutionalization of Discriminatory Naming Practices in the German and Swedish Nation States in Modern and Contemporary History

The present study is built around the assumption that discriminatory hegemonic naming practices are co-constituted and confirmed but not necessarily recognized as such by legal discourses. As mentioned before, I link this presupposition back to the findings of Critical Race Theory (CRT) scholars that identified how racism became and still is an intrinsic part of the institutional system of the USA:

> "CRT recognizes that racism is engrained in the fabric and system of the American society. The individual racist need not exist to note that institutional racism is pervasive in the dominant culture. This is the analytical lens that CRT uses in examining existing power structures. CRT identifies that these power structures are based on *white* privilege and *white* supremacy, which perpetuates the marginalization of people of Color." (UCLA School of Public Affairs, Critical Race Studies)

The findings of Critical Race theorists are transferable to the European context. Hegemonic requirements and conceptualizations such as the gender-distinctivity of names (cf. chapter 4) that need to respond to an imagined German *sprachgefühl* (cf.

chapter 5) are not only grounded in institutionalized discriminatory perceptions of people but re_produce and re_inforce them. By referring to Critical Race Theory, Spade exposes legislation as a hegemonic instrument to maintain *white*, male, heteronormative, and capitalist power (Spade 2011:19).[74] In his book *Normal Life* Spade shows how within US politics of civil society security and social equality, legislation does not prevent violence but rather enables and performs it. This is also due to an accustomed essentialist belief that differences among people are natural and given. As I will demonstrate later on (cf. chapter 6.2.2), the example of naming practices in German legislation and its administrative implementation do not prevent discrimination and unequal treatment.

In a so-called democracy it seems contradictory to state that the legal system that should 'guarantee' equality is actually discriminatory. By using the example of naming legislation, I identify in the following some strategies and presuppositions that are so normalized and accustomed in everyday practices that their discriminatory effects are not recognized by mainstream discourse.

3.2.1 Names as indicators for nationality and citizenship

In Sweden and Germany, the name of a person is made official as soon as it is registered by a legal state authority. To become registered and simultaneously authorized as a citizen by a Swedish or German state authority is already a privilege in a world where citizenship status enables or disables access to state subsidies, freedom of movement and citizens' rights. Non-citizens whose residence permit status is illegalized by national legislation are in constant danger of being deported or sentenced if they register. In this respect, those persons that are born to at least one parent with Swedish or German citizenship are privileged with regard to their residence title. It is an accustomed and institutionalized practice that with registration, they not only receive 'official' documents that are often required in hegemonic discourse for identification but that are also institutionalized as citizens, a status that often is still equated with the idea of nationals. As long as the person is perceived as a prototypical 'German' citizen, concepts such as citizenship and nationality coincide. Citizenship is constituted by legislation that

74 For an example of how critical trans politics can contribute to law reform and movement building (cf. Spade 2011:171–204).

regulates who can become a German or Swedish citizen and who cannot. To acquire German or Swedish citizenship is based on concepts and principles that define nationality: *ius sanguinis*, *ius domicilii* and *ius soli*.[75]

- *Ius sanguinis* is enacted on the assumption that citizenship is only assigned through a person's parents. Thus, the concept of *ius sanguinis* negotiates nationality on the idea of a relationship that is defined by blood. In this way, *ius sanguinis* is conceptualized as the 'right of blood'. The concept is a predominant principle according to which people in Germany have been abled or disabled to naturalize as Germans (cf. Beauftragte für Migration, Flüchtlinge und Integration 2007:38). In Sweden *ius sanguinis* was applied until March 31st, 2015, when the mother had Swedish citizenship or when the father had Swedish citizenship and the child was born in Sweden or the father with Swedish citizenship was married to the mother of the child regardless of the mother's citizenship. Since April 1st, 2015, any child that is born to a Swedish parent will automatically assume Swedish citizenship at birth, regardless of where the child is born (cf. *Lag (2001:82)*, Justitiedepartementet L7 2001: article 2).
- *Ius domicilii* is enacted on the idea that a person who lives in the territory of a nation state for a certain period of time is entitled to citizenship of this state. In Germany, nonGerman adult citizens who have resided in Germany for at least three years and who have been married for at least two of those years to a German citizen can acquire citizenship the quickest, given they have completed all the requirements. Non-German adult citizens who are not married to a German citizen usually must reside in Germany for at least eight years (*StAG*, Deutscher Bundestag 1/01/2000: article 10). Compared to Sweden, Germany requires a longer duration of legal residence. Currently, Sweden demands five years for people with non-Nordic citizenship by application. Nordic citizens can naturalize on notification after only two years, stateless people or refugees after four years (cf. *Lag (2001:82)*, Justitiedepartementet L7 2001).

75 Cf. for all requirements for different cases of naturalization in Germany: *StAG*, Deutscher Bundestag 1/01/2000: article 3 paragraph 1, article 4, articles 8-16 as well as articles 40b and 40c. Cf. Swedish requirements for naturalization: Justitiedepartementet L7 2001: articles 2, 3, 4, 6-13; cf. also Migrationsverket n.d.

- *Ius soli* is enacted on the idea that a person who is born in the territory of a nation state is entitled to acquire the citizenship of this state. In Germany, children born after January 1st, 2000 have the right to German citizenship only if their parents have resided in Germany permanently for at least eight years while possessing a permanent residence permit (cf. *StAG*, Deutscher Bundestag 1/01/2000: article 4, paragraph 3; Kissrow 2007:38–39).

In the following chapters I aim to analyze the accustoming of the conceptualizations of nationality and citizenship in the context of naming. A focus will be on the extent to which personal names are negotiated as indicators for citizenship and nationality and for the person's belonging to an imagined nation (cf. Anderson 1983). I assume that names play a crucial role in the identification of a person as a nationalized citizen, since they are likewise negotiated in nationalized terms, such as when wondering whether Evelyn is a German or a non-German name. A person with a name that hegemonically is not negotiated as German, like Kiran for example, might consequently not be perceived as German although they possesses German citizenship and might identify themselves as German. In contrast, a person with a name that linguistically is not negotiated as 'German' but Western such as Evelyn is nevertheless perceived as German. Hence, it needs to be questioned which non-German names pass as German, which ones do not (cf. also chapter 5) and what consequences this entails for their bearers.

I assume that the juridical institutionalization of the concepts of both German and Swedish citizenship in the late 19th and early 20th century have repeated consequences for people in the context of naming today. Thus, I wonder about the assumptions and effects that people experience when they are nationalized on the grounds of historically accustomed perceptions and negotiations of names. To what extent is the idea of perceiving and negotiating a person and/or name as German or non-German, Swedish or non-Swedish historically linked to the idea of the nation state? How and when do naming practices reveal a nationalist understanding of names? In today's jurisdiction names are still perceived as indicators for belonging to a family as well as a nation state: Last names indicate belonging to a family and family names belonging to a state when, for example, Swedish naming traditions are met. First names are hegemonically negotiated as 'showing' gender but only when the name's 'origin' aka 'nationality' can be

identified (cf. for example chapter 4). A reason why the categorization of a person's name invokes expectations towards that person might be the role naming processes have played in German and Swedish societies: to register people who lived in a territory of a nation state. In order to identify their citizens, the conceptualization of the 'nation' has been constituted by hegemonic definitions of belonging and exclusion: Who should belong and who should not? As previously shown in chapter 2.3, racialization, migratization, genderization as well as disabilization of persons have been negotiated as relevant ways to distinguish people. This distinction also constitutes the manner in which people are defined as citizens with full citizen rights, citizens with only partial citizen rights and non-citizens with no or minor rights. It found its manifestation in legislation, for example in laws on citizenship, on civil status and enforced naming (cf. following chapters). That is why I assume it to be important for my study on names to analyze the institutionalization of citizenship in Swedish as well as German legislation and its links to concepts of nationality.

The establishment and institutionalization of the German nation state in 1871 can be negotiated as a result of the rise of the national idea in Europe in the aftermath of the French Revolution at the end of the 18th century. In European societies, 'the nation' was conventionally negotiated as a homogeneous community of people sharing an assumed cultural and/or linguistic, 'national' or 'ethnic' commonality, the latter usually conceptualized via *ius sanguinis* (cf. for example Wodak et al. 1999:20–40). Already at this time, this invention of the national idea was supported and had materialized through successive and continuous institutionalization. One example is the publication and dissemination of books. The book business can be understood as a promotion of the national idea by providing a common written language and canon of literary and historical knowledge (cf. Anderson 1983) that also included knowledge on personal names and, in Protestant areas, in particular Biblical ones[76]. This is especially important for the German and Swedish contexts, as in both Sweden and Germany, the knowledge

76 Cf. Anderson's analysis of "[t]he coalition between Protestantism and print-capitalism [...] [that] quickly created large new reading publics – not least among merchants and women [...] – and simultaneously mobilized them for politico-religious purposes" (Anderson 1983:40). Thus, it can be assumed that people and in particular women in choosing their children's names were also influenced by personal names from religious books (cf. also Nübling et al. 2012:114–116 for hegemonic naming conventionalizations in Germany following the Reformation).

and use of Swedish or German as a common language have been negotiated as central indicators for the national idea (cf. chapters 3.2.2 and 3.2.3, cf. Wodak et al. 1999:20–40). Hence, it can be assumed that through the dissemination of imprinted knowledge, awareness was also spread and conventionalized that especially Christian names can be perceived and negotiated as Swedish or German.

As previously mentioned, the idea of this chapter is based on the assumption that names are negotiated as indicators for hegemonic conceptualizations of nationality and citizenship. However, it needs to be borne in mind that in the German context, the concepts of 'nation' or 'ethnicity' are merged with the concept of 'the people' ('*das Volk*'[77]) (cf. *GG*, Deutscher Bundestag 31/12/2014: article 116 paragraph 1). Despite the conceptual national-socialist continuities in its use[78], the term "*das Deutsche Volk*" is still employed in the German Basic Constitutional Law (cf. *GG*, Deutscher Bundestag 31/12/2014:preamble).

Who belongs to the nation – understood in territorial as well as ethnic, cultural and/or linguistic terms – and who does not is regulated today by citizenship laws such as the *Staatsangehörigkeitsgesetz*, *StAG*, (formerly *RuStAG*) in Germany and the *Lag om svenskt medborgarskap* in Sweden. The citizenship laws define the scope of state legislation since they name and re_produce structural categorical perceptions of people as citizens or non-citizens to whom 'national' legislation on registration and naming

77 For a critical reflection on the Nazi use of the concept '*das Volk*' cf. Gasche 2014. Before and after the fall of the Wall, the notion was increasingly used in order to make a public statement against the GDR dictatorship and to initiate political change in the form of a democratic movement that is also described as 'the peaceful revolution'. However, as Ritz states, the 'We' in the slogan 'We are *the Volk*' was conceptualized as *white* and the 'revolution' only peaceful for *white* people. This became particularly evident when the slogan changed to 'We are *one Volk*' and 'Germany for Germans only'. Ritz concludes that the new Germany after 1989 has provided space for ideas that were only thought but now could be uttered in hegemonic discourse (cf. Ritz 2009:45–48). Thus, the political 'turning-point' (*Wende*) helped to re_vitalize the explicit normalization of the racist conceptualization of *Volk* as *white*.

78 The term 'ethnic German' in its translation consisting of the entities '*Volk*' and '*Deutsch*' was not only but particularly used by the Nazis for the racialized group of 'Germans' that were living outside the state. This conceptualization is still employed in article 116 of the German Basic Constitutional Law that deals with post-war repatriates (cf. Deutscher Bundestag 31/12/2014: article 116 paragraph 1). Additionally, the concept is still actively used by groups that identify themselves with the conventionalized Nazi meaning (e.g. the so-called Federation of 'Expellees' or *Bund der 'Vertriebenen'*) which due to its nationalist use, is often interpellated by the single use of one of the terms ('*Volk*' or '*Deutsch*').

apply. Non-citizens of the Swedish and German states who only possess a residence permit are subject to the juridical practices on personal names only to a certain extent.

The registration of a person depends on the person's citizenship. In Germany, stateless people and refugees are subject to both the *NamÄndG* (Deutscher Bundestag 1/09/2009: article 1) and *PStG* (Deutscher Bundestag 1/01/2009:chapter 7, section 1). However, a person with non-German citizenship comes under their respective legislation and might have access to specific rights that are defined in such laws as *Gesetz zur Neuregelung des Ausländerrechts* (*AuslG*, cf. Deutscher Bundestag 1990), while the registration of German citizenship is – not surprisingly – regulated by the remaining German laws. Administrative regulations instruct registrars in Germany to register a newborn non-German citizen according to the legislation of the state of which the child is a citizen (cf. Bundesministerium des Inneren 2015, cf. Mergenthaler et al. 1987). Therefore, German registrars may re_produce the discriminatory practices of a state. At a conference, sociologist and migration researcher Umut Erel[79] made me aware of the fact that Turkish citizens who wanted to register their children with a Kurdish name in Germany could not do so because German registrars were instructed to follow Turkish naming law: Until the ban on the Kurdish language was lifted in 1991, it was forbidden to assign children Kurdish names under Turkish law (cf. Aslan 2009).[80]

People with a non-Nordic citizenship residing in Sweden can apply for name change according to Swedish law but might need to verify their state's regulations on name change in order to ensure that the change will be accepted (*Lag (2016:1013)*, Justitiedepartementet L2 17/11/2016: article 32; Patent- och Registreringsverket n.d.i). In other words, to have the name changed in one's non-Nordic passport depends nevertheless on the non-Nordic country's rules and not on Swedish law. There are also

79 I am grateful to the remark by Umut Erel during my paper presentation entitled "How naming processes reproduce (hetero)sexist, migratist and racist conceptualizations of citizenship" at the international conference "Thought as Action: Gender, Democracy, Freedom" on August 18th, 2012 at the Admiral Hotel in Bergen/Norway, organized by the Senter for kvinne- og kjønnsforskning (SKOK), University of Bergen (cf. Erel 2012).

80 Today, Kurdish names are allowed but only if they do "not violate moral norms and offend the public and [are] spelled in accordance with the official Turkish alphabet" (cf. Aslan 2009). As Aslan 2009 describes how Turkish authorities tackle Kurdish naming practices differently in post-2000 Aslan 2009; thus, there still are some cases where Kurdish names are prohibited by Turkish authorities. Cf. Uso Kurdman's portrait in *Svenska Dagbladet* for a self-empowering intervention in Turkish naming legislation (Lagerblad 2010b).

specific rules for stateless people and people recognized as refugees under Swedish legislation (cf. *Lag (2001:82)*, Justitiedepartementet L2 1/03/2012: article 51; *Lag (2001:82)*, Justitiedepartementet L7 2001: articles 6–8, 11). *Lag (2001:182) om behandling av personuppgifter i Skatteverkets folkbokföringsverksamhet* applies to anyone who resides in Sweden and wants, needs or is entitled or forced to be registered at *Skatteverket*.

In Sweden as well as in Germany, both the naming and registering of people became more and more regulated in the 19th and early 20th century (cf. following chapters). With a state regulated system for registration, the classification of people along presupposed categories such as 'religion' and 'nationality' became distinctive for their status as citizens. Structuralizing hegemonic conceptions of 'gender' and 'race' also constituted those categorizations. Yet, those classifications are not self-explanatory nor are all of them explicitly used for the census or the administrative registration of people[81] and their names: According to Swedish Personal Data Act (*Personuppgiftslag*), it is forbidden in Sweden to collect personal data that reveals "race or ethnic origin"[82]. Yet, this does not prevent politicians such as the former Swedish Prime Minister Reinfeldt from re_producing this categorization in a racist way in public discourse on Swedish labor market statistics (cf. Stiernstedt, Paulsson Rönnbäck 2012). According to the German Federal Statistical Office (*Statistisches Bundesamt*), neither 'race' nor 'ethnicity' seem to be assessed in Germany (cf. Hoffmeyer-Zlotnik et al. 2010). However, data on 'religion' is still collected during current registration procedures though on an optional basis (cf. chapter 3.2.2). Since Judaism was assessed as a racial classification during registration, specifically under the Nazi regime (cf. Reichsministerium des Inneren 1938:37; 175-178), and given the different forms of racist discrimination on the grounds of, for example, anti-Semitism and anti-Muslimism (cf. Kuria 2015:35) today, the indication of 'religion' at registration offices needs to be regarded in its historical continuity as an indicator for racialization. As shown above, the social categorization of people is constituted by accustomed hegemonic and prototypical ways of perceiving, negotiating and conceptualizing people. Although not always made explicit on, for

81 Cf. Hà 2009 for the People of Color approach as an alternative to and intervention in ethnic monitoring.

82 Original: "ras eller etniskt ursprung" (Justitiedepartementet L6: article 13, translated by EH).

example, registration templates[83], hegemonic 'defaultism' (cf. chapters 1.1.4 and 2.3.4) enables the interpellation of ideas of nationality and religion as well as race and gender when names are categorized and perceived as Swedish' and/or 'German'. The composition of the registration templates has sustainable consequences for the conceptual expectation of how to perceive and identify the name bearer categorically: When it comes to gender and citizenship/nationality concepts, a person with a name such as Katrin Müller will most probably be identified as a German womanisized person with citizenship just like a person with a name like Karin Svensson would be considered womanisized and Swedish with citizenship. Moreover, both names would be more implicitly perceived as being linked to *white* Western European Christian heritage. To wit, no one would be shocked if Katrin Müller or Karin Svensson were Christian and *white*. However, the names in their stereotypical usage only serve as indicators for genderization, nationalization and thus racialization and non/-migratization. The link between naming and national legislation provides evidence for the underlying implicit norm that a person can be and needs to be gendered and 'originated' in the context of registration – of which the choice of name supposedly should give proof. In contrast, a person with a name such as Fatima Ahmed will not be considered German or Swedish in the respective hegemonic discourses. However, according to the name legislation in Sweden and Germany, it would be possible to register a person and/or newborn with this name as a Swedish or German citizen as long as it complies with the current national naming norms, such as the principle of gender-evidence and gender-distinctivity (*Geschlechtsoffenkundigkeit*[84], cf. chapter 4).

3.2.2 The German citizenship of names

In this section I aim to analyze the presuppositions that are taken for granted in the context of name laws. Conceptualizations and definitions of 'citizenship' and 'nationality' are decisive for how legislation on names is applied to citizens and non-citizens in both Germany and Sweden. German laws on names only apply to German

83 Cf. Standesamt Charlottenburg-Wilmersdorf von Berlin n.d., Verlag für Standesamtswesen GmbH 2009 and Skatteverket 2010.

84 Cf. article 262 paragraph 4 of *Dienstanweisung für die Standesbeamten und ihre Aufsichtsbehörden* (Gensior 1987:236), Verlag für Standesamtswesen GmbH 2009 and Bundesverfassungsgericht, Beschluss of 5/12/2008.

citizens. However, these laws presuppose a certain image of German citizenship that is not necessarily made explicit today. Since presuppositions are understood as historically accustomed and silenced knowledge productions in this study, it is necessary to investigate 'citizenship' and 'nationality' in their historical contexts on which current laws such as the German Nationality Act (*Staatsangehörigkeitsgesetz*, *StAG*), the German Law on Civil Status (*Personenstandsgesetz, PStG*), and the German Law on Name Change (*Namensänderungsgesetz*, *NamÄndG*), are based.

Thus, I question who is implicitly conceptualized as German and who is excluded from this hegemonic conceptualization and how. By applying the dispositive approach that regards the interdependency of structural power relations as constitutive for social norms, I aim at focusing on research that investigated the extent to which those laws have been constituted by _racism_genderism_ableism_migratism_classism_, in particular against minorities who had been persecuted and discriminated against during centuries in the territory that today is recognized as Germany, namely German Jews, Afro-Germans and German Roma.

However, before I start with the analysis, it is methodologically necessary to explain why other socially marginalized groups who have been living in Germany are less taken into account in this section.[85] For a start, there is a lack of research questioning the extent to which the hegemonic conceptualization of 'Germanness' has been constituted by ableism, by classism and by conceptualizations such as 'German minorities' and 'minorities in Germany'.

The Frisian people living in East and North Frisia and the Danish people living in Southern Schleswig are today recognized minorities with specific local rights such as schooling in Frisian and Danish, just like the Sorbs living in Lusatia and the Roma people living throughout Germany. The hegemonic conceptualization of the Frisian and Danish minorities as *white* Christian Western Europeans leads to the assumption that they have experienced privilege by statization and migratism (cf. chapter 3.1.1) on a structural level, different from the experiences of the Sorbs and Roma people as well as

85 I am grateful to Izabela A. Dahl, who made me take a stance on the relevance of minorities and in particular of Polish people as the largest minority group in the German Empire on the constitution of 'Germanness' (Dahl 2015b).

Afro-Germans and Jews. Nevertheless, beyond the regional focus, little research has been conducted on the extent to which the Danish and Frisian people had been explicitly excluded from the conceptualization of 'Germanness' beyond the regional focus. The same applies to research on the Sorbs. Thus, it is unclear how a member of one of these regionalized minorities is conceptualized when living beyond the region to which they are assigned. Compared to the Roma people, the Danish, Frisian and Sorbian people have been regarded as local minorities only, which makes them less instrumentizable as a threat to the conceptualization of a German nationality and easier to control, due to their locality.

Thus, most research on the Sorbs also focusses on the regional statutes of the minority group. However, in contrast to the Danish and Frisian people, the Sorbs have experienced structural discrimination on the grounds of anti-Slavism for centuries. The use of the Sorbian language in legislation and administration was forbidden during the Prussian regime in the 19th century. According to Ludwig Elle, the Germanization of Sorbs was intensified with the establishment of the German Empire, for example by restricting and banning Sorbian language classes from school in Upper Lusatia (Elle 1995:456). The ban was lifted during the Weimar Republic; however, the language classes were not supported by the state. Elle reports that the National Socialist Regime initially aimed at negotiating Sorbs as 'Wendish speaking Germans', using the German expression for Sorbian, and, thus, at neglecting their Slavic decent. However, due to Sorbian resistance to NS assimilation politics, after 1937 the public use of the Sorbian language was forbidden, Sorbian teachers were expelled from Lusatia and local leaders were arrested, tried and convicted of treason (cf. Elle 1995:458–459). The Sorbs were also forced to Germanize their traditional toponyms (Teidelbaum 2012). After World War II, the German Democratic Republic officially 'supported' the Sorbian minority by granting them the use of Sorbian in schools, administrations and courts. However, as Elle points out, this 'support' must be regarded against the background of socialist ideology for which the minority politics were instrumentalized (Elle 1995:460).

As for the status of Polish people in Germany, at the time of the German Empire's constitution, they were the largest group among nationalized minorities in the German Empire because the former territory of Poland had been divided between Prussia,

Austria and Russia. Their – unofficial – minority status changed after Poland reestablished their sovereignty and territory. However, regarding the status of those Poles that remained in the German Empire, Andrzej Kaluza explains "that the thought of actively supporting own national minorities in their identity won recognition under international law only after World War II"[86]. By referring to international law, Kaluza compares the Danish minority group in Northern Germany with the Poles who had been living in Polish territory that was taken under the Prussian regime. Unlike Southern Schleswig, the partitioned territory once again belongs to the Polish state. Whereas Danes as well as Frisians and Sorbs are assigned to local territories in Germany and, thus, have only locally assured minority rights (cf. Kaluza 2011, cf. Bundesministerium des Inneren 2014), there is no specific area in Germany that is assigned to Poles. In this respect, the partitions of Poland from 1772 until 1918 challenge the conceptualizations of territory, nationalized people and nation state. As there was no Polish nation state, Polish people were living in Prussian, i.e. German, (as well as Russian and Austrian) territory. Therefore, the claim can be made that generations of Poles lived in a territory that was regarded as German for over 120 years. The minority status of Polish people in Germany becomes even more an issue because the historical fact that Germans moved to the Prussian part of former Poland gives their descendants a minority status in Poland (cf. Kaluza 2011). Thus, the fact that Poland reestablished its sovereignty and regained its territory in 1918 and 1945 might explain why Poles are not among the groups Germany officially recognizes today as national minorities. Current research on the discriminatory effects of laws against minorities in Germany also negotiates the status of Poles in the context of 'immigration' and not as a localized national minority. In this respect, the hegemonic perception and negotiation of Polish people as Slavic and thus non-German constituted German legislation during the Weimar Republic and, consequently, is taken into account in this research.

With regard to the need for more research on how Afro-Germans, Roma people and Sorbs have been historically discriminated against by nationalized legislation, it appears that even less research has been conducted on how disableized people have been

86 Original: "dass sich der Gedanke, eigene nationale Minderheiten aktiv in ihrer Identität zu fördern, erst nach dem Zweiten Weltkrieg völkerrechtlich durchgesetzt hatte." (Kaluza 2011, translated by EH).

conceptualized in the context of German citizenship and nationality. The same applies to the question of what impact classism has on the conceptualization of 'Germanness'. For the analysis of citizenship and nationality, I chose knowledge productions that question how naming constitutes citizenship and personhood and how citizenship and personhood are constituted by hegemonic legal and medical discourse (cf. below, cf. chapter 6). As a result, these knowledge productions seem to associate citizenship and nationality more closely with racist, migratist and genderist images of social groups. Consequently, this causes a gap in my attempt to sketch the historical continuities of discrimination against people that have not been conceptualized as the default *white*, non-migratized, cis-binary-gendered, male, ableized middle-class German. However, the gap may not only be attributed to a lack of research in academic discourse but also to my level of knowledge on both the topic, ableist and classist discrimination in the context of nationality and citizenship, and the methodology used to research for answers.

3.2.2.1 The re_construction of statization in German 'nationality'

For the German context, citizenship has been closely linked with the principles of 'nationality' and in particular with *ius sanguinis*. Before the reform of the German nationality act (*Staatsangehörigkeitsgesetz*, *StAG*) in 2000, citizenship primarily was assigned to people who were conceptualized as 'Germans' by birth according to the *ius sanguinis* citizenship concept, as manifested and defined in the *Reichs- und Staatsangehörigkeitsgesetz* (*RuStAG*) of July 22nd, 1913 (cf. Magnus 1917:34–42). El-Tayeb demonstrates in her discussion on the interdependency of the concepts of '*Volk*', 'nation' and 'race' in the German context that 'blood' was invented as the crucial metaphor: For the adoption of political and legal acts, the concept of *ius sanguinis* would serve as the essential criterion to define 'Germanness', also before the German Empire was founded in 1871. Since 1842, only those were considered Prussian whose fathers were Prussian (cf. El-Tayeb 2001:133–136), a principle that is still applied today in the German Constitution to guarantee citizenship beyond residence in Germany (cf. *GG*, Deutscher Bundestag 31/12/2014: article 116 paragraph 1). However, at the beginning of the 20th century, this did not necessarily mean that everyone with a German parent, in particular father, could naturalize as German.

By using the debate on the legal status of interracial marriages and the rights of Afro-Germans as an example, El-Tayeb shows that the terms '*Volk'* and 'race*'* were used in an interchangeable, biological manner (El-Tayeb 2001:118–148). '*Volk*' was linked to 'race' and 'race' was considered as being linked to blood. El-Tayeb states that 'German blood' would always imply "*white*' blood" (El-Tayeb 2001:135); this is also to be understood as 'non-Jewish blood'[87]. In this respect, the adoption of the *ius sanguinis* citizenship concept in 1913 can be regarded as the legal manifestation and institutionalization of the racist conceptualization of Germanness that dominated public discourse at the turn of the century (cf. also Trevisiol 2004:63–64).

The definition of the geopolitical and racial dimension of the German Empire coincided with the appropriation of colonies in 1884. For example, for the people in the territory of modern-day Namibia that came under German colonial rule in 1884, the identification as 'German' was crucial because it would enable access to education, employment and, most of all, recognition as a free person. National belonging and citizenship were discussed against the background of societal racist perceptions. Before 1913, German citizenship could be acquired through marriage and birth to a German citizen as conceptualized and negotiated since the foundation of the German Empire in 1871. Thus, according to El-Tayeb, non-German citizens of Namibia could 'naturalize' as Germans in 1884. However, as El-Tayeb also states (El-Tayeb 2001:116-117; 125), the heterogenderist_racist objectification of Black women as well as the absence of *white* women in Namibia to please *white* men must be seen as the reasons why interracial relationships were initially accepted. With the introduction of the so-called Protectorate Law (*Schutzgebietsgesetz*) in 1900, marriage no longer necessarily guaranteed naturalization (cf. El-Tayeb 2001:116-117; 125). In 1904, the year the Herero Wars began, Governor Lindequist prohibited so-called interracial marriage between *white* males and Black females. With the amendment of article 17 of the bylaw (*Gemeindeverordnung*) in 1908, all interracial marriages that had been concluded before 1905 were annulled. This was accompanied and perpetuated by also prohibiting

87 Cf. Shohat, Stam 1994:137 on the implications of the trope of racial 'blood' that "has historically served to signify religious affiliation ('Jewish blood'), class belonging ('blue blood'), national appurtenance ('German blood'), and race ('Black blood')". As she points out, although the social construction of 'blood' is used in an ideologically loaded, metaphorical way, it has its concrete discriminatory effects in society (cf. the ideology of 'purity', cf. Shohat, Stam 1994:137).

church weddings, despite the fact they would not have any legal consequences in terms of acquiring citizenship. Interracial marriages as well as children were not to be tolerated at any level of society (cf. El-Tayeb 2001:94, 103). Thus, it should be questioned what impact these racist regulations had when the *RuStAG* was introduced in 1913 in Germany. To what extent were people with German citizenship who had lived in Namibia recognized by German legislation, given that the law was, according to Oliver Trevisiol, specifically addressed against to people from territories in what is today negotiated as Eastern Europe[88], particularly Polish people and among them especially Jews (cf. Trevisiol 2004:56–66)?

As El-Tayeb states, in order to be recognized as non-indigene the racist 'one drop rule' was applied: If a person's ancestor was perceived as Black, this person would not be considered *white* even if this person had previously been considered *white* (cf. El-Tayeb 2001:101-102, 107). Thus, with the application of the rule in 1907 (cf. Dietrich 2007:221), people with German citizenship living in Namibia were imagined *white*. This racist conceptualization of Germanness prohibited Afro-Germans from being considered German by blood according to *ius sanguinis* (El-Tayeb 2001:139). As El-Tayeb states, t h e *Reichskolonialamt* generally neglected to acknowledge any naturalization applications that were submitted by "African people" (cf. El-Tayeb 2001:137).

The amendment of the former citizenship legislation and introduction of *RuStAG* in 1913 based on the application of *ius sanguinis* is also an effect of structural anti-Semitism, anti-Slavism and anti-Romaism. Since 1899, naturalization applications by people who were Polish and Jewish were subject to an extraordinary investigation by the Prussian minister of internal affairs, although this was without legal basis. As Eugen Ehmann & Heinz Stark state, this legislative principle also intended to prevent poor and Jewish 'migrants' from Poland or Russia from naturalizing their children as soon as they were born in German territory according to *ius soli* (Ehmann, Stark 2008:20–21). In this context, it is important to remember that at the time, Poland did not exist as a state (cf. above). Thus, *ius soli* applied not only to 'migrants', as Ehmann & Stark illustrate, but also to a population occupied by the German Empire (cf. Dahl 2015a). Given the

88 I am grateful to Izabela A. Dahl, who informed me that in 1913, Polish people have not been conceptualized as Eastern Europeans, as they are today (cf. Dahl 2015b).

number of discriminatory edicts against Roma people after the foundation of the German Empire, which resulted in the establishment of a central Roma registry in 1899 in Munich (cf. Hehemann 1987:243–403, cf. chapter 3.2.2.2.3) it must be assumed that Roma people were also not conceptionally thought of as German citizens under *RuStAG*. Thus, the hegemonic idea that '*Volk*', 'nation' and 'race' could be interchangeable concepts shaped and constituted the debate on German citizenship when the *RuStAG* was introduced (cf. El-Tayeb 2001:107, 121).

The principle of *ius sanguinis* was applied more often after the Great War in order to secure "ethnic-cultural homogeneity" (Trevisiol 2004:72). However, as Trevisiol shows, until 1933 naturalization was implemented differently within the states of the German Empire because each one was allowed to decide individually based on federalism (cf. Trevisiol 2004:68–72). On July 14th, 1933 the National Socialist regime introduced a law, *Gesetz über den Widerruf von Einbürgerungen und die Aberkennung der deutschen Staatsangehörigkeit*, which allowed naturalizations between September 9th, 1918 and January 1st, 1933 to be withdrawn and German citizenship deprived (cf. Reichsregierung 14/07/1933:480). The law was again particularly addressed against Jews from Eastern Europe but also against people who were considered criminals or who otherwise had behaved "in a deleterious way against *Volk* and state"[89]. Since Roma people had already been systematically criminalized (cf. following chapter), the law made it possible to deprive them of their citizenship. The introduction of the Reich Citizenship Law (*Reichsbürgergesetz*) divided the citizens of Germany into different groups: Reich citizens who were all statisized Germans and citizens who were Jews (cf. Reichstag 16/09/1935). In this way, Jews were already deprived of full citizenship but the twelfth decree in the *Reichsbürgergesetz* of 1943 finally revoked citizenship from all Jews and Roma in Germany who had managed to remain undiscovered by the National Socialist regime (Reichsministerium des Inneren 30/04/1943).

In his autobiography, Gert Schramm, confirms that the withdrawal of citizenship also included Afro-Germans. In May 1941, Schramm's grandmother received a letter that stated her twelve-year-old grandson would eventually be excluded from the German

89 Original: "in einer dem Wohle von Staat und Volk abträglichen Weise" (Reichsministerium des Inneren:538–539, translated by EH).

'*Volksgemeinschaft*' (Schramm 2011:25). A few months later, the youth 'welfare' office (*Jugendamt*) decided Schramm should leave home and school and be put in a home for 'non-Aryans' (*Heim für 'Nichtarier'*) (Schramm 2011:26–28). However, the 'home' denied him access on the grounds of his age and racist prejudices, which saved Schramm's life because the children were murdered in Auschwitz. Nevertheless, in May 1943 he was imprisoned by the Gestapo in Erfurt and Weimar and in June 1944 deported to KZ Buchenwald, where he survived the Holocaust deprived of his citizen's rights (cf. Schramm 2011:53–76).

Although the racist, anti-Semitic, anti-Romaist and anti-Slavic conceptualizations were not expressed as explicitly as in the legislation of 1933, the racist, anti-Semitic, anti-Romaist and anti-Slavic context in which the *RuStAG* was appointed cannot be neglected, in particular with regard to its basic principle of *ius sanguinis*, which was valid throughout the 20th century until the *RuStAG* was amended and renamed *Staatsangehörigkeitsgesetz* (*StAG*) in 2000. Prior to this date, it was basically impossible for people who did not have a parent with German citizenship to naturalize as German (cf. chapter 3.2). Nevertheless, as the principle of *ius sanguinis* was not rejected but complemented by a version of *ius soli*, the racist, anti-Semitic, anti-Romaist and Anti-Slavic implications of the *RuStAG* were legally manifested, since they are historically based on the racist, anti-Semitic, anti-Romaist and anti-Slavic exclusion of Afro-, Jewish, Roma- and Polish Germans. As long as people are systematically categorized according to hegemonic conceptualizations of origin, the subtle change in legislation might not have the immediate effect in perceiving Germanness in an altered way. A permanent exhibition on the deprivation of citizenship during the regime of the National Socialist Party in Germany at the Federal Office of Administration (*Bundesverwaltungsamt*) documents the de_mentioning of the racist conceptualization of German citizenship (cf. Bundesverwaltungsamt). As the title "Human Destinies" (*Menschenschicksale*) implies, the exhibition does not focus on the discriminatory conceptualization of *ius sanguinis* as a systematic structural activity of exclusion that still has its continuities. Instead, it presents the life stories of individuals who were deprived citizenship from a historical perspective, suggesting that it affected only some people and only during the National Socialist Regime in Germany. In this way, the

privileging effects of *ius sanguinis* for those it has and still applies to are de_named, and includes the denial of historical continuities, re_productions and effects of structural power relations in today's *StAG* (cf. above).

Therefore, to the question of how to perceive and imagine a person with a name that is negotiated as German, the racist, blood-related default image of the '*ius sanguinis* German' continues to be the underlying implied norm. Since blood-relation still constitutes the law, those who can prove a biological blood-relation to a family with an 'acknowledged' family tree as introduced by the Nuremberg Laws are still particularly privileged (cf. family book, *Familienstammbuch* Reichsverband der Standesbeamten Deutschlands n.d. [1940]). This shows that the reproduction of the '*ius sanguinis* German' also implies ableist hetero- as well as repronormative practices that are performed by ableized *white*, non-migratized, cis-gendered persons fitting the binary-gender norm.

3.2.2.2 Registration and German naming practices: preserving the pre-eminence of hegemonic discourse

With the introduction of legislation on naming and personal/civil status in 1875, as well as the establishment of registry offices in 1876, the link between accustomed genderist, migratist and racist perceptions of naming practices and conceptualizations of citizenship and nationality became manifested and institutionalized in the German Empire. Before it was constituted in 1871, there had been several individual attempts in the prior 'German' identified territories to restrict the citizens' right to freely choose their names, for example in 1677 by Ferdinand Maria, Elector of Bavaria (cf. Wagner-Kern 2002:27; cf. Döllinger 1836:391). In the territory of what was considered Germany on January 1st, 1876, the registration of births, marriages and deaths by state authorities became obligatory. Together with the new legislation and its civil registry, a new bureaucratic system was introduced that obliged people to bear a fixed name (cf. Wagner-Kern 2002:67–68), which led to a better surveillance of civil society. Registry offices were to be the only authorities that could document civil status (cf. Reichstag 9/02/1875:23). Therefore, the monopoly by the churches to record people's data was undermined. However, during the regime of the National Socialist Party the church regained their central role in registration issues, as their parish registers were used and

duplicated to provide evidence for anti-Semitic, racist privilege of so-called Aryans (cf. Gailus 2008).

The first legislation on civil status and marriage registration (*Gesetz über die Beurkundung des Personenstandes und die Eheschließung*) from February 1875 (Reichstag 9/02/1875) demanded the following information about living newborn children, and according to *PStG* is still requested today, with the exception of number one and the indication of rank, occupation and optional information on the parents' religious affiliation (cf. *PStG*, Deutscher Bundestag 1/01/2009: article 21, paragraph 1):

> "In case of birth, the entry shall contain:
>
> 1. first and family name, profession or business and residence of the person making the announcement;
> 2. place, day and hour of birth;
> 3. the child's gender;
> 4. the child's first names;
> 5. the parents' first and family names, religion, profession or business and residence.[90]

In this way, the social categorization of people and their cis-binary-genderization and religious affiliation has been manifested and normalized as an institutional practice, going beyond civic registration.[91] In the following, I will investigate the effects of requesting information on gender and in particular on religion and their implications for naming practices.

90 Original: "Die Eintragung des Geburtsfalles soll enthalten:

1. Vor- und Familiennamen, Stand oder Gewerbe und Wohnort des Anzeigenden;
2. Ort, Tag und Stunde der Geburt;
3. Geschlecht des Kindes;
4. Vornamen des Kindes;
5. Vor- und Familiennamen, Religion, Stand oder Gewerbe und Wohnort der Eltern.

(Reichstag 9/02/1875:28, translated by EH).

91 Cf. for example the Income Tax Lax (*Einkommenssteuergesetz*, *EStG*) for the implications and impact of cis-binary-gendering and religious affiliation on taxation (Bundesministerium der Finanzen). Cf. chapter 3.2.3.2 for the historical connection between registration and taxation in Sweden.

3.2.2.2.1 Institutionalization of binominalism as a genderist practice

With the 1875 registration law, the indication of gender as well as the adaption of a binary-name system (or binominalism) became obligatory. In other words, the accustomed hegemonic practice of gendering people and of re_producing a hereditary surname system became institutionalized on a juridical level. According to Nübling, Fahlbusch & Heuser, the consequent use of a hereditary surname system in Germany only ended with the establishment of registry offices (cf. Nübling et al. 2012:145–146). From then on, last names could no longer be assigned or changed individually but required state consent. The institutionalized regulation of naming demanded clarity because names would now serve as the means to identify a person (cf. chapter 6.1.4). This naming practice to disambiguate a person had been accustomed since the 16th century, when the androgenderist use of last names as family names was more or less conventionalized in order to pass them on to 'males'/'sons' for succession (cf. Nübling et al. 2012:145–146). With the institutionalization, the accustomed discrimination of womanisized persons to subordinate them to either 'father' or 'husband' in a repro- and heteronormative manner became legalized. Yet, the discrimination of trans and gender non-conform people who are positioned beyond a static and unchangeable binary-gender-system is still not recognized on a juridical level.

The idea of marking the belonging to a 'family' has become more enforced by administrative regulations only since the 17th century: According to Nübling & Dammel, one of the reasons was hegemonic society's growing identification with Christianity by naming children after their godparents, saints, or sovereigns (cf. Nübling, Dammel 2007:139), the latter because they may claimed to have been chosen by God. Due to this trend, many shared the same first names within the German-speaking community. In some areas it could be that half of the population was assigned one of the seven most common first names (cf. Kunze 1998:45). As a consequence, some of the most traditional first names that have hegemonically been categorized as 'Germanic' were no longer used as a popular first name. If they were used, they were transferred to and passed on as 'family names'. In order to distinguish between people who shared the same names, the system of having two fixed names became more and more common. One reason could have been the wish and need for uniqueness in a society where more

and more people were connected by written resources, such as books or official documentation (cf. chapter 3.2.1). Also, the living conditions in denser populated areas such as cities made it necessary to separate individuals who shared the same first names (cf. Nübling, Dammel 2007:139–140).

3.2.2.2.2 Institutionalization of binominalism as an anti-Semitic practice

However, it needs to be borne in mind that, as Wagner-Kern states, until the end of the 18th century the majority of European Jews lived isolated from the hegemonic communities of Christians and usually did not use fixed family names. Instead, a patronymic was added to the first name (cf. Wagner-Kern 2002:33). Thus, the extent to which the assignment of fixed last names was discriminatory after binominalism became hegemonically obligatory needs to be analyzed (cf. chapter 3.2.2.2.1) for an analysis of repro- and heterogenderist discrimination). In the context of 'Jewish emancipation' in the late 18th and early 19th centuries, which aimed at socially including Jews in hegemonic society for power-political reasons, a last name was also mandatory in order to become entitled to civic rights (cf. Wagner-Kern 2002:35–38). But in some German territories, Jews as non-Christians were also restricted in their choice of possible last names.

Benzion C. Kaganoff, Wagner-Kern and Lars Menk identify Emperor Joseph II of Austria as being the first regent to introduce an anti-Semitic law in 1787 (Kaganoff 1996; Wagner-Kern 2002; Menk 2005)[92] which enforced last names on Jews while prohibiting the names to be identifiable as Hebrew or denominating a person's place of residence (Menk 2005:3). With regard to first names, Wagner-Kern mentions a list that was circulated as a consequence of the law limiting the choice to 109 'male' and 35 'female' first names (cf. Wagner-Kern 2002:39). During their occupation of Poland from 1794 to 1806, Prussia also "imposed German-sounding names on its Polish Jews" (Kaganoff 1996:21). Both Kaganoff and Siegfried Maruhn inform that Jews in the occupied Polish territories of Prussia and Austria had to pay a higher fee if they wanted to assume a noble-sounding name such as Rosenthal or Edelstein; those who could not afford higher fees were assigned derogatory last names such as *Schmalz* (grease) (cf. Kaganoff 1996:23) or *Saumagen* (pig's stomach) (Maruhn 2002:147) by the authorities. As these

92 Cf. Kropatschek 1787:534–538 for the original version of the law.

names were forcefully assigned to Jews in an anti-Semitic manner, they can simultaneously be regarded as pejorative according to Hornscheidt's model (cf. chapter 1.3.5). In any case, all names should look German according to hegemonic grammatical rules. As for their meaning, journalist Elon Gilad reports in Haaretz that those forced

> "[a]rtificial or ornamental names indicate nothing except for the fact that their bearers are Ashkenazi Jews. The names were mostly given to Jews by government officials of the Austrian Empire in the late 18th and early 20th centuries. The officials used a small bank of German words, either alone or in pairs, sometimes with the suffix '-man'." (Gilad 2014)

Yet, some Jews managed to resist these oppressive mechanisms. Kaganoff describes several interventions in the enforced Germanization of Jews' names. For example, Hebraisms were combined with German components such as Katzenstein (with *Katz-* representing an acronym for the priestly caste Cohen) and Herzberg (with *Herz-* interpellating symbolic meaning, here: heart); another strategy was to translate Hebrew first names such as Solomon or the characteristic of a Biblical figure, such as 'strength' for Samson, into German, i.e. Fried and Starkman (cf. Kaganoff 1996:23–25). In this way, it was possible to maintain hereditary naming practices in which the Biblical implications of family names could be passed on.

A last strategy, which I find important to mention, in particular with regard to the Swedish context, is the use of patronymics. Similar to the naming practice of Christian Swedes, Austrian and German Jews added – in an androgenderist manner – the suffix *-sohn* and Slavic Jews the suffix *-vitch* to the fathers' first names (such as Mendel*sohn* and Abramo*vitch*) (cf. Kaganoff 1996: 25, cf. also chapter 6.2.2.4). In comparison, both metronymics and patronymics were common among Slavic Jewish communities. Thus,

> "[...] the suffixes *-ov*, *-off*, *-eff*, and *-kin* [...] denote[d] 'descendant of', and to this day we find a host of metronymics and patronymics built on this principle: Baskin (from Basyah, or Batyah), Chaikin (from Chayyah, or Hayyah), Rivkin (from Rivke, or Rebecca), Sorkin (from Sarah), Malkov (from Malkah), Aronoff (from Aaron)." (Kaganoff 1996:25)

However, as the hereditary naming practice is also common in the Slavic hegemonic gentile society, the individual first name on which the patro- or metronymic is based might be a stronger indicator for perceiving the last names mentioned above as Jewish.

At the beginning of the 19th century, more German speaking territories issued restricting decrees on the fixation of names (Wagner-Kern 2002:40–51): Menk lists, for example, the Kingdom of Westphalia as well as the Duchy of Lippe-Detmold, which both forbade location names and "surnames of well-known Christian families" (Menk 2005:3). In Prussia, the enforced adoption of last names was strengthened by an edict in 1812, which decreed that Jews could only be emancipated if they assumed a last name (cf. (Kaganoff 1996:22–23). This form of enforced customization to the hegemonic society was intended to prevent identifying Jews by their names, thus making them undistinguishable from Christians (Wagner-Kern 2002:47). However, in the following years, this would increasingly apply for binominalism only. For example, in 1816, the Prussian King Friedrich Wilhelm forbade Christian names for Jewish children that were not baptized (cf. Wagner-Kern 2002:54–55) and reinforced the prohibition in 1825 (as was also done in the following decades) by forbidding Jews to take on any names that would make them appear Christian and unidentifiable as Jewish (cf. Wagner-Kern 2002:61–63; 82-110). Although the political will that Jews were to be identifiable by their names could not be implemented, WagnerKern states that questions regarding the choice or changing of names need to be understood as a "political controlling tool [...] for politics against Jews that was of restorative, and more precisely: excluding character"[93]. Thus, when statewide legislation on civil status and marriage registration was introduced in February 1875, the necessity to specify not only religious affiliation but to indicate a fixed and unchangeable name that was previously constituted by regulations specifically addressed against Jews must be understood as indications for a racist distinction and marking that led to genocide between 1939 and 1945.

3.2.2.2.3 Prohibition of changing names as a racist practice against German Jews, German Roma and Afro-Germans

As Wagner-Kern shows, in the following years until the end of the German Empire the hegemonic discourse on the right to change one's name was not only characterized by an

93 Original: "politische[s] Steuerungsinstrument [...] für eine Judenpolitik restaurativer, genauer: ausgrenzender Prägung" (Wagner-Kern 2002:64, translated by EH).

authoritarian interest in a personal name as means for identification, which presupposed not changing one's name. It was also constituted by anti-Semitic conspiracy imputations concerning the motivation of Jews to change their names: Whereas assimilation was negotiated as desirable for the manifestation of a German state's power during the period of 'Jewish emancipation', the idea was now conceptualized as a threat to 'German' names, which implied that they were also considered as Christian; thus, Jews were simultaneously identified as non-German (cf. WagnerKern 2002:90–94; 135–137). Throughout the years of the Weimar Republic, the discussions on names also centered on the change of 'Jewish' names, thus manifesting the anti-Semitic presuppositions that limited Jews' right to change their names. Only offensive names that could provoke 'railleries' could be replaced by an assonant name (cf. Wagner-Kern 2002:217–222), which ensured the name's function as a tool of identification. According to Maruhn, in 1932, the Prussian Ministry of Internal Affairs transferred the competence for the changing of names from the court to the administration; this assigned the responsibility to the individual registrars. In this context, the Ministry introduced guidelines that should prevent Jews from changing their name to one that was not identifiable as Jewish. The law to prohibit misfeasance in marriage and in the adoption of a child (*Missbräuche bei der Eheschließung und der Annahme an Kindes Statt*) introduced under the NS regime on November 30th, 1933 enabled registrars to invalidate name changes by Jews which, according to the hegemonic discourse at the time, were regarded as gentile 'German' names (Reichsministerium der Justiz 23/11/1933; Reichsministerium der Justiz 15/12/1933; Maruhn 2002:147–149).

Consequently, the introduction of *NamÄndG* on January 5th, 1938 confirms the historical continuity of institutionalized anti-Semitic naming practices by German authorities (cf. chapter 3.1.1) which specifically addressed Jews in order to control and register them as such. Jewishness had been defined by the Nuremberg Laws of September 1935 and used a person's bloodline as the fundament for their judgement (cf. Reichstag 16/09/1935 and Reichsregierung 14/11/1935). Thus, Jews were racialized on the grounds of the Nuremberg Laws and registered as such according to the Law on Civil Status *(Personenstandsgesetz*) of November 3rd, 1937 – independent of whether they

recognized themselves as Jewish or had ended their religious affiliation (cf. Reichsministerium des Inneren, Reichsministerium der Justiz 21/05/1938; Reichsministerium des Inneren 1938:37; 175-178). According to Maruhn (2002:149-150), some Jewish and non-Jewish family names were difficult to distinguish, since many gentiles bore names with a morphology similar to Jewish naming tradition which caused gentiles to 'defend and prove their Aryan heritage'. This might be a reason why the Second Decree on the Execution of the Law regarding the Changing of Surnames and Forenames *(Zweite Verordnung zur Durchführung des Gesetzes über die Änderung von Familiennamen und Vornamen*) introduced on August 18th, 1938 specifically addressed first names (cf. Reichsministerium des Inneren, Reichsministerium der Justiz 18/08/1938; cf. chapter 6.2.2.3). However, the circular directive that was issued by the *Reichsinnenministerium* on January 6th, 1939 also included last names and shows that specific names such as Deutscher or Deutschmann were assigned as symbolic meaning in the context of NS ideology and should be reserved for 'Aryans' only. This prompted local authorities to make Jews who bore one of those last names to change them (cf. WagnerKern 2002:328). Yet, according to Wagner-Kern, the local authorities were unable to identify any of these names in their district (cf. Wagner-Kern 2002:329, footnote 341).

These legislative provisions re_produced a racialized understanding of 'religion' based on racial ascription to Judaism as a category for registration. The racial categorization did not only allow registrars and authorities to mark Jews but to also compile deportation lists. Against this historical background of registration practices in Germany, it is striking that religion is still a category that can be filled in on registration forms today (cf. above).

Although optional, the indication of religious affiliation is innocent enough for people privileged by Christianity who have not experienced any form of systematic violence expressed through racist oppression, persecution and extermination based on racist perceptions of religious affiliation committed by the state. In this way, the optional indication of religion privileges Christianity and discriminates other religious affiliations. *NamÄndG*'s current restrictiveness is historically linked to the anti-Semitic

practice of registering Jewish affiliation. Thus, it re_produces its anti-Semitic background

- by assuming that a personal name functionally ensures the perpetuation of 'social order' and implicitly suggests that said order is disturbed when a person changes their name, regardless of who experiences discrimination,
- by requiring an 'important reason' for name change instead of supporting people in their wish to change their name,
- by having authorities decide to which extent the indicated reason is 'acceptable' according to their reading of *NamÄndG* (cf. chapter 6.2.2.4).

This is why Wagner-Kern regards a revision of the current *NamÄndG* as necessary (Wagner-Kern 2002:407, 414-416).

It is important to note that racialization at the registry offices was not only expressed through religious affiliation. As the Jews, Roma had also been subject to racist discrimination for years by the time registry offices were established in 1876. They had been criminalized by the authorities and subjected to policing activities initially conducted by the German police in the German states. With the establishment of a Roma registry center in 1899 in Munich, an institutionalized fundament was provided for the centralized collection of Roma's personal data during the Weimar Republic, the regime of the National Socialist Party, and the first 25 years of the Federal Republic of Germany (cf. Knudsen 2004; Lucassen 1997). As a consequence, legislation and authorities in the counties of the German Empire introduced and implemented decrees against Roma's occupations and living conditions, which resulted in a comprehensive surveillance of Roma's whereabouts in the Weimar Republic. According to Maruhn, the registrars were instructed to provide information on the Roma's location to the county criminal investigation department (cf. Maruhn 2002:184). The surveillance of Roma was intensified with article 157 of the administrative regulations *Dienstanweisung für die Standesbeamten und ihre Aufsichtsbehörden* (*DA*) in 1938: The registrars were required to also report every birth, marriage and death of any Roma they registered and add marginal notes in the respective civil registry (cf. Reichsministerium des Inneren 1938:51). As Lucassen concludes, the regime of the National Socialist Party continued

the existing practices to register Roma, which served their extermination policy (cf. Lucassen 1997; cf. also Rose 1999). The anti-Romaist criminalization and registration of Roma remained after 1945; the Center in Munich was only closed in 1970, seven years after the Federal Court of Justice recognized the persecution of Roma since 1938 as racist (cf. Lucassen 1997; Knudsen 2004; Randjelovic 2011). Nevertheless, according to Randjelovic and Lauré al-Samarai, the historic discriminatory perception and criminalization of Roma in hegemonic everyday discourses is still persistent today (cf. Randjelovic 2011:675–676; Lauré Al-Samarai 2008:99–100).

Article 157 of the *DA* also included Black people who were racialized in a similar way as Jews and Roma by being excluded from the racial conceptualization of Germanness and thus deported to labor and concentration camps (cf. for example Michael 2014; Schramm 2011; Achenbach 2004). Even prior to 1938, Afro-German children living in the Rhineland were registered in specific lists that enabled the Nazi regime to perform enforced sterilizations in 1937 (Lauré Al-Samarai 2008:98).

In summary, since the establishment of registry offices during the German Empire, registration has been characterized by nationalist ideas of Germanness. These hegemonic presuppositions have been constituted by anti-Semitic, anti-Romaist, colonial racist, anti-Slavic and repro- and heteronormative conceptualizations of the prototypical German citizen. Naming practices have been closely linked to the hegemonic idea of Germanness: Names have served as tools for the identification as well as differentiation of people as Germans and non-Germans in the context of nationality and citizenship. In particular, Jews were subject to discriminatory naming practices. However, as Roma and Afro-Germans were not conceptualized as Germans according to hegemonic interpretation of *ius sanguinis,* they were not considered when the idea to protect 'German names' was re_produced and promoted at the end of the 19th and beginning of the 20th century. Their names were kept in specific registries that served their persecution, enforced sterilization and deportation. Given the conceptualization of *white*ness presupposed in the context of *ius sanguinis,* it must be assumed that the exclusion from the concept of German nationality has also included other racialized, ethnicized and migratized minorities that might have been silenced (cf. introduction to chapter 3.2.2).

Names have also been negotiated as a means for belonging to a family that subordinated womanisized people to their fathers or husbands with the introduction of compulsory binominalism re_producing cis-binary-genderism. In this context, trans and gender non-conform people are made unintelligible in registration practices and consequently also in the hegemonic perception of the function of personal names as contributing to cis-binary-gendered 'social order'.[94]

As for disableized people, it must be assumed that they have also been excluded and silenced from the historically accustomed hegemonic conceptualization of German citizenship. The 1933 law for forced sterilization (*Gesetz zur Verhütung erbkranken Nachwuchses*), the consecutive state-ordered murder of disableized people under the Nazi regime, the late amendment to the German Basic Constitutional Law protecting the rights of disableized people in 1994 (cf. Masuhr n.d.b) and continuous episodes of everyday ableisms such as those presented on website Leidmedien.de (cf. also chapter 6.2.3) lead to this conclusion.

These intersecting perceptions and conceptualizations of personal names have their continuities in modern naming practices. These naming practices still promote the preeminence of hegemonic discourse and neglect to acknowledge counter-activist discourses as necessary and empowering interventions in discriminatory naming practices, which I will discuss in chapters 4 and 5.

3.2.3 The Swedish citizenship of names

By applying the dispositive approach to the Swedish context, I attempt to illustrate in the following section the extent to which the hegemonic conceptualization of Swedishness is constituted by genderism, racism and migratism on the example of naming. Thus, I aim to reveal who has historically been negotiated as Swedish in hegemonic discourse and who has been excluded. The lack of analysis on the impact of ableism and classism on the conceptualization of nationality and citizenship I perceived for the German discourse also applies to the Swedish discourse. As in the German

94 Homosexuals were also listed in specific registries during the Nazi period that became known as 'Rosa Listen', in reference to the pink triangles worn by homosexuals in concentration camps. With the introduction of Strafgesetzbuch's article 175 in 1872, homosexuality was juridically negotiated as a criminal act and remained criminalized until its abolition in 1994 (cf. Deutscher Bundestag 10/06/1994).

context, research on Swedish citizenship and nationality focuses more on the racialization, migratization and genderization of social groups. A reason might be that Swedishness is also historically manifested by the cognitive institutionalization of *ius sanguinis* as the distinctive right to be considered as Swedish.

Starting my analysis with an example of how 'Swedishness' is currently negotiated in hegemonic discourse, I aim to sketch how 'being Swedish' has historically been constituted particularly by hegemonic legal discourse. The analysis of the historical development of Sweden's Citizenship Law is conducted against the background of the interdependency of structural power relations and on the grounds of a jurisprudential article which describes the law's history from a hegemonic point of view. The article is contested by counter-activist knowledge productions that challenge the implicitly racist, migratist and anti-Semitic Swedish self-perception that is re_produced when conceptualizing the hegemonic Swedish society as tolerant and anti-racist. In this way, I aim to approach and describe how the institutionally denamed but presupposed *ius sanguinis* principle has actually been fundamental for Swedish legislation on citizenship and, consequently, for registration practices.

Regarding the registration of people, I focus on the historical development of its institutions and links to citizenship, and the perception and recognition of people as Swedish citizens: Who can be registered (as a Swedish citizen) and under what conditions? What authorities have been established in the context of registration? Did registration practices have an influence on the naming of people? To what extent could and can a person's name be regarded as a distinct marker for a person's 'Swedishness' in terms of racist and/or migratist conceptualizations and ascriptions? Consequently, I take into account knowledge productions that sketch the history of systematic registration in Sweden on the one side and describe the consequences of registration for the naming practices of racialized Swedish minorities, in particular the Sami and Roma people, on the other. I focus specifically on these two Swedish minority groups because they have been explicitly discriminated by hegemonic conceptualizations of Swedish citizenship, by registration and by naming practices with the first Swedish law on names from 1901. Other minorities that experienced a similar form of exclusion by the

conceptualization of 'Swedishness', such as Finnish people, are partly taken into account in the analysis.

The chapter concludes with an analysis of the impact of the Swedish naming legislation on the conceptualization of 'inclusion' while being constituted by the hegemonic genderist, classist, and migratist perception of names. With regard to the sources I used in order to analyze how name change is conceptualized in Swedish legislation, name change in Sweden seems to be taken up by onomastic research whereas in Germany, it is a topic in historical research. A reason might be that in Sweden, the legislation on names was introduced in order to encourage name change. German name legislation, however, aimed at prohibiting name changes.

3.2.3.1 The re_construction of Swedish nationality

A current example from the Swedish hegemonic discourse shows some similarities between the hegemonic conceptualization of 'nationality' in Germany and Sweden that has an impact on the conceptualization of citizenship, registration, and naming processes in both states. Given the evidence of studies which prove the discrimination of racialized and migratized people on the Swedish labor market (cf. Bursell 2007; Carlsson, Rooth 2007), the following example shows that the conceptualization of statization as the process that re_produces privilege for non-migratized people can also be applied to Sweden.

Following publication of the most current unemployment statistics in May 2012, the Swedish Prime Minister Fredrik Reinfeldt evaluated the results by distinguishing between migratized and non-migratized Swedes. Instead of acknowledging the impact of migratized discrimination on the Swedish labor market, which has been proved by scholarly results (cf. Ahmed, Hammarstedt 2008; Bursell 2007), he presented non-migratized Swedes as 'more successful' because they are employed. By silencing the conditions within the labor market which privilege and prioritize statisized Swedes and which discriminate against migratized Swedes, Reinfeldt presents these two groups as homogenous and equally responsible for their status on the labor market. By labelling the more successful group of people as 'ethnic Swedes'[95], Reinfeldt used an essentialist,

95 Original: "etniska svenskar" (cf. Svenska Dagbladet Online 2012, translated by Martin 2012).

migratist, *ius sanguinis* term, thereby re_producing the nationalist idea of a homogeneous nation that shares a common ethnicity. Similarly, his terminology interpellated the idea of a prototypical Swedish person as being *white* and 'without migration background', as could be observed by the media response.

One of Sweden's largest newspapers, *Svenska Dagbladet*, published an open counter-activist letter written by Afro-Swedish politician Mikael Trolin in response to Reinfeldt's statement. In his letter, he underlines how Reinfeldt ignores the racist discrimination on the job market that Trolin experiences and thus confirms that Reinfeldt's idea of 'nationality' does indeed invoke the racist conceptualization of Swedish people as being *white* only.[96] The Swedish magazine Arena also alluded to Reinfeldt's expression "ethnic Swedes at the prime of their life"[97] as being racist by releasing the issue following Reinfeldt's statement with the headline "Racist Swedes at the prime of their life"[98].

What I want to challenge here is not only that 'ethnicity' was explicitly re_produced as a classification for nationality but following Trolin and Arena, I specifically want to question how the rather blurry conceptualization of 'ethnicity'[99] was used by Reinfeldt in order to explain why some people are more successful on the labor market than others. By suggesting to explain occupational success with 'ethnicity' re_produces not only essentialist racist and migratist images; it also ignores and silences the racist and migratist effects of distinguishing people in Swedish and non-Swedish in the context of citizenship and nationality. Hence, how has being Swedish been negotiated in hegemonic discourse thus far? To what extent has 'Swedishness' been institutionalized and, more specifically, been defined as a concept for citizenship by the law?

96 Cf. anti-racist intervention of Trolin 2012.

97 Original: "etniska svenskar mitt i livet", translated by Martin 2012.

98 Original: "Rasistiska svenskar mitt i livet", title of issue 5 of Swedish magazine Arena (Arenagruppen 2012). Cf. also Feldman 2012.

99 Reinfeldt's use of the concept of 'ethnicity' distinguishes the group of default Swedes from migratized Swedes and Swedish Sami people. However, as the use of 'ethnicity' in sociological research is blurry because it is interchangeably used for the concept of 'nationality' on the one side and 'race' on the other (cf. also Dahl 2013), it is not used or further discussed in this study.

Utlänningslag defines who is categorized as a non-Swede ('foreigner'): "A foreigner is, according to *Utlänningslag*, a person that is not a Swedish citizen."[100] Thus, 'being Swedish' seems to be determined by citizenship. Consequently, who has historically been entitled to citizenship and who has not needs to be investigated.

In her jurisprudential article on Swedish citizenship, Hedvig Lokrantz Bernitz states that "the ius sanguinis tradition has been predominant in Sweden [...] and has remained the principle rule" (Lokrantz Bernitz 2010:1). The Citizenship Act of 1894, considered as the first to define regulations for Swedish citizenship, only formalized what had already been negotiated as customary law. Consequently, *ius sanguinis* is negotiated in the initial paragraph of the current Swedish Citizenship Act of 2001 (*Lag om svenskt medborgarska*p), entitled *Förarv av svenskt medborgarskap vid födelsen* (Justitiedepartementet L7 2001). In it, this historically accustomed and hegemonically normalized convention is described as the principle way for people to acquire Swedish citizenship:

> "A child acquires Swedish citizenship at birth if
>
> 1. a parent to the child is a Swedish citizen, or
> 2. a deceased parent to the child was a Swedish citizen at their death. *Lag (2014:481)*".[101]

Thus, with the exception of adoption, 'Swedishness' which concerns everything Swedish, is – just like 'Germanness' – historically negotiated as being necessarily linked to a Swedish bloodrelation. Therefore, the first paragraph of the Swedish Citizenship Act interpellates heteronormative, repronormative and, as I will show, racialized conceptions of its citizens. These ideas are based on cis-binary-gendering, which simultaneously is the hegemonic norm used to recognize anyone. However, *ius sanguinis* applies to parents only since April 2015. With the introduction of the 1894 Citizenship Act, *ius sanguinis* was applicable only if the father of the child was Swedish.

100 Original: "En utlänning är enligt utlänningslagen en person som inte är svensk medborgare." (Migrationsverket 2015, translated by EH).

101 Original: "Ett barn förvärvar svenskt medborgarskap vid födelsen, om
1. en förälder till barnet är svensk medborgare, eller
2. en avliden förälder till barnet var svensk medborgare vid sin död. *Lag (2014:481).*"
(*Lag (2001:82)*, Justitiedepartementet L7 2001: article 2, translated by EH).

This practice was not changed until 1979, when it was decided that *ius sanguinis* should only fully apply when the mother was a Swedish citizen. *Ius soli* and the parent's marital status also became decisive for the child's citizenship (cf. Lokrantz Bernitz 2010:1). This principle remained part of the 2001 reform of the law and was applied to newborn children until March 2015:

> "Children born between 1 July 2001 and 31 March 2015 will receive Swedish citizenship at birth, if
>
> - The mother was a Swedish citizen.
> - The father was a Swedish citizen and married to the child's mother.
> - The father was a Swedish citizen and the child was born in Sweden. In this case, the Swedish citizenship is registered when the confirmation of paternity has been received by the Swedish Tax Agency.
> - The father is deceased but, at the time of death, was a Swedish citizen and married to the child's mother.
> - The father is deceased but, at his death, was a Swedish citizen, was not married to the child's mother and the child was born in Sweden."[102]

Compared to German practices, the civil (marital) status of the parents as well as the child's place of birth has played a larger role in the determination of citizenship in Sweden. However, what is more important to note is that "[s]ince 2005, the provisions concerning acquisition from a Swedish father also applies [sic!] to a child born from artificial insemination, if the child has a foreign mother who is married to, legally

102 Original: "Barn födda mellan den 1 juli 2001 och den 31 mars 2015 får svenskt medborgarskap vid födseln, om
- Mamman var svensk medborgare.
- Pappan var svensk medborgare och gift med barnets mor.
- Pappan var svensk medborgare och barnet föddes i Sverige. Det svenska medborgarskapet registreras i detta fall när faderskapsbekräftelse kommit in till Skatteverket.
- Pappan var avliden men var vid sin död svensk medborgare och gift med barnets mor.
- Pappan var avliden men vid sin död var svensk medborgare, inte var gift med barnets mor och barnet föddes i Sverige."

(Skatteverket n.d., translated by EH)

registered for partnership or cohabiting with a Swedish woman" (Lokrantz Bernitz 2010:10).

The submission of married womanisized persons under their husbands was subject to people classified as but also to *ius sanguinis* Swedes and people classified as non-Swedish. With the Citizenship Act of 1950, married womanisized peoples' citizenship no longer depended on their husbands' citizenship. A non-Swedish womanisized person who married a Swedish (cis-)male-identified citizen could choose between their current or Swedish citizenship. The choice also applied to a womanisized person with Swedish citizenship who married a (cis-)male-identified person with non-Swedish citizenship (cf. Lokrantz Bernitz 2010:4).

As to the question of the naturalization of 'foreign' people, which until 1894 meant 'men' only, a Royal Decree issued on February 27th, 1858 urged 'foreigners' to register as Swedish while simultaneously providing proof that they were "no longer subject of a foreign state" (Lokrantz Bernitz 2010:2). With the 1894 Citizenship Act, Swedish citizenship could also be – unlike the German Empire's *RuStAG* of 1913 – automatically acquired with socialization: 'Foreign' men (comprising wife and children) and unmarried women who were born in Sweden and resided there became Swedish at the age of 22, given they could not prove that they possessed a different citizenship (cf. Lokrantz Bernitz 2010:3). The practice of naturalization was revised with the 1924 reform. According to Lokrantz Bernitz, "a foreigner who had reached the age of 21, who had been residing in the country for five years, who was known to lead a respectable life and who could support his family, could be naturalized" (Lokrantz Bernitz 2010:4). By introducing the requirement of a 'respectable life', a discriminatory legal interpretation of the terminology is enabled. Thus, the 'respectable life' requirement needs to be regarded as a hegemonic opportunity to deny citizenship to those who were negotiated as unwanted according to hegemonic norm setting. As in Germany (cf. chapter 3.2.2.1) this particularly concerned Roma people (cf. so-called Swedish Roma in chapter 3.2.3.2.2). The requirement of proving the extent to which one (usually cis-man) was capable of supporting one's family was only abolished in 1976. The requirement for good conduct still applies (Lokrantz Bernitz 2010:13–14).

Nevertheless, in her historical synopsis, Lokrantz Bernitz seems to be unable to specify the criteria on the grounds of which the conceptualization of 'being foreign' is distinguished from that of 'being Swedish'. Rather, Lokrantz Bernitz explains the criteria's omission as follows: "One explanation for the lack of a definition [of citizenship] may be that for a long time Swedish population was easy to distinguish and citizenship was viewed as something obvious, and therefore not considered in need of a legal definition" (Lokrantz Bernitz 2010:20). Given the hegemonic ways to categorize people (cf. chapter 1.1.1) it seems that Lokrantz Bernitz, when describing the distinction as 'easy' and 'obvious', pinpoints the racist and migratist ways to distinguish people visually.

This denaming and lack of specification of *ius sanguinis* can be explained with the hegemonic silencing of the existence and relevance of racism and its impact on *white* privilege in Swedish society as, for example, discussed by Ylva (Habel 2011)). As Habel shows, Afro-Swedes are constantly denied as being Swedish nationals, thus imagining Sweden (as well as Europe) as *white* spaces (Habel 2011:111). Habel refers to Katarina Schough's study on Swedish self-perception as 'hyperborean' (Schough 2008) – as being exceptionally *white* which allows *white* Swedes to "ascribe themselves a morally and culturally superior position in the world" (Habel 2011:101). This is "underpinned [...] by a widespread conviction that Sweden as a nation has had no real part in the imperial adventure and, therefore remains untouched by colonial and postcolonial social dynamics" (Habel 2011:101). Thus, Habel argues, this self-perception makes it difficult to discuss *white*ness and structural racism in Sweden, particularly against the background that hegemonic Swedish identity is imagined as being tolerant and anti-racist. The latter would be another reason why racialization is constantly silenced and the presence of racism in Sweden denied until just recently, when an openly racist party was elected to the Swedish Parliament in 2010 (cf. Habel 2011:102–103, cf. chapter 6.2.1). Consequently, this current hegemonic self-perception confirms the need to regard the idea of an *ius sanguinis* Swede as being *white* as a historically accustomed racist continuity.

*White*ness as an implied default criterion of *ius sanguinis* becomes even more evident with regard to the following reforms of the Citizenship Act. The 1950 reform was

initiated in the context of Nordic cooperation. Given the metaphorical self-perception of the 'hyperborean' and the historical and linguistic vicinity to default Norwegians, Danes, Icelanders and Faeroese, the cooperation among the Nordic countries can be regarded as the establishment of a joint Nordic *white* superiority (cf. Schough 2008:13). Although in 1950 the required period of domicile for non-Swedish citizens was extended from five to seven years, the Citizenship Act was amended in 1976 in order to explicitly prioritize the naturalization of (*white*) *ius sanguinis* citizens from the Nordic countries: People considered as non-Nordic could naturalize after five years' domicile in Sweden, whereas 'Nordic' citizens could become Swedish after only two years of residency (cf. Lokrantz Bernitz 2010:9). This 'exceptionalism' still applies today, where it is also possible for people from the Nordic countries to acquire Swedish citizenship simply through notification that they have resided in Sweden for at least five years (*Lag (2001:82)*, Justitiedepartementet L7 2001: articles 11 and 18).

Thus, just as other unions of international collaboration such as the European Union, the so-called Nordic cooperation serves as a tool for the distinction between first and second-class citizens, especially in light of the increased migration from 'non-Nordic' and particularly migratizable people after World War II. In the early 20th century, the number of Swedish citizens that emigrated was larger than the number of those that immigrated to Sweden. However, between the 1930s and the creation of legislation on Swedish citizenship in 1950, a restricted policy applied to the naturalization of groups of migratized Swedes that particularly consisted of Russian refugees and Jews (Dahl 2013). Dahl states that although this group fulfilled the requirements for naturalization, only a limited number was accepted and assigned Swedish citizenship. The fact that the Allies had established a commission that controlled the naturalization practices in Sweden after World War II by analyzing connections to and sympathies towards Germany leads to question the mythical Swedish self-image of a neutral state during both the Second World War and the Cold War, as also Dahl suggests (Dahl 2013).

Lokrantz Bernitz documents that in the late 1960s, immigration of non-Nordic citizens became regulated. People without a Nordic passport could only enter Sweden as long as they were in possession of a valid residence permit. The latter was only issued if the person in question could meet labor specific demands. In the 1970s, the acquisition of

Swedish citizenship was encouraged and led to an increased naturalization of non-Nordic citizens (Lokrantz Bernitz 2010:6). However, it needs to be borne in mind that naturalization was by no means a free choice.

For example, Dahl demonstrates how anti-Semitism forced the 'migration' of Polish Jews to Sweden after World War II and in the 1960s. Since returning to Poland was not an option, Swedish naturalization appeared as one imposed alternative which, however, would not prevent anti-Semitic discrimination in Sweden (cf. Dahl 2013). Thus, for people categorized as non-Nordic, the conditions of entering the country became more difficult and consequently, only those non-Nordic people could naturalize that had already been in the country. Additionally, migratized non-Nordic people had to face constant threats such as debates on the possibility of denaturalizing people or on the re-introduction of a Swedish language requirement. The requirement to provide proof of one's identity during the naturalization process was also tightened (Lokrantz Bernitz 2010:7; 14). According to Lokrantz Bernitz' examples, denaturalization is only discussed in the context of crimes that are to be regarded as atypically Swedish from a hegemonic perspective (such as murders in the name of honor or naturalization through bribing). Thus, Lokrantz Bernitz does not list any examples for crimes that would be regarded as being typically committed by *ius sanguinis* Swedes, such as murders in the name of racism (cf. Lokrantz Bernitz 2010:18). With the acceptance of dual citizenship in 2001, it would be even easier to denaturalize a citizen should the person possess a second citizenship, since the loss of Swedish citizenship is currently prohibited only if it should result in the person being stateless (cf. *Lag (2001:82)*, Justitiedepartementet L7 2001: article 14). The ID requirement seems to be unnecessary for assuming citizenship according to *ius sanguinis* (cf. *Lag (2001:82)*, Justitiedepartementet L7 2001: article 1) but makes naturalization impossible for refugees or stateless people without papers (cf. *Lag (2001:82)*, Justitiedepartementet L7 2001: article 11b).

By silencing structural racism as constitutive for the idea of the prototypical Swede as being *white,* as well as by tightening regulations to enter the country and assume Swedish citizenship via naturalization, the positive hegemonic self-image of the Swedish state as tolerant and striving for equality for all its citizens could have been preserved over the years in hegemonic discourse. Yet, there are numerous accounts of People of

Color facing racist discrimination every day. For example, the necessity to enter one's personal name on every ticket issued from the Swedish railway operator SJ[103] makes identity display obligatory and traveling a risky endeavor for non-citizens without papers, particularly for those of Color. A person can only use public transportation as long as their personal name is confirmed by a corresponding and legally accepted piece of identification. Thus, a personal name confirmed by an officially valid document became a new requirement for local traveling. As a *white* non-migratized person, I have made the experience that I never had to show my non-Nordic ID card when traveling by train and never when crossing the Swedish border at the airport, unlike People of Color. This practice of racial profiling in order to identify people without papers is part of the institutionalized discourse as it was defended in 2013 by Sweden's minister of justice and member of the Moderate Party, Beatrice Ask.[104]

Structurally, there are also strong links between conceptions of Swedishness and Christianity based on the historical ties between the Church of Sweden and the Swedish state, two entities that remained united until their 'divorce' on January 1, 2000 (Tomasson 2002). Registration practices were – as in Germany – performed by the parishes but remained in the hands of the Church of Sweden until 1991, when the population registration law (*Folkbokföringslagen (1991:481)*, Finansdepartementet S3 2014) was introduced, which abolished the previous church bookkeeping (*kyrkobokföring*) and merged with census (*mantalsskrivningen*).

3.2.3.2 Registration and Swedish naming practices: equating hegemonic and marginalized discourses through assimilation?

The systematic registration of people was established in the mid-18th century, after the Swedish state had undergone considerable changes in the aftermath of the Great Northern War. The Russian Empire annexed the Balkan territories that had been appropriated by Sweden. The number of soldiers that died in the war had a tremendous impact on the development of the Swedish population. According to Peter Sköld, there was an articulated need to collect information on the number of – mostly male – people living in Sweden, their occupation, their diseases and causes, as well as on the

103 Formerly named *Statens Järnvägar*, State's Railways.

104 Cf. open letter and article by Jonas Hassen Khemiri (Hassen Khemiri 2013a; Hassen Khemiri 2013b) for numerous examples of racial profiling over the last 30 years.

reproduction of their descendants (Sköld 2001:13). Sweden is regarded as being the first state to establish a nationwide register, *Tabellverket,* of its inhabitants, in 1749 (cf. Sköld 2001:book cover). Since the 16th century, people living in Sweden were listed by their names in parish registers (cf. Committee on the population register at the Swedish Ministry of Finance, *Finansdepartementet Folkbokföringsutredningen*). The data in the parish registers was essential for work done by the priests in schools and welfare, as well as for census registration, conscription and tax purposes (Folkbokföringsutredningen 2009:119; Sköld 2001:18–26; Wannerdt [1982]). The juridical institutionalization of naming by the Swedish state was preceded in 1686 by the royal governmental institutionalization of rules on how to register people in the parish books. The following details, which subsequently became fundamental to population statistics, were required in order to list a child's birth or baptism:

> "The priest shall note place and day in the church book, where and when a child is born, and when the baptism took place, also the child's and the parents' name as well as the name of the godparent."[105]

It is interesting to note that 'gender' was not included on this list of requirements, although the registration authorities in both Sweden[106] and Germany require its indication now (cf. chapter 4). However, 'gender' was arguably implied in the personal name and it is unclear to what extent womanisized newborns were registered the same way as male-identified children. One of the first academic articles on the Swedish census, published in 1744, stated a surplus of men between the years 1694 and 1743, which gives reason to speculate on whether womanisized people might have been omitted from registration because so many (male-identified) soldiers had died in the

105 Original: "Prästen skal uti Kyrckeboken anteckna Orten och Dagen, hwar och när ett Barn födt är, såsom och när thet döpt warder, jämwäl Barnetz, dess Föräldrars och theras Namn, som Wittnen til dess döpelse warit hafwa" (from the 1686 Church Law (*kyrkolag*), quoted in Wannerdt [1982], translated by EH). In the first Episcopal decree of 1608 it was suggested that the parish books should register baptisms, weddings and betrothals. However, this was not implemented, and, in some parishes, deaths were also listed. In 1622 another more detailed and more strictly observed regulation for parish book-keeping was introduced in Västerås bishopric that may have inspired the state's interest in parish registers. According to a royal instruction of 1631, all churches in Linköping bishopric were required to register births and deaths (cf. Wannerdt [1982]).

106 In Sweden, genderization is expressed by one fundamental digit of the personal number introduced in 1947. This makes it even more difficult to challenge, since it became a part of the system based on the binary of the binary-gender system: "Könet framgår av näst sista siffran i personnumret som är udda för män och jämn för kvinnor" (Patent- och Registreringsverket n.d.e).

Great War (cf. Wannerdt [1982]) or because the number of 'female' cases and causes of death such as in childbirth outnumbered the 'male' ones.

Although the legislative power over ecclesiastical bookkeeping rested with the king, it was the bishops and priests who had control over the registration of their parishioners, for example by annual visits to their homes. During these visits, the priests verified whether the information about the household in the parish book was up to date. The data for the latter was soon used as the basis for census and tax collecting by officials, though not without resistance from the priests (cf. Wannerdt [1982]). This shows the close connections that the state and the Christian church had in Sweden. Right from its inception, population registration remained in the hands of the Church of Sweden, which was a political part of the Swedish state system until 2000. Furthermore, it explains why today the Swedish Tax Agency (*Skatteverket*) as the Church's successor is also responsible for population registration, including the registration of births.[107] It is also important to question how and to what extent the Church of Sweden registered people who were considered non-Swedish, such as the Sami (Frändén 2010:61), and explicitly excluded from the hegemonic Swedish society, such as the Roma (cf. Montesino Parra; Palosuo 2009; Brisenstam 2012; Romska Ungdomsförbundet, Romska Kulturcentret i Malmö n.d.). On the grounds of their institutionally strong ties to the Swedish state, the history of the Church of Sweden might simultaneously be regarded as a part of hegemonic Swedish national historiography.

3.2.3.2.1 Forced assimilation of Swedish Sami names

Similar to other minorities living in Sweden, such as Roma or Jews, Sami history is officially not part of the national history of Sweden. Sami might be negotiated as belonging to Swedish society but only from a folkloristic point of view. Hegemonic knowledge productions on Swedish history do neither respect nor reflect upon the violence that was addressed against Sami and which also constituted hegemonic Swedish historiography. It seems that neither the Church of Sweden nor the Swedish Parliament and Government regard it as their responsibility to contribute to providing historical knowledge on Sami and the relationship between the hegemonic non-Sami

107 Yet in Germany, the Federal Statistical Office is subordinated to the Ministry of the Interior (Statistisches Bundesamt n.d.).

Swedes and Swedish Sami. Instead, the Swedish Parliament, *Riksdagen*, tasked the Swedish Sami Parliament, *Sameting*, to establish a Sami Information Center in the 2000s to enhance knowledge on Sami history and society. Consequently, their website, samer.se, provides a first overview of Sami history as being constituted by the oppressive practices of hegemonic Swedish towards Sami society. Not surprisingly, the website's historical and societal presentation contradicts the positive image of sweden.se, "the official site of Sweden" (cf. sweden.se), which is publicly funded by the Swedish Government. The same applies to the Church of Sweden, which narrates its own history rather positively (Svenska Kyrkan 2016a). Thus, the question is how much will change after the White book on the Church of Sweden's relation to Sami was published in April 2016 (Svenska Kyrkan 2016b; Junkka 2016; cf. also Sandberg).

The institutions present different images of Sami on their websites. When talking about the Sami population in Sweden, the "official site of Sweden" romanticizes them as people that "have lived in the Arctic region for thousands of years" and that "today maintain their rich culture and long-established traditions" while being "as much part of modern society as any other person in Sweden" (Swedish Institute 2014:[1])[108]. Despite the fact that the Sami's status as indigenous people who have lived in Swedish territory for thousands of years is acknowledged, the website loses out on the opportunity to inform comprehensively about the hegemonic racist history against Sami that includes forced evangelization, colonization, racialization and forced relocalization (cf. Samiskt informationscentrum n.d.c). This hegemonic self-perception of an inclusive state and the silencing of the own agency as a violent oppressor is conform to the metaphor of the hyperborean mentioned above (cf. chapter 3.2.3.1). Thus, instead of providing information on the hegemonic oppressive history of non-indigenous statisized Swedes towards Sami on the website about Sweden, the Sami were given the task of educating. This is a typical scheme of privileged people silencing their liability. Lorde describes this strategy as a "constant drain of energy" in order for the "oppressors [to] maintain their position and evade responsibility for their own actions" (cf. Lorde 2007:115). In this way, among the websites analyzed only *Sameting's* website provides information on Sami history and in particular on Sami's naming tradition in the context of hegemonic

108 Cf. also updated website version that includes some changes in the description of Sami Swedish Institute 2016.

Swedish evangelization. The following quotation gives proof of Sami's oppression but also resistance in the hegemonic Swedish society:

> "In the past, it was a tradition among Sami that children were named after dead relatives. [...] Once the church had settled in the Sami area, Sami names, which were considered pagan, were no longer approved. Instead, the Sami were forced to give their children Biblical names at the christening. But for Sami, it was still important that the child had a Sami name after an ancestor. Hence, when they got home from church after baptism, another ritual was held where the child got their Sami name. Then the Swedish name was never used in the Sami community. [...] Eventually, however, the Christian names came to dominate in the Sami community gradually. Then the children got Christian names in Sami form. Nowadays, Sami children bear all kinds of names. But there are also some names that are distinctive and typically Sami, slightly different in different areas. Double names are not entirely unusual."[109]

As pointed out on *Sameting's* website, most of the site's information on Sami's religious history is based upon sources which consist of written reports by missionaries or priests (Samiskt informationscentrum n.d.a). Thus, not surprisingly, the parish books that kept record of a parish's inhabitants were usually kept outside the Sami community (cf. Frändén 2010:60). Although the quotation gives evidence of Sami people being listed in registers, naming traditions of the Sami were not respected: Märit Frändén states that while writing down their names, the priest may have Swedisized Sami's family names (Frändén 2010:60–61). This could be expressed either by phonological assimilation to an accustomed set of phonemes perceived as Swedish (cf. Frändén 2010:60–61) or – most probable, according to the website samer.de (Samiskt informationscentrum n.d.b) – by imposing a Swedisizable name upon the newly baptized Sami child. Frändén

109 Original: "Förr i tiden var det en tradition bland samerna att barnen fick namn efter döda släktingar. [...] När kyrkan hade etablerat sig i det samiska området godkändes inte längre de samiska namnen, som ansågs hedniska. Istället tvingades samerna ge sina barn bibliska namn vid det kristna dopet. Men för samerna var det fortfarande viktigt att barnet fick ett samiskt namn efter en förfader. Så när man kom hem från kyrkan efter dopet hölls ännu en ritual där barnet fick sitt samiska namn. Sedan användes det svenska namnet aldrig mer i den samiska närmiljön. [...] Så småningom kom dock de kristna namnen att dominera i det samiska samhället. Då fick barnen kristna namn i samisk form. Nuförtiden heter samebarn allt möjligt. Men visst finns det också namn som är särpräglade och typiskt samiska, lite olika i olika områden. Det är inte helt ovanligt med dubbelnamn." (cf. Samiskt informationscentrum n.d.b, translated by EH).

further suggests that the priests might also not have been able to recognize first or middle names as such and treated them as last names (cf. Frändén 2010:60–61). Hence, it needs to be kept in mind that priests, unfamiliar with the Sami languages, might have relied on their own accustomed way of perceiving names, instead of asking the Sami how they wanted to be registered.

The patronizing silencing of Sami's oral naming traditions is also grounded in the predominant role that has been ascribed to the written language of hegemonically dominating communities in Western societies (Hanson [2009]; Lee 2007). It also can be regarded as an early attempt to equalize all people living in Sweden under a comprehensive hegemonic understanding of Swedishness. While examining the negative reactions towards linguistic counter-activism, Daniel Wojahn confirms that this response is based on a hegemonically presupposed Swedish self-perception and myth about having established equality among everyone living in the country (Wojahn 2015:187–188). It is this positive image of an equalized society that enables the hegemonic self-perception of a tolerant nation, which was pointed out by Habel in reference to other Swedish scholars of Critical Whiteness and discussed earlier in this study (cf. Habel 2011, chapter 3.2.3.1). Schough identifies for the early 20th century "an inclination to integrate, cultivate, love and Swedisize all territories [from South to North] in order to incorporate them as a part of a Swedish self-image"[110] which according to Schough resulted in the consolidation of "viljan till Detsamma" (Schough 2008:78), which can be translated as "the desire for the same" and "the desire for sameness". This hegemonic understanding of an 'all Swedish equality' was simultaneously constituted by the effort to keep differences alive. Thus, the hegemonic attitude towards Sami as the one people that populated Swedish territory first had been two-fold and contradictory within the early 20th century's nationalist discourses on racialized belonging and Othering (Schough 2008:79–85). A reason surely is the need to justify the presence and predominance of non-indigenous Swedes in the territory of Sweden.

110 Original: "en dragning mot att integrera, kultivera, älska och försvenska alla områden [från söder till norr] för att införliva dem som del av en svensk självbild" (Schough 2008:78, translated by EH).

Another form of forced customization can be recognized for the time period between 1920 and 1969. This period was analyzed by Frändén in order to identify Sami people's reasons for name change (Frändén 2010:190). Since 1921, a number of name suggestion books have been published to motivate Swedish citizens with last names that were not considered Swedish to take on a Swedisizable one (cf. Frändén 2010:26, cf. chapter 3.2.3.2.3). And indeed, one of the motivations mentioned by Sami was the wish to have "a more Swedish sounding family name"[111] (cf. chapter 5). As Frändén suggests, this wish for linguistic assimilation was motivated by the discriminatory perception of Sami's names.

3.2.3.2.2 Forced assimilation of Roma names and exclusion of Roma in Sweden

The politics of customization also concerned Roma people only to the extent that the Roma are hegemonically negotiated as a distinct group. The history of *white* hegemonic oppression of the Roma by *gaje*[112] neglects the self-perception and self-denomination of the Roma[113]. In the late 1800s, Swedish *gaje* took 'migration' as the point of reference for their perception of Roma people within a legislative context and distinguished between "Swedish, Finnish, and non-Nordic Roma including Travelers and newly arrived Roma"[114]. This approach entails that in hegemonic Swedish *gaje* discourse, all Roma groups are conceptualized as being 'migrated' to Sweden at one point in history by considering

- one group of Roma who migrated to Sweden by the end of the 19th century, as being 'Swedish';
- another group of Roma who were deported from Sweden to Finland in the 16th century, as being 'Finnish';

111 Original: "ett mera svenskt klingande släktnamn" (Frändén 2010:196, translated by EH).

112 Romani/Romanes nomination of non-Roma (plural), also spelled as Gadjé or gadzhe (Selling 2013:14).

113 The use of the umbrella term 'Roma' is also problematic, since according to Lundqvist, the self-perception of Resande Folket is different from hegemonic differentiation because they do not identify themselves with 'Roma' (Lundqvist 2013). Cf. footnote 10 for the use of the terminology in this study.

114 Original: "svenska, finska, och utomnordiska romer samt resande och nyanlända" (Delegationen för romska frågor 2010:114, translated by EH).

- and the third group as 'Travelers' that are considered to be the first Roma group that 'migrated' from Germany or France to Sweden in the 16th century.

This differentiation had legislative implications that affected the lives of the various Roma groups and Travelers in a *divide-et-impera* style. Consequently, Roma people and Travelers usually could not be categorized and homogenized under one umbrella name, given that the legislation addressed the Roma groups in different ways. When talking about the Roma in 17th century Sweden, the Roma groups considered are usually those categorized as Swedish and/or Finnish Roma as well as Travelers. These groups are distinguished in time and geography from so-called non-Nordic or non-Scandinavian Roma who are classified as Polish, Hungarian and Czechoslovakian Roma migrating to Sweden in the 1960-70s (cf. Delegationen för romska frågor 2010:114). Hence, the following ecclesiastical legislation did concern so-called Swedish and Finnish Roma, as well as Travelers. Before the introduction of a new church law (*Kyrkolag*) in 1686 that would allow Christian Roma people to baptize their children (cf. Svensson:80), Sweden's first protestant bishop, Laurentius Petri Nericius, denied the Roma the opportunity to be baptized and buried by the church in 1560 (cf. Brisenstam 2012):

> "In the mid-16th century, Laurentius Petri described [...] the Roma people as godless and forbade the priests to deal with them: 'The wicked people' should neither be baptized nor buried. Priests who resisted were dismissed."[115]

Despite Nericius' role in the explicit exclusion of the Roma from society, he is – not surprisingly – still commemorated today by the Evangelical Church in Germany as well as the Evangelical Lutheran Church in America (cf. Schäfer 2015, cf. chapter 6.2.1) along with his brother Olaus Petri. The discriminatory actions by the church against the Roma also included decrees which prohibited priests from administering to them (Montesino Parra: 35) and which demanded their expulsion from the Swedish state:

> "At *Riksdagen* in Örebro in 1617, the clergy demanded that all Roma people should be expelled from the country. In 1637, '*Tattarplakatet*', Sweden's grimmest law,

115 Original: "På mitten av 1500-talet kallade Laurentius Petri [...] romer för gudlösa och förbjöd prästerna att befatta sig med dem: 'Det onda folket' skulle varken döpas eller begravas. Präster som gjorde motstånd blev avskedade." (Romska Ungdomsförbundet, Romska Kulturcentret i Malmö n.d., translated by EH).

> was released which resembles ethnic cleansing. After a period of a few months, all Roma people should have left the country by November 8th. It is unknown how the law was handled, but probably many Roma people flew to Finland and Germany. During Roma people's long residence in Sweden, the Church of Sweden participated in various attempts to expel Roma people from Sweden with various laws and decrees, regulations."[116]

The hegemonic Swedish system of registering people in church books might have failed to keep records of Roma people because they could or did not live in any one same place permanently (Romska Ungdomsförbundet, Romska Kulturcentret i Malmö n.d.), contributing to the collective prosecution of the Roma and their forced migration to Finland and Germany[117]. In fact, the new church law of 1686 was introduced after a period of racist prosecution and exclusion by the church. It is questionable to what extent this legislation provided Roma access to the same rights as *gaje* and *Buro*, i.e. non-Travelers (Selling 2013:14; Brisenstam 2011), given that the structural discrimination against Roma people most likely changed very slowly. In this context, the legislation could be understood as a consequence of the convergence of the Swedish state and church:

> "On King Karl IX's initiative, in 1686, Roman children were to be baptized and parents were to be taught and become part of the Christian community. However, it is doubtful whether this historical document reflects the reality. In the 1700s and 1800s, new fierce provisions recurred – as well as voices that wanted to protect Roma, such as, for example, a bill, proposal, in the *Riksdag* [Swedish Parliament, EH] in 1897: We cannot 'treat these unfortunate people as if they were troublesome

116 Original: "På Riksdagen i Örebro 1617 krävde prästerskapet att alla romer skulle förvisas ur landet. 1637 kom 'Tattarplakatet', Sveriges grymmaste lag som liknar en etnisk rensning. Efter en tidsfrist på några månader skulle alla romer den 8 november ha lämnat landet. Man vet inte hur lagen hanterades men troligen flydde många romer till Finland och Tyskland. Den Svenska Kyrkan har under romernas långa vistelse i Sverige på olika sätt varit delaktig till försöken att driva romerna ur Sverige med olika lagar och förordningar, bestämmelser." (Romska Ungdomsförbundet, Romska Kulturcentret i Malmö n.d., translated by EH).

117 "Det finns inte heller några siffror på antalet romska kvinnor och män som pga. lagar mot trolldom och spådomskonst mördades på 1600-talet." (Romska Ungdomsförbundet, Romska Kulturcentret i Malmö n.d.).

social vermin', without charity and mercy. Instead, Roma people shall be treated as fellow human beings."[118]

In those cases where Roma people were registered, the record only consisted of notifications in the Church of Sweden's birth books. According to Birgitta Svensson, these entries suggest that Roma children were mostly baptized at the places where they were born, that is outside of the church building itself – a practice that was also applied to children whose birth was not recognized as legitimate at the time (Svensson 1993:80). Svensson continues that the first names most commonly chosen went against the hegemonic understanding of 'decorum' among peasant society, since they were interpellating a higher-class background such as nobility, priesthood, magistrate and craftspeople. Also, a tradition of multi-nominalism was followed where people were given two or more first names. Some of the names (such as Hindrich, Friedrich and Christian) also interpellate German background. The last names were – according to Svensson's sources – typical for soldiers, officers or craftspeople (Svensson 1993:80). Working for the military did provide Roma with access to some privileges, such as an employment relationship regulated by law or protection against forced migration to Finland, which was an appropriated part of the Swedish Kingdom. However, one must question whether such employment relationships could be regarded as a choice, given that military careers appear to be – even today – one of the sole occupations in which people from discriminated groups have the chance to make a career. If that is the case, the military names also need to be regarded as enforced names, since the choice of those names was constituted by hegemonic norms, which determined the chances for survival in a society.

What is interesting to note is, as Svensson points out, that all the members of Roma families did not share the same last name. According to Svensson, this differing naming practice was not regarded as typical among the hegemonic society (Svensson 1993:80).

118 Original: "På kung Karl IX initiativ bestämdes 1686 att romska barn skulle få döpas och föräldrar skulle undervisas och bli en del av den kristna gemenskapen. Det är dock tveksamt om detta historiska dokument speglar verkligheten. På 1700- och 1800-talet kom på nytt hårda bestämmelser – samt röster som ville skydda romer, som t.ex. en motion, förslag, i riksdagen 1897: Vi kan inte 'behandla dessa olyckliga endast såsom en besvärlig samhällsohyra', utan människokärlek och barmhärtigheten. I stället ska man behandla romer som medmänniskor." (Romska Ungdomsförbundet, Romska Kulturcentret i Malmö n.d., translated by EH).

Regarding the conventional Swedish naming practices, however, differing last names within one family was not that atypical. On the contrary, one of the reasons why the first naming laws were introduced in Sweden was because of patronymic name use – many people shared the same names but not necessarily in the same family (cf. chapter 3.2.3.2.3). A daughter could have a different last name than her father and mother. Nevertheless, the particularity of naming among Roma communities can be regarded as a form of empowerment, motivated as a response to structural discrimination and exclusion from society and in order to maintain independent agency within their own community.

The omission of entries of Roma people in other parish books, which tracked personal lives (confirmation books, books on banns, wedding books, death books, funeral books) provides evidence of the exclusion of Roma from society. Svensson states from a rather anti-Romaist perspective (cf. also Hazell 2002:298–300) that the Roma could only become a part of the hegemonic society if they adapted to the hegemonic norm: In the 19th century they were incorporated into society in folk narratives "at the very bottom, but [being] now people with names and a service to perform [...] that was needed in the community" (Svensson 1993:246).

From 1954 on, (Swedish) Roma were imagined as being more integrated in society after they adapted to a conduct of living regarded as "acceptable to society" (Svensson 1993:248) and to the hegemonic implementation of the Citizenship Act's requirements on 'good conduct' (cf. chapter 3.2.3.1). It is interesting to note how Svensson uses the phrase of 'having a name' as a metaphor for being a part of society, thus reconfirming the necessity of a name that interpellates a certain status in order to be recognized as a notable human (cf. chapter 6). Nevertheless, these perceptions of Roma people as a part of Swedish society stands in opposition to the history of omission and exclusion of Roma not only in Svensson's own research[119] but also in the Swedish population registration and the resultant negation of civic rights and obligations, such as attending school (Romska Ungdomsförbundet, Romska Kulturcentret i Malmö n.d.).

119 Cf. also Hazell who criticizes Svensson for building her research on the Travellers' lives around the (anti-Romaist) narratives of *Buro* only (Hazell 2002:300).

According to the delegation for Roma related questions, *Delegationen för romska frågor*, Roma people were already displaced during the 16th century to the then Finnish part of the Kingdom of Sweden and excluded from both the Swedish state and church (Delegationen för romska frågor 2010:137). Hence, these Roma groups were denied membership and thus citizenship under the Swedish crown and church and, since the 19th century, also de_perceived as citizens of the Swedish nation state. As a result, they were usually not registered (Delegationen för romska frågor 2010:138). Together with Finnish, Jewish and Italian people, Swedish Roma were subject to regulations on immigration and hence conceptualized as migratized people that were "difficult to monitor in statistical reports"[120]. This is just one example of how the Church of Sweden's refusal to register Roma people resulted in the exclusion of Roma people in Sweden by the Swedish authorities, which denied them access to public welfare (Delegationen för romska frågor 2010:142). However, as previously stated, the Roma in Sweden are not a homogeneous group. Quoting Pulma 2009, Mikael Demetri, Angelina Dimiter-Taikon & Christina Rodell Olgaç point out that a differentiation between Roma people as Swedish and non-Swedish was already introduced by church law in 1686 and was revived by the end of the 19th century with the pass regulations (Demetri et al. 2010:6). Distinguished from groups of recently immigrated Roma, the group of Roma categorized as the domestic ethnicized minority 'Travelers' became recognized as Swedish citizens. Their situation, however, was defined as 'vagrancy' which, in the first half of the 20th century, meant the institutionalization of enforced settlement and forced customization. Non-Swedish Roma were not welcomed by the state and were prohibited from immigrating to Sweden between 1914 and 1954 (Selling 2013:190). Swedish Roma were not welcomed by established Swedish *gaje* (Delegationen för romska frågor 2010:143–144) and were thus unable to settle down (Demetri et al. 2010:12–13) and to trade in their conventional ways, which forced them to leave the country. In this context, Roma were refused registration as citizens by the church and the authorities (Selling 2013:190–191). 'Permanent settlement' was institutionalized as a prerequisite for Swedish Roma to retain custody of their children (cf. Delegationen för romska frågor 2010:142–144) or be registered (cf. Demetri et al. 2010:67). After the establishment of the law on child care

120 Original: "svåra att kontrollera i statistiska rapporter" (Delegationen för romska frågor 2010:140, translated by EH).

(*Barnvårdslag*) in 1924, it became possible to withdraw custody and forcefully place children in homes or educational institutions in order to customize them to the hegemonic norm (cf. Delegationen för romska frågor 2010:142–144). The laws on sterilization in 1934 and 1941 legally enabled enforced sterilization of Roma. Although current research claims that forced foster care for children and forced sterilizations were not "actually introduced full-scale in Sweden" and that the threat of these strategies was mainly "used as tools of discipline", the introduction of these legislations had an adverse impact on the registration of both Travelers and Swedish Roma by Swedish authorities. Travelers were not only recognized as such but were also assigned and labelled (cf. Selling 2013:191), with the aim of controlling and identifying them in the event that the legislation would be implemented. Conversely, Swedish Roma such as Kelderash were not recognized and registered as Swedish citizens (cf. chapter 3.2.3.1) and hence were denied social welfare and rights. A Kelderash Roma woman who was born in Sweden in the 1930s reports that she and her family were 'stateless' until 1964 and therefore denied access to social welfare.

> "NN: [...] But we did not get real homes because we were stateless in our own country of birth, so we were neither registered in the census nor in the church books. We neither had housing nor schools nor work.
>
> ADT: But you were born in Sweden, right?
>
> NN: Yes.
>
> ADT: And yet you were not registered?
>
> NN: No. Both my parents, both my parents [sic!], both my mother and father, are born in Sweden. Dad was born in 1912 in Härnösand and mom in 1916 in Södertälje.
>
> ADT: And you did not have any, did you have a passport at the time?
>
> NN: No, we did not get a passport.
>
> ADT: Then you were more or less stateless.
>
> NN: Yes, we were stateless in our own country of birth.

ADT: But then when you came under wartime, did your parents receive these ration cards so that they could eat?

NN: Absolutely not because we were not registered, so we did not exist anywhere on any paper, so we did not get any of those cards to shop for food or gas for example or anything like that, without them they worked with tin or played music, the Roma people are known for the music, and the women engaging in fortune telling. And often, instead of getting money, they requested these ration cards to buy food and gas."[121]

These practices of discrimination, exclusion and forced customization of the Sami and Roma people illustrate the hegemonic societal framework that existed when the first legislation on last names was introduced in order to manifest and regulate naming practices in Sweden in 1901. It is important to review the historical registration of people in order to understand the norms that were institutionalized by the naming laws and which defined who was regarded as Swedish and to whom the laws applied.

3.2.3.2.3 Becoming Swedish through name change

When the first name legislation was introduced in Sweden in 1901, it prevented people from assuming already existing family names, particularly names that were regarded as aristocratic. According to Brylla, officials such as the general director of the Swedish

121 Original: "NN: [...] Men riktiga bostäder fick vi inte för vi var ju statslösa i vårt eget födelseland, så vi var inte mantalsskrivna, inte kyrkobokförda. Vi hade varken bostäder eller skolor eller arbete.
ADT: Men du var ju född i Sverige eller hur?
NN: Ja.
ADT: Och ändå var du inte mantalsskriven?
NN: Nej. Båda mina föräldrar, båda mina föräldrar [sic!], både min mor och far, är födda i Sverige. Pappa är född 1912 i Härnösand och mamma 1916 i Södertälje.
ADT: Och ni hade inga, hade ni pass på den tiden?
NN: Nej, vi fick inga pass.
ADT: Då var ni mer eller mindre statslösa.
NN: Ja, vi var statslösa i vårt eget födelseland.
ADT: Men då när ni kom under krigstiden, fick dina föräldrar sådana här ransoneringskort så att de kunde äta?
NN: Absolut inte, eftersom vi var inte mantalsskrivna, inte kyrkobokförda så då fanns vi inte någonstans på några papper, så vi fick inte sådana här kort att handla mat med eller handla bensin till exempel eller nånting sådant, utan de arbetade med förtenning eller spelade musik, romerna är ju kända för musiken, och kvinnorna spådde. Och många gånger i stället för att få pengar, så begärde de de här ransoneringskorten för att kunna köpa mat och bensin."
(Demetri et al. 2010:12, translated by EH)

Prison and Probation Service, *Fångvårdsstyrelsen*, convinced the Swedish Parliament to establish a decree on family names by creating a police register that provided the last names assumed by everyone (Brylla 2002:75–76). In 1918, the discussion on how to limit the choice of last names was extended to the question of how 'Swedish' last names should actually appear. With his petition, the influential Swedish linguist Adolf Noréen provided some arguments against the inclusion of names that re_produced racist_migratist ways of perceiving people and their names as 'foreign' and non-Swedish. His arguments seemingly played into the nationalist conceptualizations of Swedishness in the hegemonic discourse at the time, and his interference resulted in the compilation of a register of existing last names, as well as proposals for new names, by the Ministry of Education, *Ecklesiastikdepartementet* (Brylla 2002:76).

Whereas in Germany, the first legislation on names resulted in the fixation of names and the prevention of possible name change, in Sweden people with patronymics were encouraged to take on "'proper' surnames" (Brylla 2011:17) because the number of people with the same names was too high and led to difficulties in identifying people (Brylla 2002:76). Noréen argued against 'non-Swedish' names and expressed that only Swedisizable, non-patronymic surnames were desirable. In a racist address to the Ministry of Education (that at the time had clear links to the Christian church), he defined his understanding of how 'Swedish' and the 'Swedish nation' should look. This was followed by the publication of the Book of Swedish names, *Svensk namnbok*, edited by Noréen and Anders Grape in 1921, that aimed to 'guide' people in their choice of a new name by providing a list of over 15,000 non-migratizable 'Swedish' names (Noréen, Grape 1921). The book can be understood as a grammar book on Swedisized names in terms of name composition and morphology. Specific morphemes were assigned to Swedishness and some of them chosen despite the fact that they were also considered as 'borrowed' from other languages such as Latin or Low German, for example *-ander*, *-elius*, *-ell*, *-én*, *-enius*, *-stedt*, *or -bom* (the latter two with 'Swedish' prefixes, cf. Brylla 2002:78). In this context, it can be questioned why the following morphemes were not considered Swedish: *-é*, *-eli*, *-eni*, *-ertz, -i*, *ini, -o*, *-off*, *-ow*, *-sky,* and *-witz* (cf. Brylla 2002:78). Instead, names should be created based on suffixes that were also used in place names or 'Swedish' toponyms such as *-fjäll*, *-hamn*, *-sjö* or *-skog* (Brylla 2009:54).

The Book of Swedish Names was published at a time when the regulations of name choice were tightened and the Ministry of Justice became the responsible authority for name changes. Brylla states that "[n]ames of foreign sound and derivation had been difficult to get approved. Nor have been names whose spelling differed from the current orthographic rules" (Brylla 2002:79).[122] In this context, names perceived and negotiated as 'Sami' and 'Finnish' were unwelcome despite the fact that Finnish and Sami were and still are recognized as domestic languages in Sweden (cf. Frändén 2010:26). Phonetic sound is here negotiated as an indicator of the Swedisizability of names, even though the pronunciation of the Swedish language is expressed through different variations and has changed over time (cf. chapter 5). However, according to Brylla's reading of the journal *Social-Demokraten* dated July 27, 1923, it seems that the restrictive attempts to regulate the changing of names resulted in a decrease of actual changes (Brylla 2002:79).

Two further volumes of the same title, edited by another linguist, Jöran Sahlgren, followed Noréen's name book. According to Brylla

> "[t]hese two name books have left deep marks in the Swedish surname tradition. The construction of the Swedish family name undergoes a major change, when unknown place name elements are taken to the public which provide associations with well-known word material. From now on, the way is smoothed to empty sound compositions in family names. It is enough that they sound Swedish.
>
> The linguistic scrutiny of newly formed family names became more important as of 1946, when Statistics Sweden took over the responsibility for the examination of new family names. From now on, a language expert was hired as an advisor on the name issue. This arrangement was valid until 2010, when the current Swedish name authority, *Patent- och registreringsverket* (PRV), chose to refrain from linguistic expertise."[123]

122 Original: "Namn med utländsk klang och härledning var det svårt att få godkända. Inte heller godtog man namn som till stavning avvek från gällande ortografiska regler" (Brylla 2002:79, translated by EH).

123 Original: "[d]essa två namnförslagsböcker har satt djupa spår i det svenska efternamnsskicket. De svenska släktnamnens byggnad undergår en kraftig förändring, när man nu väljer att ta inför allmänheten okända ortnamnselement som ger associationer till välbekant ordmaterial. Man jämnar från och med nu vägen för innehållslösa ljudsammansättningar i släktnamnen. Det räcker med att de låter svenska. Den språkliga granskningen av nybildade släktnamn fick större betydelse från och med 1946, då Statistiska centralbyrån övertog ansvaret för prövningen av nya släktnamn. Från

Thus, it might not be surprising that until July 1st, 2017 when PRV was still in charge for name change, it promoted last names that followed both Noréen's and Sahlgren's suggestions for Swedish suffixes (cf. chapter 5.4). The PRV online service for name change provided a set of morphemes that, according to Brylla's reading of Noréen (Brylla 2002:78), has been negotiated as Swedish as well as heraldic, which recalls the aristocracy (cf. Patent- och Registreringsverket n.d.d, cf. chapter 5.4). As illustrated in chapter 3.2.2, Slavic Jews used suffixes such as *-vitch*, *-ov*, *-off*, *-eff*, and *-kin* in the same androgenderist hereditary way as *white* Christian Swedes using *-son*. Given the similarities in the building and usage of patronymics and metronymics, it is remarkable that these suffixes are not considered by the PRV as possible endings for new Swedish last names. As such, it must be assumed that the omission of such suffixes that are hegemonically not regarded as Swedish also has an anti-Slavic and anti-Semitic implication.

The law of 1901 was also established for monetary reasons. Many people sharing the same first and last names made it difficult to clearly identify which person was entitled to receive a pension or who had to pay taxes. The legislation sought to regulate and even change the accustomed hereditary system into a system with fixed last names that would not change from generation to generation: "The family name regulation laid down that everyone should bear a fixed, hereditary surname, i.e. no longer patronymics that alternated between the generations" (Frändén 2013:129).[124]

According to Brylla, the necessity to manifest a fixed name system was justified as being in 'the state's interest', which protected not only existing aristocratic names but also encouraged changing Sami and Finnish names – a motivation which Brylla mentions only as second to changing names that would be regarded as ridiculous or offensive (Brylla 2013). In this way, she suggests conceptual vicinity between these two groups of names:

och med nu anlitades en språkexpert som rådgivare vid namnfrågorna. Denna ordning kom att gälla t.o.m. 2010, varefter den nuvarande svenska namnmyndigheten Patent- och registreringsverket (PRV), har valt att avstå från språklig expertis." (Brylla 2013:137, translated by EH)

124 Original: "I släktnamnsförordningen fastslogs att alla skulle bära fasta, ärftliga släktnamn, dvs. inte längre patronymika som växlade mellan generationerna." (Frändén 2013:129, translated by EH).

> "The *Riksdag* [Swedish Parliament, EH] acknowledged the need for legislation, partly for laws that should protect family names, and partly for provisions that would 'strongly promote the construction of real family names'. It was emphasized that it was a real 'state interest' that the name issue would be resolved. There were far too many Anderssons and Petterssons. The law would also provide protection of existing names and even develop forms for changing family names. [...] In order to change one's name, there must have been a reason such as that the name one wanted to replace was ridiculous or offensive. One could also replace Sami or Finnish names. Existing names got name protection.[125]

The hereditary system was constituted by the genderist, classist, and migratist perception of last names, conceptualized as the non-migratized names of the nobility, the clergy, the bourgeoisie and the peasants (Brylla 2011). According to Brylla, these names could be differentiated on a semantic as well as morphological level. Names of the nobility were, for example, "often warlike names" (Brylla 2011:15) like Adelswärd or the prefix *von* was used as a "noble prefix" (Brylla 2011:15). Latinization was often a signifier for the last name of a scholar or clergyperson, such as Bothniensis, which means "from the counties of Norrbotten [or] Västerbotten" (Brylla 2011:15). The names used by peasants followed the tradition of patronymics. The characterization of bourgeoisie surnames was, according to Brylla, exceptional for the Swedish case: Their diverse compositions were inspired by the names of the nobility and the use of suffixes or free morphemes "were derived from natural phenomena" (Brylla 2011:16) and German name morphology (Brylla 2011). This linguistic knowledge on the name's assumed perception as typical for a specific social 'stratum' can be interpreted as awareness of the classist and genderist effects the hegemonic perception of last names has on the negotiation of their male 'Swedish' name bearers' societal position. This assumed awareness might also be a reason why last names are associated with conventionalized meaning and are ascribed a historical origin in traditional onomastic

125 Original: "Riksdagen erkände behovet av en lagstiftning, dels till lag som skydd för släktnamnenen, dels bestämmelser som skulle 'kraftigt främja anläggandet av verkliga släktnamn'. Det framhölls att det var ett verkligt 'statsintresse' att namnfrågan skulle lösas. Det fanns alldeles för många Anderssöner och Petterssöner. Lagen skulle också ge ett skydd för befintliga namn och även utarbeta former för ändring av släktnamn. [...] För att byta namn måste det finnas en orsak, t.ex. att det namn man ville byta ut var löjeväckande eller kunde väcka anstöt. Man kunde också få byta ut samiska eller finska namn. Existerande namn fick namnskydd." (Brylla 2013:136, translated by EH).

research (cf. Brylla 2002:68–73, cf. Nübling et al. 2012:144–155). It also re_confirms that names have constantly invoked migratist, classist, and genderist associations:

- migratist by perceiving them as Swedish/German or of Swedish/German 'origin' or not,
- classist by perceiving non-migratized names as representative for a Swedish/German rank, status or profession and migratized names for exclusively low rank, status or profession in Swedish and German society, and
- genderist associations by perceiving these 'status-negotiating' names as a designation of a Swedish/German cis-male person if not explicitly hallmarked as womanisized, e.g. patronymics ending with *-dotter* [daughter] and thereby re_producing the binary-gender system associations.

Such associations might have changed with the accustoming and institutionalization of the hereditary system to a limited, class-related extent: a person with a name that conventionally interpellates a profession does not necessarily work in the profession that their name 'implies'.

For example, a person with the last name 'Müller' only very rarely (and most likely coincidentally) works in a mill. However, classist privilege is often still re_produced through upper class families keeping and guarding their specific naming tradition and/or family names, which are also protected by German and Swedish law. Thus, names like 'Müller' still do evoke the idea of the low or middle class more than a name like von Weizsäcker in Germany (cf. Nübling 1997) – as do Svensson or Bergström in comparison to Gyllenstierna in Sweden (Ryman 2013:120), especially since German regulation and Swedish law protect nobility names (*NamÄndVwV*, Bundesministerium des Inneren 2014: sections 45 and 53, paragraph 4; *Lag (2016:1013)*, Justitiedepartementet L2 17/11/2016: articles 15 and 18). Given that last names like Müller might even no longer be perceived as a profession and given that last names like Svensson and Andersson do not indicate that the name bearer is the son of Sven or Anders, is it possible that the name can still be understood as 'having that original meaning' (cf. onomastik.com 2005, chapter 5). To what extent is the initial classification of a name as low or upper class still re_produced? And to what extent is the changing of

names in Sweden motivated by these forms of social classification? These questions need to followed-up by further research.

Looking at the Swedish discourses on personal names, it seems that a different hegemonic naming strategy is employed than in Germany. When comparing both hegemonic naming practices, it is much easier to change one's name in Sweden. As has been shown, the first Swedish naming law especially encouraged the changing of last names whereas in Germany, legislation aimed at restricting the changing of names, specifically those of German Jews (cf. chapter 3.2.2.2.2). Since the legislation on names in both countries only applies to citizens, the Swedish naming practices also seem to be more 'inclusive' at first glance: Non-Swedes have been able to naturalize more easily since 1950, which made the legislation on name change applicable to them. Given that the Swedisization of names has been promoted through the law, it needs to be pointed out that the changing of names is not necessarily a free choice but rather a form of strategic, forced customization for 'inclusion' (cf. chapter 6.2.2.4). Considering the individual person's social positioning is crucial for the analysis of the various motivations and reasons to change one's name. Here, customization is considered to be a reaction to structural power relations.

In contrast, according to *Språktidningen*, a popular scientific magazine addressing people interested in language issues, the changing of a name can also be motivated by boredom or tiredness: "But not only Svensson is tired of their name."[126] Svensson here serves as a metaphor for a stereotypical Swedish person that is *white*, straight, cis and not perceived with pejorative migratist associations. Thus, compared to the structural discrimination of people by the labor and housing markets on the basis of their names, the social condition of Svensson being bored or tired of their own name needs to be regarded as privilege. This is also confirmed by their motivation and choice of name: These Svenssons changed their names to names that arouse feelings[127] and that are hegemonically perceived as romantic, which evokes associations with nature and fairy

126 Original: "Men det är inte bara Svensson som tröttnat på sitt namn." (Karlsson 2013:19, translated by EH).

127 Original: "Alla tycker de om att ha ett namn som väcker känslor" (Karlsson 2013:18, translated by EH).

tales[128]. Thus, they are consistent with Noréen and Grape's nationalist demands on 'Swedish' names (cf. above). Nationalists have used concepts of romanticism that are linked to idealized perceptions of nature as national propaganda (Rosenblad, Söderholm n.d.). Although the changing of names here might not be motivated by this ideology, one needs to bear in mind that those associations can be interpellated and transferred nevertheless.

Språktidningen also mentions the changing of names of migratized persons. When looking closely at the effects of perception of their name change by *Språktidningen*, it becomes evident that the change was most probably not motivated by boredom:

> "The trend that people with foreign background change [their names, EH] to more Swedish-sounding names [...] is broken, according to PRV. Instead, many change [their names] to new names that originate from their own language, such as Bouzhanieilam, Halbori, Albadini, Cordiani, Zazzio, Egelbach, Usopov and Yeshuel."[129]

Descriptions such as "people with foreign backgrounds", "Swedish-sounding name", and "name originating from their own language"[130] show that these persons are not perceived like those described as Svensson. Hence, the different motivations and strategies of name change cannot be compared. Unlike Svensson, migratized people are conceptualized as not belonging to Swedish society. They are associated with an imagined place of origin or home outside of Sweden. Hence, how can they be bored by their name in the same way as Svensson? Svensson is symbolic for the 'original' and 'authentic' Swedish person. Being (negotiated as) the most frequent last name in Sweden, 'Svensson' might be perceived as boring. In contrast, people that are migratized on the grounds of a migratist or racist perception of their looks or names experience

128 Original: "Namn som tas vid giftermål är däremot sällan tuffa eller farliga, trenden är att de ska vara vackra och romantiska. Det är särskilt populärt med inslag av naturlyrik och sagomystik" (Karlsson 2013:18, translated by EH).

129 Original: "Trenden att personer med utländsk bakgrund byter till mer svenskklingande namn [...] är bruten, enligt PRV. I stället byter många till nya namn med utgångspunkt i sitt eget språk, som Bouzhanieilam, Halbori, Albadini, Cordiani, Zazzio, Egelbach, Usopov och Yeshuel." (Karlsson 2013:19, translated by EH).

130 Original: "personer med utländsk bakgrund", "svenskklingande namn", and "namn med utgångspunkt i sitt eget språk" (Karlsson 2013:19, translated by EH).

exclusion from Swedish society. Hence, the perception of their name is never a boring enterprise but decides their place in Swedish society.

Although the Swedish practice of naturalization seems to be more inclusive, racist_migratist discrimination nevertheless exists. First of all, the legislation on name change results in the exclusion of non-Swedish names. Second, although migratized people with 'Swedish names' might be invited to job interviews, they face _racism_migratism_ at the interview (cf. chapter 2.3.5). And third, as soon as the Swedish state realized that an increasing number of people migrating to Sweden after World War II did not comply with the image of the hyperborean Nordic person, immigration regulations became more restrictive. For example, migratized people could only receive a residence permit if they met labor specific demands. But also naturalized migratized Swedes still face constant threats such as debates on denaturalization that seem to be tailored against practices hegemonically perceived as non-Swedish.

As to the question of the extent to which linguistic name assimilation helps marginalized people obtain equal chances to succeed in society, it can be stated that although name assimilation might temporarily ease the living conditions of marginalized people, it simultaneously prevents migratizable names from being perceived as Swedish. Even if marginalized naming traditions such as those of the Sami become part of the history of Swedish minorities, hegemonic naming traditions are still negotiated as the normalized and thus preferred naming practice in Sweden. As long as hegemonic naming practices are prioritized and the powerful discriminatory impact caused by the constant and unbroken implicit preference of Swedisizable names remains silenced, it is doubtful that equation in legislation leads to equal chances in society.

3.3 Summary: Naming Legislation. The Registration of Personal Names

As shown, the regulations on registration are constituted by regulations and definitions of citizenship. They also constitute an understanding and image of the nation where a person becomes a citizen. This influences expectations, perceptions and negotiations when it comes to people's names. As previously stated, in hegemonic discourse names are often nationalized and understood as a part of a nation's language. Naming practices

in the registration offices are regulated by legislation and administrative instructions on naming. These regulations define which names are intelligible within hegemonic discourse; that is, which names are considered to be a part of the hegemonic discourse.

Before introducing the legislation on personal status, registration was mostly monitored and performed by parishes in the territories that today are conceptualized as Germany and Sweden (cf. Wagner-Kern 2002; Gailus 2008; Wannerdt [1982]; Sköld 2001). In parish registers, it was primarily baptism, marriages and burials that were recorded. In addition to the names of the parents, the couple or the deceased, the profession and domicile were listed. Womanisized persons were negotiated as belonging to a household that was dominated by males. In comparison with US-American registries at the time (The Church of Jesus Christ of Latter-day Saints n.d.), racialized perception of *white* people was not explicitly mentioned in Sweden and Germany since it was, and still is, a normalized default perception. In general, it was the priests' convention and knowledge about the people that dictated what information was taken into account. Hence, it can be asked whether and how people that were, and still are, discriminated by racism and migratism have been registered. What happens to people that are not (considered) a part of the Christian community? To what extent have they been registered?

The hegemonic Swedish attitude against recognizing and registering people as Swedish is different from the tradition and practices in Germany. The dominant naming practice in the German territories and then German Empire was a strategy to keep those people marked as different who were excluded from the *ius sanguinis* image of the German nation (cf. chapter 6.2.2.4). Non-indigenous Swedish priests, however, assimilated names they perceived as non-Swedish to a hegemonically accustomed set of names perceived as Swedish (cf. chapter 5). This also had an effect on how people should be registered and under which name.

As stated, the legislation, acceptability and practices of changing one's name differ in the German and Swedish contexts. In Germany, introducing name regulations aimed at preventing name change, whereas in Sweden, people were encouraged to come up with new names that were negotiated as more Swedish on the grounds of a presupposed Swedish phonology and morphology, based on a nationalist perspective, as well as to

prevent confusion because many people shared the same name, based on a tax perspective.

Accustoming stands within a historical continuity. Hegemonic methods and societal norms to perceive personal names in a specific way are not only invented at a specific moment but have been negotiated through time. Hegemonic naming practices re_produce to a certain extent the knowledge that was negotiated before. With the making and labeling of 'importance', hegemonic knowledge is negotiated constantly in a way that becomes commonplace to people and makes them accept this knowledge as given. Although this knowledge, e.g. on how to gender and migratize names, is applied to a specific context, it is also negotiated and manifested anew. I challenge this accustomed reproduction of knowledge. Since any given moment is constituted by a certain context that only applies at this moment, the knowledge that I try to re_produce is never the exact same as the one that I have negotiated before. As mentioned in chapter 1.1.2, Hornscheidt introduced the concept of re_production with an underscore to show that the hegemonic knowledge that I might attempt to reproduce may interpellate a different concept when uttered in another context at another time. This negotiation offers the possibility of changing the perception of a name. Although I might have a hegemonic perception of names in mind, I might at any given moment challenge the accustoming of this specific knowledge. Instead of thinking of a person's name – and, thereby, of the person – in a migratist or genderist way, I might choose to perceive a name as German or non-gendered. In this way, I can challenge institutionalized structural discrimination. As shown above, the accustoming of structural discrimination is manifested by institutionalization, particularly through legislation. In Germany, the presumption that people have two names – a first and a last name – and the classification of people as gendered, racialized, and migratized was and still is negotiated as an unquestioned and accustomed implication of the naming process. Even today, it is mandatory to be registered as one of two genders and to adapt binominalism as an unquestioned norm of identifying German citizens:

> "Assimilation of your foreign name: the structure of your name is unknown within the German legislation and you want to assimilate your name according to the German legislation."[131]

This implies that these categorizations are important and indicate something about a person. The unquestioned implementation of binominalism as well as the classification of people (cf. Butler 2008) can be identified as historically constructed, accustomed discriminatory practices that are still enacted today. In the following chapter 4 I analyze the presuppositions and effects of current legislation on naming and personal status in Germany and Sweden.

131 Original: "Angleichung Ihres ausländischen Namens: Sie führen Ihren Namen in einer Struktur, die im deutschen Recht unbekannt ist und wollen diesen nun dem deutschen Recht angleichen" (Bundesverband der Deutschen Standesbeamten n.d., translated by EH).

4. What Is Best for the Child? The Child's Welfare as a Strategy for Accustomed, Individualized, Structural as well as Institutional Discrimination

The child's welfare seems to be one of the main reasons German registrars pitch when they justify the rejection of a name. In a press release on children's welfare, the Federal Association of German Registrars, *Bundesverband der deutschen Standesbeamtinnen und Standesbeamten*, states that 'silly' first names such as Poopy or Fify are considered to be harmful (cf. also *NamÄndVwV*, Bundesministerium des Inneren 2014: sections 35. and 66.).[132] Gender-distinct names are likewise negotiated as a necessity for the child's well-being. A migratizable name is also listed as a threat to the child's well-being since it would make the child a subject for 'teasing' (cf. Bundesverband der Deutschen Standesbeamten 14/11/2008). Awareness of this form of discrimination, however, shows that the association implicitly understands the impact of structural migratism and privilege that is provided by non-migratizable names.

This might be a reason why registrars negotiate names such as Adolf as acceptable with legal capacity (cf. Hayn 23/07/2012; Hayn 24/07/2012a), thus silencing not only the traumatic interpellation this name may invoke but also playing down the historical and ethical implications associated with this name: What are the intentions of parents who assign to their child the first name of a world-known mass murderer, dictator and war criminal?[133] Due to their authoritative powers, it is initially up to the registrars to decide whether or not a personal name contributes to the welfare of the child. Several court cases on the suitability of a (first) name serve as the legal basis for a registrar's decision. For the most part, these decisions show disagreement on whether a first name is genderable as 'female' or 'male' and whether a name is acceptable as a (first) name at all. The latter includes cases where the name interpellates associations with a stereo/prototyped name giver (such as Judas or Jesus, which re_produces Christian default-setting) or where confusion with a surname is possible (such as Cézanne or Holgerson;

132 The same applies to the Swedish context: "Ett namn får till exempel inte väcka anstöt eller leda till obehag för den som bär det" (Patent- och Registreringsverket n.d.d).

133 Cf. movie *Le Prénom* in which this question is discussed (Delaporte, La Patellière 2012).

Namenberatungsstelle an der Universität Leipzig n.d.). Therefore, the right to (choose) a name seems to be limited.

In this chapter, I analyze the implementation of legislation. In particular, I want to question the conventionalized criteria which prompt registrars to reject a name as harmful and unacceptable and examine how these criteria are justified. As I demonstrated with the institutionalization of legislation on naming, citizenship and personal status in the form of written laws, the implementation of naming practices is constituted and manifested by interdependent legislative constraints and demands (cf. also chapter 6.1.2). For example, in order for a newborn child to be registered in Germany, the name must consist of a first and last name; the child must also be assigned a gender (one of two possible, either female or male). Yet, these demands are not self-explanatory but are negotiated in juridical spaces such as registry offices and courts.

In the following, I discuss how these requirements are met in the registry offices and what consequences the naming decisions entail. How does a registrar decide which names are 'appropriate' according to their interpretation of the law? Which names are not 'appropriate' and why? What are the legal means to intervene in the decision-making process? How does legislation and its implementation through the registrars, interact and constitute each other? And how does this affect, and how is this affected by, the dispositive of power relations?

By using the example of two court cases which explicitly deal with the extent to which the child's interest is threatened by the choice of name, I examine how a genderist_racist_migratist conceptualization of the child's well-being is instrumentalized as a strategy to re_produce and maintain structural discrimination on an institutional level in Germany. I chose to analyze the conceptualization of the child's well-being in court cases, since it seems to be a hegemonic state strategy to restrict the choice of a personal name. A section follows which reveals the hegemonically silenced presuppositions that equip juridical discourses with authority. Particular attention is given to the individualization of discrimination by institutional discourses that negotiate discriminatory actions as activities that happened to individuals only by accident and thus disregard them as a constitutive part of societal normalizing activities. Also,

presuppositions that authorize registrars to define the child's well-being are specifically taken into account. The chapter concludes with a comparison of similar court cases on children's welfare in Sweden.

4.1 The Limits of Naming in Germany

In an interview, a cis-female identified registrar at a German municipality explained the registration procedure for a newborn child. When asked how the decision on the acceptability and, thus, institutional intelligibility of a name for registration is taken, the registrar informed me that it is actually the individual decision of each registrar. She illustrates this with the example of how a colleague took another decision she would not have taken (cf. Hayn 23/07/2012). Thus, it is up to the individual registrar to decide whether or not the registration of a name complies with their perception, interpretation and implementation of the existing legislative norms. However, their administrative decision is conceptualized as the decision of the 'state': a representative of the state makes the decision on behalf of the state (and thus on behalf of the citizens[134]) while following the law. Their decision is thus institutionalized as being in the state's interest, despite the fact that every decision with respect to naming is made on an individual basis (Hayn 2011). Simultaneously, the interpretation of the legislative demands is also limited by the conditions of intelligibility. If the idea that people need to be recognized as gendered humans and then only as either female or male is hegemonically negotiated as a fundamental way to recognize people, a person will not be registered as gender non-conform, inter- or transgender, whether or not it is in the interest of this person, who is also a citizen of the state. As previously mentioned (cf. chapter 2.3), usually first names are primarily perceived and negotiated as gendered, as well as ethnicized and nationalized. This is illustrated by media, such as the registrars' handbook for first names (e.g. Nüssler 2002) or the numerous books that deal with the question of what name to give a newborn 'girl' or 'boy'. They support the registrar's statement that the 'identification with gender' would be in the child's interest. However, in this case, only the interest of cis-binary-gendered people or citizens of the state is taken into account,

134 Cf. introductory clause on German court orders "Im Namen des Volkes", for example in Bundesverfassungsgericht, Beschluss of 5/12/2008 (translated by EH).

thus silencing the interest of gender-free, gender-fluid, gender non-conform, inter- or transgender citizens. Cis-binary-gender norms are implicitly presupposed as normal and relevant for society, which is why a child who does not fit the cis-binary-gender system is regarded as harmful.

According to the interviewed registrars (cf. Hayn 23/07/2012; Hayn 24/07/2012b; Hayn 24/07/2012a) and the court decisions on naming newborns (Namenberatungsstelle an der Universität Leipzig n.d.), the invulnerability of the child's well-being appears to be the leading principle applied by registrars in Germany. However, there are no clear criteria that would define this principle from a legal perspective. Rather, some naming practices seem to be so normalized that they remain unspecified and silenced, which is why in this chapter the child's invulnerability is negotiated as an example for the conventionalized juridical practice to individualize structural discrimination and to dename the discriminatory effects of the structural framework in which persons and personal names are made unintelligible (cf. chapter 2.3). What is perceived as 'harmful' to the child's well-being is defined by the assumed child's will to take on a position as a cis-binary-gendered and 'German' person on the basis of their name. A name that is perceived as non-West-European, and thus non-German, can be subject to a recommended name change during naturalization (cf. chapter 6.2.2.4 cf; *BGBEG*, Deutscher Bundestag 2016: article 47, paragraph 1, point 3). A name that is not clearly genderable according to a hegemonic reading is negotiated as an assumed threat to the child or, more precisely, to the hegemonic accustomed norm to gender people. Following this logic, non-West-European names can also be read as a threat to the hegemonic gendered norms and structures of the German state. As the intersecting structural conditions that constitute and re_produce normative ideas of gender and migration_non-migration_nationality_ethnicity are silenced, any deviance from the norm is marked as an individual case, whereas any assimilation to the norm is welcomed and silenced as an individual's decision. Hence, some decisions are negotiated as more individual than others, although both are reactions to and the effect of normative naming practices. This is why the following court cases only deal with so-perceived deviances from hegemonic gender and nationality/ethnicity norms. For cases of assimilation 'recommended' by legislation, there is no need to call on the court (cf.

chapter 6.2.2.4). The court cases are negotiated as interventions in individual decision-making processes, although they are constituted by the same power relations as the decision for assimilation. Finally, the fact that powerful norms actually play a crucial role in naming practices is confirmed by the strategies mentioned above to Germanize and gender the name, thereby maintaining the nationalist norm.

4.2 Who Can Choose a Name?

The choice of name is also an effect of structural power relations. Just like every single person's social position as either privileged or discriminated is constituted by _racism_genderism_ableism_migratism_classism_, so is every person's choice. The place and position from which this decision is taken plays a crucial role, as Tudor points out:

> "[...] To assume that critical positioning focusses on the political fights of an individual person instead of on deprivileging localizations within hegemonic structures is politically unbearable, since all fights are determined by specific political positionings – whether consciously reflected upon or not. It does make a difference whether the fight against sexism is conducted from a cis-male socialized, hence a privileged position or from a non-privileged position with regard to sexism. It also makes a difference whether racism is fought against from a *white* or from a Black and PoC perspective. It is not the question to focus on essentialized and biologized states of being but to reflect upon the societal localizations that are constituted and generated by power relations; they can be chosen just as little as the fight against discrimination." (Tudor 2011:71)[135]

135 Original: "Wie sich [...] zeigt, ist die These, die oft gegen kritische Ver_Ortungen* in politischen Praktiken hervorgebracht wird, es gehe ausschließlich um die politischen Kämpfe, die ein Individuum führe, und nicht um De_Privilegierungen in hegemonialen Gefügen, politisch nicht tragfähig, da alle Kämpfe auch schon aus bestimmten Ver_Ortungen heraus stattfinden – seien sie nun reflektiert oder nicht. Es ist eben nicht egal, ob aus einer männlich sozialisierten bio-männlichen, also privilegierten Position gegen Sexismus gekämpft wird, oder aus einer in sexistischen Gefügen nichtprivilegierten Position. Ebenso ist es nicht egal, ob aus *weißer* oder aus Schwarzer bzw. PoC-Perspektive gegen Rassismus vorgegangen wird. Es geht hier nicht um essentialisierte oder biologisierte Seinszustände, sondern um gesellschaftliche Positionierungen, die durch Machtverhältnisse hervorgebracht werden und die nicht frei wählbar sind und die Positionierung, aus der heraus Kämpfe führt werden, ebenso wenig." (Tudor 2011:71, translated by EH).

Tudor specifies the idea of fights and puts it in relation to the risk a person takes while fighting:

> "I would not define fighting on the basis of the desired aims but also on the basis of risks. Every fight as well as every political activity is already determined by these risks, whether reflected or not." (Tudor 2011:71)[136]

Tudor distinguishes clearly between a social position that actually cannot be chosen and the action that is chosen. As shown in the first quotation above, this distinction was previously made by Black and transnational feminist scholarship in the context of Black feminist self-empowerment, survival and self-definition (Collins 2000; Lorde 2007), and in response to hegemonic "active or passive complicity in oppressive systems and discourses" (Shohat, Stam 1994:344). The effects and risks of the chosen action against oppressive systems and discourses depend on the very position from which the action is performed. If a person discriminated by racism chooses to change their name to a name that is read and perceived as 'German' or 'Swedish' on the grounds of _racism_migratism_, then the 'choice' is constituted by the racist_migratist discrimination that influences this person's chance in society. Thus, the extent is unclear to which naming is an actual choice or rather an enforced necessity to get a job and housing. One of the effects of this enforced change of name is the reinforcement of the racist_migratist norm to accept and prioritize statisizable names.[137] Against this background it needs to be questioned how a concept such as the child's well-being is defined and negotiated with regard to structural power relations. What does this definition mean for the child's assumed 'well-being' in society? What 'choices' do parents or guardians have in naming and registering the child?

The German state claims to limit only the choice of a first name in cases where 'the child's wellbeing' is affected. This was – according to the central registration office in Berlin – explicitly declared in a decision by Germany's Federal Constitutional Court in

136 Original: "Ich würde Kämpfen nicht nur über Ziele, sondern auch über Risiken definieren. Und jedes Kämpfen ist schon über diese Risiken ver_ortet, jede politische Handlung ist über diese Risiken ver_ortet, sei dies nun reflektiert oder nicht." (Tudor 2011:71, translated by EH).

137 To take on a migratizable name from a racialized and_or migratized position is a counter-action and an intervention that can disrupt the racist_migratist normalism of what is 'German' or 'Swedish'. However, the same action performed from a privileged position with a similar intention is in danger to appropriate the fight since in this case, there are no risks (cf. chapter 6.2.2.2).

2005 (cf. Landesamt für Bürger- und Ordnungsangelegenheiten, Standesamt I in Berlin n.d.; Bundesverfassungsgericht, Beschluss of 3/11/2005), although there have been court decisions on names in West Germany at least since 1978. This limitation is explained and justified by Germany's constitutionally ascribed 'obligation' to retain control over a child's care and education by their guardians or parents (as to *GG*, Deutscher Bundestag 31/12/2014: article 6, paragraph 2), for example by preventing parents from making irresponsible choices when naming the child.

Genderist and migratist arguments appear to be more explicitly raised in naming processes at registry offices. An indicator for this assumption is the immediate interpellation of gender and the 'origination' of a name. Registrars in Germany usually insist that parents or guardians assign their child a hegemonically assumed gender-distinct first name if the child is to be registered under German law. To my knowledge, Germany is the only European state that enforces the genderization of children through their names. If the registrars are in doubt about the genderization of the proposed name, they consult references such as the International Handbook of Forenames (Nüssler 2002) to verify the name's gender and origin. These references usually indicate both the conventionalized gender as well as linguistic nationality conceptualization of the first name, e.g. according to Otto Nüssler 'Evelyn' is a name that is conventionally used in the Danish, German, English and Gaelic speaking communities. In the Danish and German speaking communities, it is conceptualized as a first name for female persons only. The English and Gaelic speaking communities 'allow' a 'unisex' use (Nüssler 2002:147). Hence, hegemonic discourses in the respective linguistic communities determine the ways in which personal names are perceived and negotiated on an individual level. However, I want to stress here that individuals have the opportunity to choose how they perceive and negotiate personal names, even if this challenges, irritates and threatens their (own) hegemonic discourse knowledge (cf. Baum 2014).

4.3 'Anderson': Confronting Genderism, Migratism and Racism from a Privileged Position

A 2005 court case discussed whether it would be a responsible decision to recognize 'Anderson' as a first name in the German context and not as a surname, as the registrar in this case had suggested (Bundesverfassungsgericht, Beschluss of 3/11/2005). The Federal Constitutional Court quoted from a previous decision by the local district court stating that the first name chosen by the complainants was an acceptable first name in the 'relevant references'. The same court questioned the local district court's assumption that Anderson would be a solid threat for the child, since the name might not be distinctive enough to be recognized as a first name: 'Anderson' was already used as a first name or by-name 'in Germany', as certified by institutions such as the name information center at Leipzig University (*Namenberatungsstelle der Universität Leipzig*) and the International Handbook of Forenames.

'Anderson' would also be regarded as an established 'male' first name in English speaking communities. In addition to the categorical distinctability between first and last name (Ordnungsfunktion des Namens, cf. Bundesverfassungsgericht, Beschluss of 3/11/2005)[138], the Federal Constitutional Court also seemed to be in line with the local district's argumentation that the change of conventions – as a result of the assumed internationalization of name use – was an acceptable condition for a word's suitability as a first name as long as respective sound and content conventions would 'allow' this. Interestingly, the abstract conceptualization of 'convention' was personalized in order to become an authority that would decide upon whether or not a name was appropriate. 'Convention' can here be translated as 'hegemonic discourse knowledge' (cf. chapter 2.3). This form of accustomed knowledge production is also an authorized instance in traditional onomastic research. Seibicke negotiates 'convention' as a means to support German speakers' ability to identify a name as either 'female' or 'male' (Seibicke 2008:106). Thus, the binary gender distinction of a name seems to be based on a

138 The same principle is applied in the Swedish context: "Namnlagen ställer ett antal krav och det finns vissa regler för hur efternamn får användas och vilka namn som kan godkännas. […] Du kan inte […] ta ett förnamn som efternamn eller tvärtom" (Patent- och Registreringsverket n.d.d). Cf. also Justitiedepartementet L7 2001: article 13.

conventionalized and accustomed perception of the names' sound[139]124 and content. Here, 'sound and content' represent the conventionalized appellation and stereotypical idea of how and for whom a name is used. This interpellates not only images of a migratized or non-migratized, cis-binary-gendered person but also images of a racialized, ableized person of a certain age with a certain class background (cf. chapter 1.1.4).

As for the assumed internationalization of names, it is crucial to question how this hegemonic concept is linked to the migratization of names. In this court case, the 'internationalization' of naming was mentioned right after the observation that Anderson had become an established first name in the English-speaking community. In this way, it seems that the conceptualization of 'internationalization' is particularly linked to the predominance of the English language in the hegemonic Western discourse. According to Tudor's migratization concept, these names would not be regarded as migratized since they are negotiated as stemming from Western Europe (Tudor 2010:410). Thus, the question remains when and to what extent migratized names are regarded as contributing to the internationalization of naming (cf. chapter 5).

In addition to the categorical distinctability between first and last names, the acceptance of the hegemonic internationalization of names was further specified as conditional for the child's wellbeing in that the name should not interpellate ridiculous, derogative or obnoxious associations. Nor should the name prevent its bearer from developing their personality. Both these necessities would be met by the name Anderson.

Here, it is important to note that legal regulations on names focus on the individual's development while neglecting the normative effects of power relations that constitute naming processes on a structural level. As previously shown (cf. chapter 2.3), although it might be a challenge for the individual to deal with the structural framing of power relations, the individual's positioning as privileged or deprivileged in a given context will have the final decisive effect on whether or not the legislation will support the individual's development. For example, a migratized, a gender non-conform and a migratized gender non-conform person that cannot identify with the name Anderson is

139 Cf. Nübling 2009) for the tendency of name genderization becoming less and less specific during the 1970s and 1990s on the grounds of a conventionalized phonological perception.

not recognized but instead silenced and abjectified by the law. As noted in the court decision, following the personal development argument, a name should also be gender-distinct. Hence, the structural level is neither problematized nor recognized as relevant for social inequalities. Instead the focus is on the individual's ability to deal with the effects of genderism and migratism on naming processes (cf. chapter 5 and chapter 4.4) while people are enforced to choose a recognized gender-distinct name. In this way, German name legislation supports and re_produces both genderist and migratist discrimination. Unsurprisingly, the same legislation accepts a traumatic name such as 'Adolf' as a possible first name (cf. Hayn 24/07/2012a, chapter 6.2.1).

Returning to the question of who can choose a name, parents and guardians are limited by German legislation in their options of a name for their children. The child's well-being is determined by institutionalized as well as conventionalized regulations on names, such as the distinctability between first and last name, 'internationally' accepted sound and content, as well as a binary gender-distinctability. Other factors that can constitute the child's well-being such as traumatic associations with historical figures or binary genderism are ignored. The extent to which the social positioning of the guardians or parents and children is decisive for the perception and negotiation of a complaint against the limitation of individual name choice is further discussed in the example of the following court case.

4.4 'Kiran': Confronting Genderism, Migratism and Racism from a Deprivileged Position

In 2006 German authorities denied a child's legal parents to name them Kiran (cf. Bundesverfassungsgericht, Beschluss of 5/12/2008, cf. Hayn 2015). According to the online database 'Behind the name', Kiran is a negotiated unisex name in the Indian communities of England and Wales and is used slightly more frequently for 'girls' than for 'boys' (Behind the Name n.d.). However, according to the local court (*Amtsgericht*) in Memmingen, the name could not be accepted in German language communities because the perception of the child's gender according to their name was not in line with an assumed 'German *sprachgefühl*'. Unlike Anderson's guardians, Kiran's parents were explicitly categorized in a migratist way. They were described as migratized parents with

different citizenship – German "of Indian descent" and "Indian" (cf. Bundesverfassungsgericht, Beschluss of 5/12/2008) – and were racialized through religiousization for being Hindu. In the court submission, migratization was taken as the main point of reference to argue the extent to which Kiran, as a unisex name, would be acceptable for a German citizen.

First, Kiran's parents were deprived of their ability to comply with a so-called German feel for language, despite the fact that the family lived in Germany and one parent actually was a German citizen. As I will show later in chapter 5 by interpellating the concept of a German '*sprachgefühl*' (feeling), the use of the German language is negotiated as being detached from speakers that have learned German as a second language (L2). This detachment enables the conceptualization of German first language (L1) speakers as the one that are in the position to *feel* the language, that is, to feel whether German is used in a (grammatically) right or wrong way. As a result, the ability to communicate in German correctly is negotiated as a competence that is internalized and thus can be felt on an individual and assumed emotional level. Any confusion or questioning of this emotionally internalized feeling can then be perceived as disturbing and unwelcome and excludes and de_mentions German L2 speakers as competent German speakers that can feel the German language authentically. However, not all cases address this conceptualization of a German feel for language. As shown above, as long as a name complies with the conventions within a Western language community such as English, *sprachgefühl* is not relied on to challenge the name.

This leads to the second incidence of migratist discrimination in the court case – the identification of first names as 'female' and 'male'. Morphological 'evidence' was taken as a reason for why the name did not comply with the German *sprachgefühl*. According to the Federal Constitutional Court, the Higher Regional Court in Munich stated:

> "In German language use, first names that end with 'an' more often signify persons of male gender, for example Christian, Florian, Julian, Jonathan, Kilian, Maximilian, Sebastian, Stefan, Tristan."[140]

The Federal Constitutional Court cites the plaintiff's response as following:

> "As far as the *Oberlandesgericht* refers to the general use of the German language, whereupon first names with the suffix 'an' are more likely given to persons of male gender, this cannot withstand legal scrutiny. [… E]ven within the German language framework, female first names that end with 'an' are not that seldom: Lilian, Arian, Aslihan, Bahan, Nalan, Nuran, Susan, Selcan."[141]

It is not only striking that the relevance of the genderization of names (instead of people) is not questioned here, but also that the Higher Regional Court listed only a small selection of all possible names in the German language that end with '-an'. A comparison between the latter group and the names identified by the plaintiff suggests that the Higher Regional Court limited its choice of names to those that the International Handbook of Forenames identify as 'German', thereby silencing names

140 Original: "Im deutschen Sprachgebrauch bezeichneten Vornamen mit der Endsilbe 'an' eher Personen männlichen Geschlechts wie zum Beispiel Christian, Florian, Julian, Jonathan, Kilian, Maximilian, Sebastian, Stefan, Tristan" (Bundesverfassungsgericht, Beschluss of 5/12/2008, translated by EH). Nüssler 2002) negotiates the following names as current names in his respective sources: Christian: m in DA, DE, EN, FR, GA, SV, f in EN, GA (Nüssler 2002:94); Florian: m in DA, DE, EN, ES, FR, NL, PL, RM, SV (Nüssler 2002:156); Julian: m in DA, DE, EN, FR, PL, RM, SV (Nüssler 2002:239); Jonathan: m in BI, DA, DE, EN, FR, GA, NL, SV (Nüssler 2002:236); Kilian: m in DE, EN, SV (Nüssler 2002:247); Maximilian: m in DA, DE, EN, SV (Nüssler 2002:293); Sebastian: m in DA, DE, EN, PL, SV (Nüssler 2002:375); Stefan: m in DA, DE, EN, PL, RM, SV (Nüssler 2002:391); Tristan: m in DE, EN, FR, NL, SV (Nüssler 2002:415). 'ES' for the Spanish source is missing here, since Nüssler differentiated the various ways of how a name is transliterated: For instance, Sebastian and Sebastián (for the Spanishized version) are assigned two different entries.

141 Original: "Soweit das Oberlandesgericht auf den deutschen Sprachgebrauch abstelle, wonach Vornamen mit der Endsilbe 'an' eher Personen männlichen Geschlechts gegeben würden, könne dies einer rechtlichen Überprüfung nicht standhalten. […] Aber selbst im deutschen Sprachrahmen seien weibliche Vornamen mit der Endung 'an' nicht selten: Lilian, Arian, Aslihan, Behan, Nalan, Nuran, Susan, Selcan" (Bundesverfassungsgericht, Beschluss of 5/12/2008, translated by EH). Nüssler 2002) negotiates the following names as current names in his respective sources: Lilian: f in DA, DE, EN, NL, SV, m in FR, PL (Nüssler 2002:264); Arian: m in DE, NL (Nüssler 2002:49). Aslihan: f in TR source (original, non-Germanized orthography: Aslıhan) (Nüssler 2002:53), Bahan (is missing in Nüssler 2002), Nalan: f in TR (Nüssler 2002:309), Nuran: f in TR (Nüssler 2002:318), Susan: f in DA, DE EN, GA, SV, m in TR (Nüssler 2002:394; Selcan: f in TR, m in TR (Nüssler 2002:377). In this case, all names that are recognized in German name books are also in Swedish name books (or vice versa). As for the spelling of Aslıhan, I use the original spelling of the name except for where it is quoted from an original text. By negotiating 'ı' as an intelligible letter for German names, a revision of the hegemonic understanding on what names are considered 'German' is encouraged.

that, according to this grammar-governed conceptualization of names, are not be categorized as a conventional female German name.

Third, it was argued that the parents' 'cultural' context was Indian despite the fact that the family lived in Germany. Hence, their imagined 'cultural' context was excluded from being a part of German society. This migratization and racialization of people on the grounds of a homogeneous and exclusive understanding of 'culture' instead of a permeable one (cf. for example Steyerl, Gutiérrez Rodriguez 2003, Eggers et al. 2005b; Hà et al. 2007; Tudor 2010 and Tudor 2014; Nduka-Agwu, Hornscheidt 2010, Arndt, Ofuatey-Alazard 2011) is realized by claiming not only L1 knowledge but also – by way of silencing – using *white*ness and both Christianity and secularism as in-group indicators. However, the regional court (*Landgericht*) that brought this argument up for the first time used it in favor of acknowledging the name. By adding another first name, the parents "might possibly be forced to violate religious proscriptions [...]. Restricting the choice of name could have a major impact on the family and could interfere with their development."[142]

Although the court interpellated the fundamental right to freedom of faith (*GG*, Deutscher Bundestag 31/12/2014: article 4), it is important to note that this was only necessary because the parents' assumed belief was not considered the 'norm'. No registrar would have objected to Maria being the second name for a boy-identified child (as long as the first name was gender-distinct; cf. *NamÄndVwV*, Bundesministerium des Inneren 2014: section 67). Therefore, it would not have been necessary to demand that fundamental rights be granted. Christianity does not need to be protected because it is normalized.

Fourth, the perception of names in hegemonic German language communities is generalized and negotiated as the only possible one. In February 2007, the higher regional court again dismissed the decision made by the lower court, arguing that it did not respect the principle of the child's interest. This interest could only be guaranteed if the first name clearly 'identifies' (one of two) gender. By referring to the previous

142 Original: "Diese würden unter Umständen dazu veranlasst, gegen religiöse Verbote zu verstoßen, wenn sie einen weiteren Vornamen hinzufügen müssten. Eine Beschränkung der Vornamenswahl würde die Familie in erheblicher Weise beeinträchtigen und in ihrer Entfaltung stören" (Bundesverfassungsgericht, Beschluss of 5/12/2008, translated by EH).

regional court's decision, the higher regional court claimed that only the 'cultural' (here racialized_religiousized) background of the parents was acknowledged but not the environment in which the child would grow up and which would require gender-distinct names. In this way, the court did not only deny the parents' 'cultural' background as German but also claimed to be in the position to speak on behalf of the German 'cultural' environment and an assumed 'German public'. This is also confirmed by the following quotation wherein a single case (name of a famous Indian author) is used to generate a universal narrative on how 'Kiran' is perceived as a first name in Germany. The hegemonic perspective is generalized and negotiated as being the only possible and crucial one.

> "The parents could not prove that in India, the name 'Kiran' is customarily used as a distinctively female first name. [...] The quantity of parts of India in which the name 'Kiran' is assigned to male persons cannot be neglected. This is confirmed by the supervisory authority with a reference to a cultural television program on the Frankfurt Book Fair 2006, which, among other things, was about one of the most important Indian writers, Kiran Nagarkar. As a result from this report, it became apparent to the German public that 'Kiran' is (also) used as a male name in India."[143] (Bundesverfassungsgericht, Beschluss of 5/12/2008)

The different use of names for binary-gendered people also applies to names like 'Andrea'. In Italy, it is a name conventionally used for boy-identified children (cf. Oberlandesgericht Hamm, Beschluss of 29/04/2004; Oberlandesgericht Frankfurt am Main, Beschluss of 27/01/1995, Nüssler 2002:38). 'Evelyn' is also a name that is recognized as 'unisex' in the English-speaking environments (cf. Nüssler 2002:147). Nevertheless, it does not prevent registrars in Germany from accepting Andrea and Evelyn as girls' names in Germany. However, in the case of Kiran it is argued that

143 "Die Eltern hätten nicht nachzuweisen vermocht, dass der Name 'Kiran' in Indien als eindeutig weiblicher Vorname gebräuchlich sei. [...] [I]n einem nicht zu vernachlässigenden Teil Indiens [werde] der Name 'Kiran' männlichen Personen zugeordnet. Dies belege die Aufsichtsbehörde mit einem Hinweis auf eine kulturelle Fernsehsendung zur Frankfurter Buchmesse 2006, die unter anderem einen der bedeutendsten Schriftsteller Indiens mit Namen Kiran Nagarkar, behandle. Aus diesem Bericht ergebe sich, dass auch in der deutschen Öffentlichkeit offenbar geworden sei, dass in Indien 'Kiran' (auch) als männlicher Name verwendet werde." (Bundesverfassungsgericht, Beschluss of 5/12/2008, translated by EH).

> "[t]he differentiation made by the complainants as to in which states of India the name 'Kiran' is considered female, in which male and in which it is not known at all, is not comprehended in Germany generally and thus, cannot be regarded as standard of judgment for the determination of a first name." (Bundesverfassungsgericht, Beschluss of 5/12/2008)[144]

The 'lack of knowledge' that concerns naming practices in Indian states is not problematized as being a form of migratist silencing of both the knowledge and people living in Germany who 'possess' this knowledge. Instead, it is used as another argument against Kiran being accepted as a name for a girl. Apparently, if Kiran had already been established as a gender-distinct name in the hegemonic mind-set in Germany, it might have been more readily accepted. Although they are gendered differently outside of Germany, Andrea and Evelyn are simultaneously negotiable as 'German names' (cf. Nüssler 2002:38, Nüssler 2002:147). The knowledge of their ambiguous gendered use is not taken into consideration as an argument that the child's well-being would be threatened:

> "Also this name which is commonly used as a girl's name in Germany [Andrea, EH] may continue to be used as a girl's name without adding another female name, although the name is used as a boy's name in Italian and, for this reason, has also been allowed in Germany (cf. OLG Frankfurt NJW-RR 1995, 774). Contrary to the opinion of the regional court, the starting point of the legal assessment, also with regard to the so-called *Geschlechtsoffenkundigkeit* [the principle of gender-evidence and gender-distinctivity, EH], is not an assumed customary law, but solely the aspect of the child's welfare." (Oberlandesgericht Hamm, Beschluss of 29/04/2004)[145]

In 1995, the Higher Regional Court in Frankfurt accepted Andrea as a name for boys because it is recognized as such in Italy (Oberlandesgericht Frankfurt am Main, Beschluss of 27/01/1995). My assumption here is again that the differing negotiation on

144 "Die von den Beschwerdeführern vorgetragene Differenzierung, in welchen Bundesstaaten Indiens die Bezeichnung 'Kiran' weiblich, in welchen sie männlich und in welchen sie überhaupt nicht bekannt sei, werde in Deutschland gemeinhin nicht nachvollzogen und könne somit nicht Beurteilungsmaßstab für die Bestimmung eines Vornamens sein." (Bundesverfassungsgericht, Beschluss of 5/12/2008, translated by EH).

the acceptance of how a name is gendered is based on the hegemonic way in which people have become accustomed to the perception of names. The child's well-being in Germany is defined by accustomed perceptions of names.

As stated in chapter 2.3 and to summarize this chapter, accustoming is constituted by power relations which establish names as migratizable or non-migratizable and binary-genderable as either female or male. Instead of negotiating a perceived ambiguity of names as an enrichment or intervention to forced genderization, the inability of a person to clearly identify with one of two genders based on how the name is gendered in the hegemonic environment is considered a threat to the child's well-being. The only 'ambiguous' names that seem to be acceptable are those that comply with the hegemonic *sprachgefühl,* e.g. through the gendered grammar of names on a morphological level whose contextual use is considered as being established foremost in Germany. Migratizable names that are assumed to be unfamiliar in Germany and that seem to follow a different grammar are instead negotiated as a threat to the child's well-being.

In December 2008, Kiran's parents won the case but not because the argument that a child should have the opportunity to identify with one of two genders was ultimately rejected. There were two different reasons for the decision: First, it was judged that the parents' fundamental right to freedom of faith had been violated. The Federal Constitutional Court concluded that the previous courts' decisions did not respect the parents' rights and the child's best interest, since the parents should decide what name the child should receive according to their belief and tradition. Second, it was concluded that the principle of *Geschlechtsoffenkundigkeit* lacked legal basis. There are names in Germany which are used for both genders, and the argument that a name must clearly show a person's gender cannot be supported. The German Law on Civil Status (*Personenstandsgesetz*, *PStG*) requires a name and requires the indication of gender[146]

145 "Auch dieser in Deutschland als Mädchenname gebräuchliche Name [Andrea, EH] darf weiterhin als Mädchenname ohne Hinzufügen eines weiteren weiblichen Namens verwandt werden, obwohl der Name im Italienischen als Jungenname gebräuchlich ist und aus diesem Grund auch in Deutschland zugelassen wurde (vgl. hierzu OLG Frankfurt NJW-RR 1995, 774). Ausgangspunkt der rechtlichen Bewertung auch hinsichtlich der sog. Geschlechtsoffenkundigkeit ist nämlich, entgegen der Ansicht des Landgerichts, nicht ein vermeintliches Gewohnheitsrecht, sondern allein der Aspekt des Kindeswohls." (Oberlandesgericht Hamm, Beschluss of 29/04/2004, translated by EH).

146 Cf. consequences of the changed law for intersex people, chapter 6.2.2.5).

but it does not say that these need to be related or that the name must be readable as gender-distinct.

When the registrar who refused to accept Kiran as a girl's name mentioned that the name "raises doubts about the gender of the child", they[147] referred to suggested administrative regulations that were initially introduced in 1938 and in place until the end of 2008 (*DA;* cf. Bundesverband der Deutschen Standesbeamten 3/12/2008). Those regulations stated that in case of doubt, the child should be given a second name which resolves all doubt about the child's gender. In this way, they were re_affirming a structuralist_genderist belief that people 'have' (a) gender and are not ascribed (a) gender. The only recourse for the parents was to take court action. This raises the question as to what extent the *DA* complied with German legislation. The same applies to the general regulations for the implementation of *NamÄndG*, *Allgemeine Verwaltungsvorschrift zum Gesetz über die Änderung von Familiennamen und Vornamen*, which demands gender-distinctivity for people who want to change their first name (cf. *NamÄndVwV*, Bundesministerium des Inneren 2014: section 67). As previously mentioned, this denames structural discrimination by defining name change as 'exceptional' and thereby discriminates trans and gender non-conform people (cf. chapter 3).

This court case is an example of how accustomed perceptions of names as genderable lead to a hegemonic interpretation of legislation on personal status. This results in the perception of names as genderable and creates a legislative requirement to register a person as a German citizen. However, the court stated that the child's interest would indeed be harmed if the name did not allow the child to identify their gender through their name. Therefore, the identification of a person as gendered is perceived as being in the best interest of a child growing up in a binary-genderist, cis-heterosexist, migratist and racist society.

147 In this case, the genderization of the registrar is unknown which is why I refer to them with a gender-neutral pronoun.

4.5 On Behalf of the Citizens – Who Defines the Child's Well-Being?

Based on the analysis of these two court cases, it can be argued that choosing a child's name is not necessarily an individual activity but is constituted and limited by power relations on a structural and institutional level. By arguing that the child's well-being might indeed be threatened by hegemonic naming decisions on a structural level, I will focus in this section on how accustomed discriminatory knowledge about names is individualized by institutional discourses, for example, when registering a child.

It is typical for legislative acts to focus on the activities of an individual person instead of on the structural powers constituting the social positioning of an individual person. By establishing Critical Trans Politics, Spade shows in his book *Normal Life* how the legislation of US civil society security and social equality does not prevent violence but enables and performs it. Legislation is exposed as a hegemonic instrument to maintain *white*, male, heteronormative, and capitalist power (cf. Spade 2011). Spade's approach links back to a Critical Race Theory's perspective according to which Kimberlé W. Crenshaw identifies "the rule of law as guarantor of racial progress" (Crenshaw 2011:1261). Thus, according to Crenshaw, legislation does not fight racism as a structural and institutional discrimination but instead perpetuates it.

German legislation and its administrative implementation also do not prevent discrimination and unequal treatment. The accustomed silenced discrimination in legal discourse is based on an accustomed essentialist belief that differences among people are natural and given. As previously shown, the hegemonic and accustomed perception of people as Black, of Color, Jewish and Roma or *white* and Christian, migratized or non-migratized as well as cis-binary-gendered is not questioned but is institutionalized in legislation. Thus, the principle of the child's well-being is based on the hegemonic identification of the child with one of two possible gender conceptualizations. The genderability of a name is assumed as one way to ensure this form of identification. Hence, genderization is not considered as an option but is enforced as a necessity for every child. This hegemonic knowledge on how to gender a name intersects with migratism and racism. The gender convention of a name is interpellated on the grounds of accustomed grammatical structures that are shared within the hegemonic language

community. In this way, migratizable and racialized religious names such as Mohammed and Judas are less likely to be perceived as conforming to the hegemonic norm. In contrast, choosing 'Maria' as a conventionalized Christian second name for newborn babies identified as boys is less likely to result in an argument at the registration office. In this way, accustomed genderist, migratist and racist norms are re_affirmed by legislation instead of being questioned and challenged.

However, when people attempt to question these structural norms, their intervention becomes the case of an individual person fighting against an institutionalized, accustomed practice. What counts in the end is whether or not the right to choose a hegemonically non-conforming name is granted by the court, who is right and who is wrong, who defends the child's well-being, and who threatens it. In contrast, registrars are hegemonically negotiated as 'objective authorities' legally representing the state in questions concerning the child's well-being, despite the fact that their naming decisions are based on their individually accustomed point of view. According to a local registrar I interviewed, the decision of a registrar is irrevocable, unless the child's guardians decide to take court action (cf. Hayn 23/07/2012). In this way, registrars are in the position to decide and take action against naming discrimination. Their authoritative decisive position is based on presuppositions that are taken for granted.

First, citizens need to agree that it is legitimate that 'the state' interferes in naming processes and that decisions need to be made on an institutionalized level by the registration offices or courts. This interfering role of the state is normalized in citizens' everyday lives and this form of normalization exists from an early stage. It is found not only at the registrar office but also in books, road safety education[148] or among specific toys[149]. Children are made to believe that state authorities such as the police (or even the registrar office) 'provide' for the citizen's well-being. Additionally, by means of a hegemonic understanding of democracy as representing the legislative part of the separation of powers, institutional decisions by German state authorities are based on

148 Cf. the police as cooperational partner: Sekretariat der Ständigen Konferenz der Kultusminister der Länder in der Bundesrepublik Deutschland 2012.

149 Cf. website of a popular toy company that offers police themed toys: Playmobil n.d. These toys offer in particular ableized, often but not exclusively *white*, non-migratized, cis-boys suggested role models for identification, thus providing and re_producing discriminatory stereotypes for the perception of state authorities.

parliamentary adopted legislation and are therefore legitimatized by the citizens. In this way, people are made to believe that institutional interference in naming practices happens in their own name. This notion is also expressed in the introductory clauses of German court orders that claim to speak "in the name of the people"[150].

Second, several principles that 'nationalize' a personal name are powerfully applied and conventionalized and therefore should be accepted. For example, it became an accustomed norm that a child's name in Germany 'needs' to follow the principle of binominalism that clearly distinguishes between a first name and a surname. Consequently, binominalism is legally specified and negotiated as "name building according to German legislation"[151]. According to article 47, paragraph 1 of *Einführungsgesetz zum Bürgerlichen Gesetzbuche* and article 21, paragraph 1 of *PStG*, binominalism is defined as the norm according to which a name registered under the German rule of law consists of two parts: (a) first name(s) and a surname (cf. *BGBEG*, Deutscher Bundestag 2016: article 47, paragraph 1, point 3; *PStG*, Deutscher Bundestag 1/01/2009: article 21, paragraph 1). Moreover, the Federal Association of German Registrars specifies which name structures are not considered as applicable under German law: "a chain of names, one single name only, patronymics (father's names), a middle name or the like"[152]. Hence, the legal 'appropriateness' of a personal name in Germany is based on the assumption that names 'have' inherited grammatical structure. Thus, during naturalization, future German citizens can 'assimilate' their non-conforming name to a structure that is "recognized by German law"[153]. The idea of 'assimilation' is only enabled by the presumption of a given structure. Assigning names a structure grammaticalizes what a name that hegemonically will be perceived as German must look like. Names that deviate from this institutionalized name structure or

150 Original: "Im Namen des Volkes" for example in Bundesverfassungsgericht, Beschluss of 5/12/2008 (translated by EH).

151 Original: "Bildung eines Namens nach deutschem Recht" (Deutscher Bundestag: article 47, 2, translated by EH).

152 Original: "eine Namenskette, einen einzelnen Eigennamen, einen Vatersnamen, einen Zwischennamen, einen Mittelnamen o.ä". (Bundesverband der Deutschen Standesbeamten n.d., translated by EH.

153 Original: "Sie führen Ihren Namen in einer Struktur, die im deutschen Recht unbekannt ist und wollen diesen nun dem deutschen Recht angleichen" (Bundesverband der Deutschen Standesbeamten n.d., translated by EH).

grammar will not be recognized as German. Additionally, personalizing the law as having agency silences the fact that it is actually up to the individual registrars to decide on names (cf. chapter 3.2.2 and chapter 5).

Third, by assuming that the act of naming a person gender-specifically would support the untainted development of the name bearer's personality[154], gendering is presupposed to be a necessity to a person's self-perception and self-identification. Therefore, the cognitive sedimentation of identifying a person by one of two genders and of assuming/thinking of persons as gendered is not questioned but is presupposed as a given. This implies that binary genderization would contribute to the child's well-being. In this way, trans_xing, gender nonconforming or gender-free people and names are not only silenced but also made unintelligible. By claiming authority on what is best for the child, genderization is understood as a given and acceptable necessity and is institutionalized as another form of control. Here again, the focus is upon the individual person rather than on the discriminating as well as privileging structures in which the individual lives. Genderism with its re_enforcement of the cis-binary-gender norm is not considered as discrimination in hegemonic discourse but is re_produced and maintained, for example by the genderization of names. In this way, structures and institutions are not negotiated as hindering the development of one's personality but instead the individual is perceived as not fitting the norm and thus disrupting accustomed hegemonic norms and orders.

Finally, another prerequisite for the hegemonic authorization of registrars' decision-making with regard to naming concerns how the child's well-being is identified. According to the Federal Constitutional Court, the child's well-being depends on the way the child's name is perceived 'in Germany' with respect to the "German speech intelligibility"[155]. In the Anderson court case described above, it is required that the child's name is recognized as a distinctive first name according to German legislation

154 Original: "Die Grenze sei vielmehr nach der neueren Rechtsprechung dort zu ziehen, wo das gewählte Wort [...] den Namensträger in der Entfaltung seiner Persönlichkeit beeinträchtige. Der Vorname *Anderson* [...] sei auch geschlechtsoffenkundig und werde durch die beiden weiteren männlichen Vornamen zweifelsfrei diesen Anforderungen gerecht" (Bundesverfassungsgericht, Beschluss of 3/11/2005, translated by EH).

155 Original: "nach deutschem Sprachverständnis" (Bundesverfassungsgericht, Beschluss of 3/11/2005, translated by EH).

name structure. Therefore, the institutionalized 'grammaticalization' of personal names under German law and the 'German feel for language' are linked to the child's well-being. In chapter 5 I will elaborate on the dynamics and effects of this relationship by questioning the evidence by which the 'German feel for language' determines that the child's well-being is threatened.

4.6 Children's Welfare in Sweden

In Swedish legislation, the conceptualization of the child's well-being has been basically constituted by the hetero- and repronormative context of name change, for example following a divorce (cf. *Namnlag (1982:670)*, Justitiedepartementet L2 1/03/2012: articles 6, 8, 11, 45, 49a; *Lag (2016:1013)*, Justitiedepartementet L2 17/11/2016: articles 34, 44, 46). However, in 2009 a person that juridically was identified as male won the right to have another, hegemonically 'female'-identified name, Madeleine, added to her gender-distinct first name (cf. Namnlagskommittén 2013:128–129). Before she went to court, the regional *Skatteverket's* representative rejected the additional name, arguing that according to the Swedish naming tradition, 'Madeleine' is not recognized as a 'male' or 'gender-neutral' name and cannot be assigned to a juridically male person (cf. Regeringsrätten, of 28/09/2009). Based on judicial decisions made in 1983 on the relevant phrase in the law, "obviously not appropriate as a first name"[156], this seems nevertheless to have been interpreted rather subjectively, according to the Swedish government agency for language policy and language planning, *Institutet för språk och folkminnen* (cf. Namnlagskommittén 2013:459, 595–646; cf. also Brylla 2002:55). Reading through the Swedish Supreme Administrative Court's 'significant judgments', an argumentation strategy comparable to the one in German jurisdiction on the child's well-being can be found. It specifically concerns the appropriateness of giving a child a name whose assigned birth gender does not comply with the hegemonically accustomed gender perception of the name:

> "In assessing this question, it may sometimes be questioned whether a name is suitable as the first name of the child in question, for instance when parents want

156 Original: "uppenbarligen inte är lämpliga som förnamn" (Justitiedepartementet L2 1/03/2012: article 34, translated by EH).

> to give a girl a boy's name. [...] What is important in this context is to prevent the child from being burdened with a curious or repellent first name" (Regeringsrätten, of 28/09/2009). [157]

In the lawsuit, the plaintiff quoted this historical phrase from preparatory documents for the 1963 name law in order to argue that in the present case, she is of age and chose the name herself. Thus, the Supreme Administrative Court agreed that there is no reason why the name Madeleine would not be appropriate for the plaintiff. However, although the case simultaneously proved that an initial gender-distinct name can be inappropriate for a person, the final court decision does not provide the chance for parents to assign their child a name that, according to hegemonic naming traditions, does not correspond to the assigned birth gender (Regeringsrätten, of 28/09/2009).

Therefore, the child's well-being seemed to be constituted by gender-distinctivity as well as conformity also in Swedish legislative discourse. Yet, on December 14th of the same year, *Skatteverket* released a statement declaring that it is the parents' responsibility to decide which name their child should receive, independent of whether or not a name is considered as gender-contrarian.

> "The fact that a particular name is usually borne by persons of a particular gender should not be deemed implying that the name is inappropriate for persons of the opposite gender. This also applies when such a name is registered for a child under 18 years of age. Also in this case, it is the guardian who needs to be deemed as the one that decides whether the name can be regarded as causing discomfort."[158]

Returning to the poll carried out by *Namnlagskommittén* (cf. chapter 3.1.2) it confirms my assumption that Swedish legislation and its implementation seem to be more progressive than public attitudes towards minority naming practices. In the survey, a majority of non-migratized and migratized Swedes negotiated gender-contrarian names

157 Original: "Vid bedömningen av denna fråga kan ock ibland ifrågasättas, om ett namn är ägnat såsom förnamn för det barn som avses, såsom då föräldrar önska giva en flicka ett gossnamn [...] Vad som i detta sammanhang är väsentligt är att förhindra att barn belastas med kuriösa eller frånstötande förnamn" (Regeringsrätten, of 28/09/2009, translated by EH).

158 Original: "Det förhållandet att ett visst namn normalt bärs av personer av ett visst kön bör inte anses medföra att namnet är olämpligt för personer av motsatt kön. Detta gäller även när ett sådant namn anmäls för ett barn under 18 år. Det är även i det fallet vårdnadshavaren som får anses göra bedömningen av om namnet kan antas leda till obehag." (Skatteverket 2009, translated by EH).

as non-acceptable. Yet, for trans persons, both the court decision and change in legislative implementation mark turning points, since they are now able to officially register additional self-chosen names that hegemonically are considered as gender non-conforming. Also, since the first name change can be made at *Skatteverket*, it is free of charge. In comparison, according to the binary-gender-system, trans*_genderqueer people in Germany must first register under 'the opposite gender' and also pay the administrative fees (Bundesministerium des Inneren 15/08/2013: article 3).

4.7 Summary

That the state decides names on the basis of its citizens' well-being, that binominalism is the implied name structure in Germany, that gendering is necessary for a person's development and that a person's well-being is linked to the 'German feel for language' are all powerful institutionalized norms. They are particularly relevant because they are presupposed and implied and are thus, in hegemonic discourse, taken for granted. In traditional semantics, this presupposed and implied knowledge that creates meaning is even negotiated as 'empirical knowledge'. Presupposing something also means rendering the truth of a statement less questionable (cf. Christie 2000). To claim that gender-distinctivity is necessary for personal development leaves out the option of questioning gendering in general; otherwise, the idea that a child's well-being is legally tied to the categorical perception of the child as either female or male would not be meaningful. As presuppositions require silenced knowledge in order to make sense, and as they are accustomed when growing up, it might be difficult to question this silenced knowledge. As a privileged, non-migratized person, I have never had to learn to question binominalism; my name follows the hegemonic structure. While being socialized as well as socializing myself as cis-female, I always experienced privilege through my first name in Germany, since Evelyn is only negotiated as a name for females. Only in the context of this research did I begin to reflect on the conditions and institutionalized decisions related to name giving. It is necessary to reflect on what grounds institutions decide and on what grounds jurisdiction is negotiated as a way to approach equity and justice, as well as on what grounds I normalized, accepted and accustomed institutions as a framework for regulation. As discussed in Crenshaw's and Spade's works, legislation

manifests inequality and injustice. Giving institutions such as registry offices and academic information centers decision-making powers implies the normalized belief that these institutions can decide top-down which names are grammatically acceptable and socially appropriate. Thus, naming is by no means intended to be a bottom-up approach, given that interventions are usually regarded as an individual activity. Understanding that democracy privileges the will and knowledge of the majority, counter-knowledge that disrupts hegemonic norms is only made negotiable in the context of minority politics. Here again, 'minorities' as agents are focused upon and not the discriminatory structures that privilege the 'majority'. The right to a name is not absolute but is constituted and limited by institutionalized naming principles and their accustomed presuppositions.

Normative conventions and naming traditions have also been discussed in Sweden against the background of controlling and restricting the choice of names. However, it seems that compared to German juridical discourses, Swedish jurisdiction has become less restrictive, enabling trans and gender non-conform people and new parents to choose gender-'contrarian', 'unisex' or gender non-conform names.

However, in both societies name restricting discourses exist and re_produce ideas of naming traditions that are typical to either Swedish or German society. In this context, the idea of a Swedish and German feel for language in naming has been brought up which will be discussed in the next chapter.

5. Feeling Grammar: '*Sprachgefühl*', Metaphors and Emotive Names

This chapter deals with the question of the extent to which a presupposed German and Swedish feel for language influences hegemonic decisions on naming. It is inspired by the previously discussed court case of 'Kiran'. When the local court rejected the parents' complaint about not being allowed to name their child Kiran, it argued that "[t]he assignment of a foreign name is only acceptable if the first name clearly reveals the child's gender according to the German feel for language."[159]

Against the background of dealing with accustomed normalizations in hegemonic discourse, I was curious to learn how German as a language can be felt or sensed, and to analyze the extent to which a nationalized 'feel for language' is negotiated as an acceptable parameter for hegemonic decisions on personal names. I suspect that the *sprachgefühl* argumentation is based on a racist_migratist belief that only people with a 'right' or 'natural' feeling for the German language can authentically identify what gender a name is supposed to 'have' within the German language community. Consequently, I analyze academic, government and popular scientific discourses that aim to educate the 'public' on grammatical regularities in the German and Swedish languages in order to identify the extent to which a hegemonic grammatical classification of names and languages contributes to the accustoming of a naturalized feel for language. Juridical and legislative discourses are analyzed against the background of their additional impact on the institutionalization of a feel for a nationalized language in addition to educational discourses, whereas media and everyday discourses are examined for the extent to which the institutionalization of a feel for languages and names is expressed and re_produced on a day-today level. Furthermore, I wanted to question whether this emotive metaphor of feeling a nationalized language could also be applied to the Swedish context, given the conceptual similarities identified in hegemonic naming practices within the context of nation building (cf. chapter 3.1.3). By discussing the hegemonic use of family metaphors to describe and categorize nations and languages, I illustrate how this cis-binary-

159 Original: "Die Erteilung eines ausländischen Vornamens sei nur dann zulässig, wenn der Vorname das Geschlecht des Kindes nach deutschem Sprachgefühl eindeutig erkennen lasse" (Bundesverfassungsgericht, Beschluss of 5/12/2008, translated by EH).

reprogenderist, racist metaphorization of people constitutes the accustoming of feelings and emotions directed against trans and gender non-conform people, Roma, Jews and Blacks. Using the example of a personal life story, I illustrate how emotionalized anti-Semitic associations of Jewish names influence the choice of names and how power relations constitute these emotive associations.

5.1 'Grammaticalization' of Names

As implied in the court decision by the *BVerfG* in 2008, the feel for language was based on grammatical entities such as semantic meaning, pragmatic use or morphological structure that would make a name identifiable as female or male (cf. Bundesverfassungsgericht, Beschluss of 5/12/2008, chapter 4.4). In order to assess the impact of the presupposition of grammatical features on naming decisions, I browsed through central publications that concern name and language use in Germany and Sweden on an institutionalized public level. The following quotations prove the relevance of social as well as grammatical categorization (or 'grammaticalization') in the context of naming.

The first abstract is taken from the preface of the revised 2002 edition of the International Handbook of Forenames. The handbook is one of the main resources used by registrars in Germany to check the 'gender of a name', or rather, the gender that is conventionally ascribed to a name. Thus, the handbook presupposes that every name 'has' one of two genders and in this way re_produces the hegemonic social categorization of binary-genderization:

> "This handbook that compiles first names from all European languages, has been out of print for some time but is repeatedly requested by registry offices. For decades, parents have been increasingly asking for first names from other languages, sometimes isolated, exotic forms, and there is also a trend towards internationalization in the world of first names. […] Errors […] were corrected. For example, the gender markers for Freja, Jade (female), Fabien and Till (male) were corrected, and digressive, accidentally recorded name forms (e.g. Andreè, Lufthansa, Renéé, Supha) were eliminated. In addition, here and there, where a

> first name has evolved into gender neutrality – such as Jonah, Luca –, the genus markers were changed accordingly. Names such as Aliyah and Cheyenne were added after they have prevailed [in the hegemonic German-speaking environment, EH] recently and, therefore, could not be ignored."[160]

The second quotation is taken from one of the most popular and widely read scientific journals on language use in Sweden, Språktidningen, which targets a mainstream audience and was initially co-funded by two of the leading Swedish research funding institutions, *Vetenskapsrådet* and *Riksbankens jubileumsfond* (cf. Hadenius 2007), as well as *Svenska Akademien*, one of the most influential institutions to regulate and norm Swedish language use. The journal categorizes names and distinguishes them as Swedish or non-Swedish based on their phonetical sound:

> "But not only Svensson is tired of their name. The trend that people with foreign background change [their names, EH] to more Swedish-sounding names [...] is broken, according to PRV. Instead, many change [their names] to new names originating from their own language, such as Bouzhanieilam, Halbori, Albadini, Cordiani, Zazzio, Egelbach, Usopov and Yeshuel. After the requirement for new names to be Swedish-sounding was dropped in 1982, also more and more [statisized, EH] Swedes started looking for a foreign touch, with former acting couple Ola and Noomi Rapace and writing couple Alexander and Alexandra Ahndoril as well-known trend-setters."[161]

160 Original: "Dieses Handbuch, das Vornamen aus allen Sprachen Europas zusammenstellt, war seit einiger Zeit vergriffen, wird aber immer wieder von den Standesämtern verlangt. Seit einigen Jahrzehnten werden von Eltern Rufnamen aus anderen Sprachen, mitunter entlegene, exotische Formen vermehrt gewünscht, und auch in der Vornamenwelt zeichnet sich ein Trend zur Internationalisierung ab. [...] Korrigiert wurden Irrtümer [...]. So wurde etwa die Geschlechtskennzeichnung bei Freja, Jade (weiblich) oder bei Fabien und Till (männlich) korrigiert, und abseitige, versehentlich aufgenommene Namensformen (z.B. Andreè, Lufthansa, Renéé, Supha) wurden ausgeschieden. Außerdem wurde hie und da, wo sich ein Vorname zur Geschlechtsneutralität hin entwickelt hat – etwa Jona, Luca –, die Genuskennzeichnung entsprechend geändert. Neu aufgenommen wurden Vornamen wie Aliyah und Cheyenne, die sich in der letzten Zeit durchgesetzt haben und darum nicht übergangen werden durften." (Nüssler 2002:[7], translated by EH).

161 Original: "Men der är inte bara Svensson som tröttnat på sitt namn. Trenden att personer med utenländsk bakgrund byter till mer svenskklingande namn [...] är bruten, enligt PRV. I stället byter många till nya namn med utgångspunkt i sitt eget språk, som Bouzhanieilam, Halbori, Albadini, Cordiani, Zazzio, Egelbach, Usopov och Yeshuel. Sedan kravet på att nya namn ska vara svenskklingande släpptes 1982 söker även allt fler svennar en främande touch, med tidigare skådespelarparet Ola och Noomi Rapace och författarparet Alexander och Alexandra Ahndoril som kända trendsättare." (Karlsson 2013:19, translated by EH).

The last example is from a decision by the administrative court in Göttingen, Germany. The court rejected the application by a family from Azerbaijan to change their name to a 'German' name that conforms to German pragmatic name conventions:

> "By decision of 25.1.2011, the defendant refused to change the name because the name's linguistically foreign origin is not a significant reason for a name change. There is no evidence for difficulties with spelling or pronunciation. Moreover, the plaintiffs have the possibility of assimilating their name. […] It is true that the plaintiffs' concerns […] of being exposed to discrimination on the labor market due to their foreign name cannot be completely ruled out. However, this is not considered a significant reason for name change."[162]

All examples, including that of *BVerfG* of 2008, show how personal names are conventionally categorized, differentiated and regulated in the hegemonic discourses in both Germany and Sweden. In order to make sense of them, the following presuppositions must be accepted:

- Primarily, names are intelligible as being a part of an often nationalized language such as 'German' or 'Swedish' ("Vornamen aus allen Sprachen Europas", "Rufnamen aus anderen Sprachen", "svenskklingande", "nya namn med utgångspunkt i sitt eget språk", "fremdsprachiger Ursprung des Namens", "ausländischer Vorname", "deutsches Sprachgefühl"). Phonetical conventions, as well as a so-called 'feel for language', are negotiable as indicators for the language to which a name 'belongs'.
- First names are also often classified within and according to these linguistic frameworks. For example, they are unquestionably distinguished as 'female', 'male' and 'unisex' or 'neutral' ("da, wo sich ein Vorname zur Geschlechtsneutralität hin entwickelt hat"), which again presupposes an

162 Original: "Mit Bescheid vom 25.1.2011 lehnte die Beklagte die Namensänderung ab, weil ein fremdsprachiger Ursprung des Namens kein wichtiger Grund für eine Namensänderung sei. Schwierigkeiten mit der Schreibweise oder Aussprache seien nicht erkennbar. Im Übrigen stehe den Klägern die Möglichkeit einer zivilrechtlichen Namensangleichung offen. […] Die Befürchtung der Kläger […]., aufgrund ihres ausländischen Namens Diskriminierungen auf dem Arbeitsmarkt ausgesetzt zu sein, ist zwar nicht ganz auszuschließen. Jedoch stellt diese keinen wichtigen Grund für eine Namensänderung dar." (Verwaltungsgericht Göttingen, Urteil of 25/04/2012, translated by EH).

imagined and taken-for-granted binary-gender-system. The genderization itself is based on categorizations of names as migratized and non-migratized ("wenn der Vorname das Geschlecht des Kindes nach deutschem Sprachgefühl eindeutig erkennen lasse"), thus co-constituting the idea of an often nationalized language system.

- Names can be personified as agents that "asserted themselves", thus omitting and denaming the hegemonic context and reasons for why these names became popular ("Neu aufgenommen wurden Vornamen wie Aliyah und Cheyenne, die sich in der letzten Zeit durchgesetzt haben [=asserted themselves] und darum nicht übergangen werden durften."). Moreover, the process of gendering a name can even be based on a feel for the language to which the name is hegemonically assigned ("wenn der Vorname das Geschlecht des Kindes nach deutschem Sprachgefühl eindeutig erkennen lasse"). In this way, the 'feel for language' is generalized as well as detached from the individual person that might 'feel' the categorization of a name within its linguistic framework. What is significant is the observation that in both cases, the impact of power relations is silenced: Power relations constitute the hegemonic discourse and its privileged positions. Personification, as well as generalization, neglects this impact of human beings as agents, thus focusing on assumed agent-less events that 'just happen' or feelings that are 'just there'.
- As names seem to be mostly conceptualized as gendered and non-/migratized, as well as related to the social positioning of a person as gendered and non-/migratized, intersecting forms of oppression are silenced in the context of naming. However, as stated previously (cf. chapter 2.3), the recognition of people via their names is co-constituted by accustomed default conceptualizations. A person with a name will foremost be considered as ableized if not otherwise determined by a specific context: Either the very person is explicitly marked as disabled, for example when presented as a participant of the Paralympics or Special Olympics – or ability is negotiated as the norm when, for example, the last name of a person (such as Lahm, cf. chapter 2.3) interpellates disabilization, in which the very person is not necessarily positioned.

As stated, the presuppositions need to be taken for true in order to make sense of the linguistic categorization and distinction of names as Swedish or German. I argue that it is this form of structuralist 'grammaticalization' that leads to discriminatory and exclusionary hegemonic negotiation and perception of personal names as gendered, exotified (cf. Hayn, Hornscheidt 2010) and (inter)national: Through phonetic or graphematic classifications that are assumed to be grounded in a nationalized feel for language as well as through dichotomous standardization. For example, by identifying the use of a name as right or wrong or changeable (cf. from introductory quotations above: "Geschlechtskennzeichnung [...] korrigiert", "abseitige, versehentlich aufgenommene Namensformen", "Genuskennzeichnung [...] geändert"), migratizable names are excluded from the nationalized linguistic context while gender-free, gender non-conform names, names that are conceptualized as neither 'female' nor 'male' nor 'unisex' are made unintelligible.

In court decisions, (cf. chapter 4.4) this structuralist grammaticalization is identified as a German *sprachgefühl*. Here, a 'feel for language' seems to represent specific linguistic structures that have been accustomed and normalized as 'typical German' in hegemonic discourse. 'Typical German' as a migratist conceptualization of both language and nationality is interdependent with racist genderist perceptions. For example, names ending with *-a* are hegemonically conceptualized as stereotypically 'female' within the German linguistic community (cf. chapter 2 whereas names ending with *-an* are regarded as stereotypically 'male' (cf. chapter 4.4). In this way, those 'typical German' names are simultaneously recognized as genderable, whereas names that do not comply with this structuralist hegemonic speech pattern are not. Lann Hornscheidt demonstrates the intersectionality of migratizing as well as gendering strategies on the example of their first name:

> "LANN
> NO – A NAME
> NO – COMES OUT OF ME
> COMES FROM ME
> DOES NOT COME FROM ANY PLACE
> THAT MIGHT EXPLAIN YOUR IRRITATION AWAY

(AH – NOT FROM HERE – THIS IS WHY I CANNOT ALLOCATE AND CLASSIFY THE NAME: WHERE IS IT FROM? WHAT DOES IT MEAN? IS IT A WOMEN'S NAME THERE? A MEN'S NAME; THERE?) WHERE?

NO – COMES OUT OF ME

COMES FROM ME

THE GENDER IRRITATION CAN NOT BE REGIONALIZED AWAY

CANNOT BE LOCALIZED AWAY

THE GENDER AMBIGUITY

IS HERE

IS NOW […]"[163]

Although the combination of phoneme segments – /lan/ – is grammatically 'correct' and therefore 'grammatical', according to conventionalized phonotactic 'internal rules' for the German language (cf. Hall 2000) the name is not recognized as German. Hence, when a name is not recognized as German, it is apparently not genderable and if a name is not genderable, it is not recognized as German. "Is it a female name? Is it a male name?" Thus, the question arises as to what extent structuralist grammaticalization is re_produced in the context of naming:

- The grammatical framework of a language as well as hegemonic gender and non-migration classifications co-constitute each other while silencing their normative discriminatory effects and re_productions. Emel, Kiran and Noomi will neither

163 Original: "LANN
NEIN – EIN NAME
NEIN – KOMMT AUS MIR
KOMMT VON MIR
KOMMT NICHT VON IRGENDEINEM ORT
DER DEINE IRRITATION WEGERKLÄREN KÖNNTE
(AH – NICHT VON HIER – DESHALB KANN ICH DEN NAMEN NICHT ZU- UND EINORDNEN: VON WO DENN? WAS BEDEUTET ER DENN? IST ES EIN FRAUENNAME DORT? EIN MÄNNERNAME; DORT?) WO?
NEIN – KOMMT AUS MIR
KOMMT VON MIR
DIE GENDERVERUNSICHERUNG LÄSST SICH NICHT WEG REGIONALISIEREN
LÄSST SICH NICHT WEG LOKALISIEREN
DIE GENDERVERUNEINDEUTIGUNG
IST HIER
IST JETZT […]"
(Hornscheidt 2016, translated by EH).

be regarded nor 'felt' as German or Swedish or, within this linguistic framework, as immediately gender-distinct names, despite the fact that the phoneme segments comply with the hegemonic understanding of the phonotactic rules for the German language and that persons with these names are born and raised in Germany, possess German citizenship and live in communities that are well aware of the conventionalized genderization of their names. Due to this lack of hegemonic recognition, these names are subject to linguistic Othering.

- Simultaneously, the hegemonic perception of names is not necessarily identical with the social positioning of the person that bears the name: Linguistic frameworks of names are 'flexible' and permeable when it comes to hegemonically fashionable names (cf. from introductory quotations above: "Seit einigen Jahrzehnten werden von Eltern Rufnamen aus anderen Sprachen [...] vermehrt gewünscht, und auch in der Vornamenwelt zeichnet sich ein Trend zur Internationalisierung ab", „Sedan kravet på att nya namn ska vara svenskklingande släpptes 1982 söker även allt fler svennar en främande touch."). Yet, this does not necessarily lead to the incorporation of migratized German or Swedish citizens and their names into the nationalized grammatical and cognitive framework of a language. As the example shows, *svennar* aka Swedish people are conceptualized as privileged non-migratized Swedish citizens with non-migratized names who look for non-Swedish names to take on or appropriate as their own. As I will discuss in chapter 6.2.2.1, only migratizable names are subject to appropriation. What names are subject to Othering and what names to appropriation by privileged people is negotiated and defined by hegemonic 'fashion' discourses. Not surprisingly, with time 'fashionable' names will be recognized and 'felt' as not migratizable.[164]
- Regarding the change of names, discrimination and privilege constitute limits and possibilities of name change as well as define the motivation of people who aim to change their names. The name changes of migratized and/or trans and gender non-conform persons might not be motivated by boredom or tiredness as suggested by Språktidningen (cf. from introductory quotations above: "tired of

164 Cf. chapter 6.2.2.2, footnote 227 on appropriation of names and for rejection cf. basically all chapters.

their name") but by the experience of discrimination in naming practices. In various situations in both Sweden and Germany, people are routinely asked to present their ID card when applying for a job or bank account[165], registering at a library or at the municipality's registration office. In these contexts, the identification of an individual can lead to a false perception, namely, if a person does not identify with their registered first name and the way it is conventionally gendered and_or migratized (cf. from introductory quotations above: "Die Befürchtung der Kläger zu 1. und 2., aufgrund ihres ausländischen Namens Diskriminierungen auf dem Arbeitsmarkt ausgesetzt zu sein, ist zwar nicht ganz auszuschließen."). However, in Språktidningen's article, name changes on the grounds of discrimination are not discussed, thus silencing the different motivations, challenges and consequences name changes may have depending on the individual person's social positioning in institutionalized contexts (cf. chapter 6.2.2). Privilege, in comparison to discrimination, is experienced when non-migratized people with a conventionalized 'German' name are not confronted with criminalized imputations of active involvement in German nationalist terrorism, such as crimes committed by the NSU[166] or other Nazis, despite their name's perception as 'German'.

In the following subchapter, I will focus on the grammaticalization of names, that is on the grammatical structure on which names are identified and differentiated as 'German', 'female' and correctly used or not. I will show that grammaticalization is another expression of accustoming (cf. chapter 2.3) that is defined by hegemonic institutions, such as the editorial team of *Duden*, the name consulting office in Leipzig, or traditional academic discourse in linguistics and specifically in onomastics. Particular attention is given to the impact of a presupposed feel for language, which I assume to be an internalized and thus naturalized hegemonic strategy that enables and silences discrimination and exclusion in the context of nation building.

165 I am grateful to two friends that shared their own and a reported experience with the German Sparkasse, a savings bank, with me. In both cases, Sparkasse inquired about the citizenship of their clients. Both clients were cis-male identified and had migratizable names. Since both names were on suspected terrorist lists, the Sparkasse doubted their identity as German citizens and asked them to provide proof of citizenship (Anonymous friend * 2007; Anonymous friend ** 2012).

166 German racist and far-right terrorist group called the National Socialist Underground.

5.2 How to Feel Languages, Nationalities and Names

In the following I argue that a feel for language – *sprachgefühl* – is an accustomed as well as internalized kind of knowledge which enables people to decide how to perceive and label languages. In this context, personal names are regarded and negotiated as part of an often nationalized language (cf. Suleiman 2006). In the quotations below, a feel for language is negotiated as a preexisting structure which identifies linguistic expressions as German or Swedish. For reasons of illustration, I repeat this chapter's initial quotation taken from the court case discussed in chapter 4.4: "The assignment of a foreign name is only acceptable if the first name clearly reveals the child's gender according to the German feel for language."[167]

The local court quoted in the decision by the Federal Constitutional Court, the highest German court, identifies the German feel for language as a benchmark for the ability to gender a child unambiguously via its name. Thus, the local court regards the German feel for language as a valid foundation for legal decision-making. Although the highest German court objects to the idea that a name's ascribed gender conventionalization needs to comply with the German *sprachgefühl*, it does not object to the idea that there actually exists a German feel for language:

> "The reason given by court that a gender-distinct first name, whose gender is revealed by the German *sprachgefühl*, is in the child's interest is just as little justified in restricting the parents' right to determine [the child's name, EH]."[168]

Similarly, in the Swedish context the extent is discussed to which a feel for language can be decisive for a correct use of language by the Swedish journal *Språktidningen* without rejecting the idea of the existence of a nationalized feel:

> "The feel for language is what enables us, often without schooling, to determine what is correct language use. [...] The feel for language also enables Swedes to

167 Original: "Die Erteilung eines ausländischen Vornamens sei nur dann zulässig, wenn der Vorname das Geschlecht des Kindes nach deutschem Sprachgefühl eindeutig erkennen lasse" (Bundesverfassungsgericht, Beschluss of 5/12/2008, translated by EH).

168 Original: "Ebenso wenig kann vorliegend die von den Gerichten angeführte Begründung zum Interesse des Kindes an einem sein Geschlecht eindeutig im deutschen Sprachgefühl offenbarenden Vornamen eine Begrenzung des elterlichen Bestimmungsrechts rechtfertigen." (Bundesverfassungsgericht, Beschluss of 5/12/2008, translated by EH).

> transform unswedish expressions into passable ones [...] The feel for language [...] reacts to deviant pronunciation and intonation, perhaps even faster. We can tell immediately if someone speaks with an accent, even if he or she masters the order and choice of words perfectly well."[169]

However, both the German local court and the Swedish journal silence powerful norms that are re_produced by their statements. Instead of regarding language use as a process that understands linguistic meaning as something that can shift depending on a person's social positioning, language is negotiated as a pre-determined, standardized structure. Thus, language use can be treated as compliant with the hegemonic norms to identify it in a structuralist and nationalized way as right or wrong, as well as to identify a personal name as gender-distinct or not. Furthermore, both authorities privilege those languages users that are assigned to possess a feel for language.

As the quotation from *Språktidningen* suggests, those language users are conceptualized as having a feel for language that are identified as 'Swedish' in a hegemonic migratist way. By claiming that one does not even need to have studied linguistics or know much about languages in order to be able to distinguish names as 'female', 'male', 'unknown gender', non-migratized and migratized, non-migratized Swedish people are negotiated as decisive authorities of the Swedish language. As I will show later, the same applies to the German context.

Traditionally trained linguists would base the distinction of names on inherent structures that define rules and ir/regularities and that separate one language from another. This knowledge about linguistic structures is wide-spread

- in classrooms where languages are distinguished and taught as so-called first (L1) or second (L2) language[170];

169 Original: "Språkkänslan är det som gör att vi, ofta helt utan skolning, kan avgöra vad som är korrekt språk. [...] Språkkänslan gör också att svenskar kan formulera om det osvenska till helt gångbara yttranden [...] Språkkänslan reagerar [...], kanske ännu snabbare, på avvikande uttal och satsmelodi. Vi hör direkt om någon bryter, även om han eller hon behärskar ordföljden och valet av ord perfekt." (Engdahl 2010, translated by EH).

170 Cf. for a critique of this form of migratist hierarchization of language acquisition and use: Dirim 2013 as well as Knappik, Dirim 2013.

- in grammar books and language teaching material such as published by the German editor Duden or by the Swedish Academy (*Svenska Akademien*);
- on the websites of national government agencies on language, such as the Swedish Institute for Language and Folklore (Institutet för språk och folkeminnen n.d.);
- but also in the media, such as *Fråga om språket* in the Swedish online newspaper *Dagens Nyheter* (Dagens Nyheter Online n.d.) or the Zwiebelfisch column in the online version of the German magazine *Spiegel* (Sick 2003–2012).

Thus, in hegemonic discourse people are confronted with an authorized form of knowledge production that they – if not aware of otherwise – might be willing to spread and share. From a deconstructivist cognitivist pragmatic perspective on language, however, I argue that these structures are ascribed to language only as ir/regular and that these structures are not given but a result of constant hegemonic social interaction, sedimentation and accustoming (cf. chapter 2 cf. Marmaridou 2000).

But what happens when I, as a non-migratized person that is hegemonically negotiated as a L1 user, hear a personal name pronounced in a way I am not accustomed to? If someone uses a personal name I am not able to gender according to my assumed 'German feel for language'? Following hegemonic discourse, one would identify the speakers as non-L1, or non-native speakers and their non-L1 names as non-German names. Yet, this creates enough questions for another dissertation: How does one become an authorized L1 user who possesses a feel for language? What is the difference between L1 and L2 in terms of the ability to feel the language? On what basis do I judge whether language is used in the right or wrong way? Can I learn to develop a *sprachgefühl*? Is it something that humans can learn or is it something that should rather be left to modern technology, as the following citation from an article about a mobile phone suggests:

> "Statistics gives your mobile phone a feel for language. Now you can speak to your phone in English and receive a translation in Chinese in response. The technique is based on an idea that engineers advocated in the 1970s."[171]

If it is possible to acquire a feel for language, what is it that I actually learn? Is it some kind of linguistic knowledge about the grammatical structures of a language? Or can it also be something that I can react to emotionally when, for example, a grammatical rule is breached?

The conceptualization of a 'feel for language' might not interpellate the same associations as nationalist feelings. Nevertheless, I claim that there are some similarities in the way these 'emotions' are powerfully constituted, acquired and re_produced. Both a feel for language and nationalist feelings presuppose the idea of a pre-existing nationalized concept towards which feels, feelings and emotions can be directed: the possibly emotional feel for a language and the emotional feelings for a group of people that both are conceptualized as German. Sara Ahmed conceptualizes emotions as emerging from the contact a person has with a subject or an object (Ahmed 2004a:119). In an article on Affective Economics, Ahmed argues that

> "emotions play a crucial role in the 'surfacing' of individual and collective bodies through the way in which emotions circulate between bodies and signs. Such an argument clearly challenges any assumption that emotions are a private matter, that they simply belong to individuals, or even that they come from within and *then* move outward toward others. It suggests that emotions are not simply 'within' or 'without' but that they create the very effect of the surfaces or boundaries of bodies and worlds." (Ahmed 2004a:117)

As Ahmed suggests, it is doubtful that emotions are conceptualized and felt on an individual or private level only. This is contrary to a conventionalized belief that emotions are 'authentic' and 'real'. As shown above, the very idea of authenticity is also interpellated and presupposed in discourses about a feel for a nationalized language.

171 Original: "Statistiken ger din mobil språkkänsla. Nu kan du prata till mobilen på engelska och få en översättning uppläst på kinesiska. Tekniken bygger på en idé som ingenjörer förespråkade på 1970-talet." (Lewan 2011, translated by EH).

Thus, when analyzing the assumed German feel for language quoted in the court statement following Ahmed, this kind of 'emotion' can barely be understood as something individual but rather shared. By authorizing the feel for language to be potentially fundamental for linguistic decisions on the 'nature' of a name, it is constructed as an emotion that is generally shared in hegemonic German discourse. I suggest understanding the feel for language as an accustomed normative perception of language that is constituted and affected by hegemonic discourse. As Ahmed argues, "emotions are [...] assumed to come from without and move inward" (Ahmed 2004b:28). Hence, the way people and language use are emotionally perceived is influenced and determined by the hegemonic way people have learned to feel about them. The distinction between the individual (inside) and society (outside) is then, according to Ahmed, constituted and affected by feelings (cf. Ahmed 2004b:24; 29). Thus, feelings interpellate associations about others as well as about oneself that are are "shaped by histories that stick" and in this way are perceived as true (Ahmed 2004b:39). With regard to conventionalized negotiations of language as a symbolization of the nation, these sticky histories can be read as historically accustomed knowledge. This can be the experience that a hegemonically assumed 'correct' and 'appropriate' use of the German language helps to 'succeed' in German society and remain employed (cf. Bundesarbeitsgericht, of 28/01/2010); it can also recall the relevance of the German language for nation building that continuously re_produces collectively imagined and shared boundaries between the self and the other. The initiative of the Association German Language to anchor the German language in the German Constitution as a national symbol exemplifies the link between language and nation for the German context (cf. Krämer 2008), in particular as it seems to be broadly supported according to a public opinion poll conducted in 2009 (cf. Schaal et al. 2009). The conceptualization of language as something one can feel e.g. when language has been used in a right or wrong way, is, thus, not only presupposed because people have been in contact with the language; by adapting Ahmed (Ahmed 2004a:118), the presupposed feel for language can also be explained by the emotional reading of a 'non-conforming' use of the nationalized language that works to bind L1 speakers and nation together. This presupposes an understanding of a 'conform' use of language as well as an emotive attitude towards the conceptualization of 'the nation'. Among the many languages and

variations of German that are used every day, it is the migratized set of language use that is hegemonically constructed as non-conform with the German feel for language. In this way, perceiving migratized names as German is made unintelligible in a similar way as perceiving names as non-gendered are made abject (cf. chapter 2.3). As shown in the court statement, the German feel for language constitutes the genderability of names, as gender conventionalization constitute the German feel for language. Following this logic, a hegemonically non-conforming name identification might then 'hurt the language feeling' which – as Ahmed has shown using the example of 'love for the nation' – can lead to "the reading of others as hateful" (Ahmed 2004a:118), and to the "aligning [of] subjects with collectives by attributing 'others' as the 'source' of our[172] feelings" (Ahmed 2004b:[1]). I argue that the emotional perception of non-conforming names also depends on the ways people become accustomed when acquiring 'the feel' for a hegemonically conform language and name use.

In German linguistics, there is a distinction between 'German' and 'German as a second language' (DAZ) and 'German as a foreign language' (DAF) as teaching subjects[173]. Thus, 'German' (as a first language) is not only conceptualized as the hegemonic norm, which it is not specified further, but the distinction between a(n) (implicitly) first and second as well as 'foreign' language also tackles the question of to whom a German *sprachgefühl* is assigned. In a handbook on German as a second language, the meaning of *sprachgefühl* is specified as something only non-migratized children 'possess':

> "As regards learning aids and mnemonics, one must not resort to a German feel for language that these children do not and cannot have."[174]

and

> "Second language teaching is conflicting with native language teaching on the one hand and foreign language teaching on the other hand. It differs mostly from native

172 I read 'our' here as conceptualized from a hegemonic perspective.

173 Cf. for example distinction made at the Department of Philosophy and Humanities between German, German as a Second Language and German as a Foreign Language at the Freie Universität Berlin (Freie Universität Berlin n.d.).

174 Original: "Bei Hilfen und Lernbrücken darf nicht auf ein deutsches Sprachgefühl zurückgegriffen werden, das diese Kinder nicht haben (können)." (Rösch 2001:10, translated by EH).

> language teaching since the latter presupposes the unconscious acquisition of fundamental language skills and an already acquired feel for language."[175]

In the handbook, '*sprachgefühl*' is not only negotiated as something one can possess after learning it unconsciously but also negotiates how it can be acquired:

> "The accustoming of vocabulary and structures is indispensable in order for a feel for language to evolve gradually and can, for example, be carried out by memorizing poems and songs (repeating the same sentence patterns) or dialogues and sketches (e.g. accustoming of verb forms)."[176]

This means that pupils are taught a specific use of language in order to acquire a feel for the German language. In line with Ahmed's approach to identify the socialized connection between emotion and subject/object (Ahmed 2004a), the handbook suggests facilitating and support the language acquisition process by use of methods that tackle the emotions of the pupils (cf. Rösch 2001:53; 57). The constant repetition of vocabulary as well as structures in songs, poems, dialogues or sketches should foster the accustoming of a feel for German.

But what does it mean if children/pupils are encouraged to learn a feel for a standardized hegemonic version of German but not a critical reflective feeling for the social norms presupposed by the linguistic environment they grow up in and get accustomed to? What do children/pupils become accustomed to who grow up in a linguistic environment that is hegemonically recognized as a provider for a German *sprachgefühl*? What do children become accustomed to in an educational environment where pupils are split into two classes, one with and one without the feel for German? And what do they become accustomed to when it comes to the perception of people via their names? The feel children/pupils acquire is also a feel to categorize people socially

175 Original: "Der Zweitsprachenunterricht steht im Spannungsfeld von muttersprachlichem Unterricht auf der einen Seite und Fremdsprachenunterricht auf der anderen Seite. Am stärksten unterscheidet er sich vom muttersprachlichen Unterricht, da dieser den unbewussten Erwerb der Sprache in ihren Grundzügen und ein bereits erworbenes Sprachgefühl voraussetzt." (Rösch 2001:33, translated by EH).

176 Original: "Das nötige Einschleifen von Wortschatz und Strukturen, das unabdingbar ist, um nach und nach ein Sprachgefühl entstehen zu lassen, kann beispielsweise durch Auswendiglernen von Gedichten und Liedern (Wiederholen gleiche Satzmuster) oder Dialogen und Sketchen (z.B. einschleifen von Verbformen) erfolgen." (Rösch 2001:38, translated by EH).

and valuate them differently according to their ascribed societal role and social positioning as, for example, migratized and non-migratized Germans. In this way, they do not only learn how to structure and classify people but also how to feel about them. Thus, feelings and emotions can be understood as an internalized structure of how to perceive social orders and norms. Consequently, naming regularities and compliances with the norms evoke positive feelings, whereas linguistic counter-activist naming interventions interpellate negative feelings instead of appreciation of creativity and a diversity of ideas and linguistic perceptions.

The authors of the educational material designed for German as a first language are in danger of supporting the acquisition of positive and negative associations with naming practices in Germany. In their publication, they re_produce the distinction between pupils with and without a feel for German in a discriminatory way. Names such as Thanh Tien, Ahmed, Ayşe, Hasan and Ricardo which in hegemonic discourse are not negotiated as typical 'German names'[177] only appear in DAZ (and not DAE[178]) material as potential protagonists in exercises for DAZ students and are therefore, perhaps with the exception of Ricardo[179], re_produced as migratized names (Rösch 2001:78). 'Migratized' here is assigned to names that in hegemonic discourse are considered as names for people that are denied being ascribed as 'German'. Although Ricardo might be perceived as a non-German(ic) name, based on its record in Nüssler (Nüssler 2002:357; cf. below) it seems more likely that today Ricardo is negotiated as a 'possible' or intelligible name for people that are considered as 'statisized' – as non-migratized. Thus, associations of a *white*, cis-binary-gendered and Christianized/Christian socialized person 'without migration background or experience' (as far as 'non-migration' can be vaguely conceptualized on a hegemonic level) are interpellated. Therefore, when it comes to the conceptualization of a German *sprachgefühl* migratized children are made unthinkable or unintelligible in the DAE material as potential protagonists that have a German *sprachgefühl*, whereas children that are statisized and can position themselves within a

177 Cf. Nüssler lists Ayşe and Hasan as Turkish names (Nüssler 2002:58;195), whereas Thanh Tien is not even mentioned; however, one source in Nüssler recognizes Ahmed as German (Nüssler 2002:25), whereas Ricardo is listed in five German sources (Nüssler 2002:357).

178 Deutsch als Erstsprache ('als Erstsprache' = silenced).

179 Cf. footnote 177.

hegemonic system that only recognizes people and people's names as unchangeably gendered as well as either 'female' or 'male' become accustomed to a learning environment that always provides opportunities for identification. As I will show in chapter 6 the idea of non-migratization as well as the assigned authority of 'possessing' a feel for language serve as a resource for collective identification that enables the development of positive feelings for hegemonic German language use. Statisized trans and gender non-conform children that do not want to or can be positioned as cis-binary-gendered are also made unthinkable as protagonists but not necessarily as not having a non-migratized German *sprachgefühl*.

This example also shows how the German '*sprachgefühl*' is negotiated as a feel that only statisized people have, since they 'know' or have a 'command' of German as a first language. The German language is closely linked to images of nationality and citizenship, as it is conceptualized and shown on several websites that offer information in different languages, such as the 'official' website of the city of Berlin, where the German language is associated with and depicted by an image of the German flag.[180]

The relationship between speakers, language, nationality and citizenship is also negotiated within German legislation (cf. chapter 3.2). Until the year 2000, German citizenship was only assigned through *ius sanguinis* – meaning that one could only acquire German citizenship through the civil status of one's guardians or parents who had German citizenship, irrespective of birthplace. Since changing legislation in 1999, individuals without ties to a parent or guardian with German citizenship are also entitled to become naturalized German citizens as long as they have 'sufficient' or a 'fair command' of the German language (*StAG*, Deutscher Bundestag 1/01/2000: section 3 paragraph 5, sections 8, 9 and 10). People that acquire German citizenship via *ius sanguinis*, however, do not need to prove their command of German. Given the fact that an explanation for this unequal treatment remains de_mentioned in legislation, this

180 Cf. drop down manual "Sprache": BerlinOnline Stadtportal GmbH & Co. KG n.d.. The fact that German is not the only language spoken in Germany and that it is also spoken elsewhere is ignored. A similar nationalized connection is applied to website of the city of Graz (Magistratsdirektion - Abteilung für Öffentlichkeitsarbeit n.d.). The German language version of the website is depicted by an image of the Austrian flag, although here it interpellates more that German is also spoken in Austria and not just in Germany. Hence, there are various conceptualizations that are interpellated with the notion of 'Germany', 'German' and the 'German language' that are interdependent with images of citizenship and nationality.

institutional regulation re_produces the nationalist idea to classify 'ethnic groups' and thereby privileges those that are considered German citizens in hegemonic discourse on the grounds of genetically asserted, reprogendered 'family' ties rather than through any other connection, such as community, or reason, such as statelessness, asylum, residence, – conceptualizations that only make sense because of the powerful re_production of nationality and citizenship (cf. chapter 3.2.2).

Given these strong links between the concepts of language, citizenship and nationality, the effects of this relationship need to be questioned. What is normalized when the nation and citizenship idea of a German *sprachgefühl* is re_produced as an underlying presupposition that is taken for granted and not defined in contexts where it is, for example, made the basis of a court decision that concerns questions of citizenship in the context of naming? To accept the concept of "*sprachgefühl*" as an authority for those that are hegemonically assigned L1 speakers and who are thus made to decide upon linguistic in- or exclusion seems to be so normalized that it often is de_mentioned and silenced. Linguistic knowledge as something that is shared by a depersonalized and homogenized group of people is one expression of this form of silenced presupposition that needs to be accepted in order to authorize the court's statement that "[t]he assignment of a foreign name is only acceptable if the first name clearly reveals the child's gender according to the German feel for language"[181].

5.3 How to Feel a Name's German Grammar

As mentioned in chapter 4.4, in 2006 German authorities rejected 'Kiran' as the first name for a child. One of the crucial arguments for the name's rejection by a local court was that a 'foreign' first name would only be acceptable if the perception of the child's gender via their name was in line with a so-called 'German *sprachgefühl*'. This statement was supported by the Higher Regional Court that stated that Kiran "as a sole first name raises doubts about the gender of the child"[182], thus ignoring that the name is

181 Original: "Die Erteilung eines ausländischen Vornamens sei nur dann zulässig, wenn der Vorname das Geschlecht des Kindes nach deutschem Sprachgefühl eindeutig erkennen lasse" Bundesverfassungsgericht, Beschluss of 5/12/2008, translated by EH).

182 Original: "als alleiniger Vorname lasse der Name Zweifel über das Geschlecht des Kindes aufkommen" (Bundesverfassungsgericht, Beschluss of 5/12/2008, translated by EH).

conventionally used in a non-Western context that negotiates the idea of gendering people differently. Although the authorities did not specify what they meant by 'feel for language', it is implied that there must be a commonly known and (hegemonically) shared set of criteria that defines this 'feel'. Hence, what criteria does this consist of?

Implying that the online Wiktionary of Wikipedia provides a conventionalized meaning, *sprachgefühl* (a notion that is also supposed to be used in English speaking environments though rarely) is negotiated as "the instinctive or intuitive grasp of the natural idiom of a language" (Wiktionary 2016). Therefore, it is conceptualized as something that comes from within or something that comes 'naturally'. As discussed above, using the German *sprachgefühl* argument implies that Kiran's parents do not have or respect this particular feel for the German language and hence do not 'possess' the 'intuition' or re_produce the knowledge of how to name a child accordingly. Despite the lack of definition, the authorities and courts could make use of the migratist *sprachgefühl* argument to dismiss the suggested name. As the re_production of migratist knowledge in this case is made intelligible as a valuable argument, *sprachgefühl* is also negotiated as something that either cannot be learned by the parents or does not want to be learned (despite the fact that one of them actually had German citizenship). If Kiran was thus considered a name that could not easily be gendered according to a Germanized *sprachgefühl*, which names are and why?

Germany's Federal Constitutional Court took the final decision by approving Kiran as a possible binary-genderable name for both 'girls' and 'boys' and provides some clues on how a 'German *sprachgefühl*' can be negotiated and how names can be gendered on the basis of the 'German *sprachgefühl*'.

The first clue is provided by an argumentation that supported the rejection of Kiran as a personal name for a girl-identified newborn:

> "In German language use, first names that end with 'an' signify persons of male gender, for example Christian, Florian, Julian, Jonathan, Kilian, Maximilian, Sebastian, Stefan, Tristan."[183]

Identifying a name's 'gender' grammatically through endings or morphemes is in line with traditional onomastic research, such as Seibicke's "Die Personennamen im Deutschen" (Seibicke 2008), which classifies names as first names, as German as well as 'gender'- (or rather 'genus'-) specific. Seibicke names several endings that conventionally are considered as interpellating cis-binary gendering: *-borg*, *-tr(a)ud* and *-ina* are considered 'female', and *-bert*, *-mund*, *-(i)us*[184] are considered 'male'. However when it comes to endings that do not provide any of the previously mentioned genderable markers or that are 'shared', such as *-mut* and *-wig* in 'female'-considered (Almut, Hedwig) or 'male'-considered names (Helmut, Ludwig), Seibicke suggests

> "that 'one knows' what gender the respective name usually is for. Such a name is firmly rooted in the language possession of German speakers as either a male or a female first name because of its obvious connection to related name forms and/or simply through its use (convention)." (Seibicke 2008:106)[185]

Therefore, Seibicke implicitly provides a conceptualization of the 'German *sprachgefühl*' that is contrary to the suggested naturalized 'instinct' and 'intuition' above: grammatical structuralization and conventionalization. By use of the notion 'grammatical structuralization' I imagine here a linguistic systematization that negotiates language as a structured set of rules and relations (cf. Hayn 2011; Hayn 2015). This set of rules and relations can be acquired through learning and conventionalizing, whereby it provides the means to understand the notion of *sprachgefühl* as an internally residing affect and emotion (cf. chapter 5.2).

183 Original: "Im deutschen Sprachgebrauch bezeichneten Vornamen mit der Endsilbe 'an' eher Personen männlichen Geschlechts wie zum Beispiel Christian, Florian, Julian, Jonathan, Kilian, Maximilian, Sebastian, Stefan, Tristan." (Bundesverfassungsgericht, Beschluss of 5/12/2008, translated by EH).

184 Considered as a 'loan' suffix from Latin.

185 Original: "dass 'man weiß', auf welches Geschlecht der betreffende Name gewöhnlich angewendet wird. Ein solcher Name ist aufgrund seiner durchschaubaren Beziehung zu verwandten Namensformen und/oder einfach durch Gebrauch (Konvention) fest als männlicher oder weiblicher Vorname im Sprachbesitz deutscher Sprecher verankert." (Seibicke 2008:106, translated by EH).

The 'Germanization' of *sprachgefühl* becomes evident in an argumentation that was provided on behalf of the parents and that led to the complaint of unconstitutionality: The hegemonic grammatical argument that, according to German language use, first names ending with *-an* are usually given to 'male' identified persons was not convincing: "[E]ven within the German language framework 'female' identified first names that end with -an are not that seldom: Lilian, Arian, Aslihan, Bahan, Nalan, Nuran, Susan, Selcan."[186]

These examples challenge the migratist and genderist conceptualization of first names in a German-speaking environment provided by the German authorities. Authorities had previously de_mentioned names which, according to, for example, Seibicke, would not be classified as 'German' or 'Germanic' but rather as loan names or 'foreign' (Seibicke 2008:107–112). It is interesting to note that Seibicke himself is not so sure about the pragmatic differentiation between 'German' and 'foreign' names, since the use of certain 'loan names' had became so 'naturalized' in Germany that they were barely recognized as loans and "mostly only by linguists", he concludes (Seibicke 2008:109).[187] Also, many 'German' names such as "Arbogast, Erkenbald, Swidger, Roswitha, Kunigunde, Aleit" are considered more foreign than such names such "Hans, Paul, Peter, Grete, Bärbel, Marei, Stefan, Thomas und Christine" (Seibicke 2008:109). Nevertheless, those non-foreign 'German' names are still considered as 'German' and the listing of the latter names shows that Seibicke's thesis only applies to a certain set of names that pass as 'German' or 'non-foreign'.

The distinction he tries to make between 'foreign' and 'German' is based on the idea to ascribe names an etymological 'origin'. The concept of 'origin' supports, maintains and re_produces the nationalization of names, thus excluding migratized people's names from being perceived and negotiated as 'German'. Interestingly, Seibicke's concept of 'foreign' here only comprises names which today would be considered as well known

186 Original: "Aber selbst im deutschen Sprachrahmen seien weibliche Vornamen mit der Endung 'an' nicht selten: Lilian, Arian, Aslihan, Behan, Nalan, Nuran, Susan, Selcan" (Bundesverfassungsgericht, Beschluss of 5/12/2008, translated by EH).

187 Original: "Viele der entlehnten Namen haben sich im Laufe der Zeit so fest eingebürgert und sind auch in den Mundarten so umgestaltet und den heimischen Namen angepasst worden, dass sie nicht mehr als fremd empfunden werden und dass oft nur noch der Sprachwissenschaftler ihre Herkunft anzugeben vermag" (Seibicke 2008:109, translated by EH).

and broadly used as 'German'. According to Nüssler (2002), Hans, Paul, Peter, Grete, Bärbel, Marei, Stefan, Thomas and Christine are all recognized as first (genderable) names in the German language community with Hans, Peter, Thomas, Stefan, Paul and Christine ranking among the most popular since 1890 (Bielefeld n.d.a; Bielefeld n.d.c), and Hans used as a prototypical name for a statisized cis-male German by the Turkish-German community (cf. Akyün 2007:8; 136-151, cf. chapter 1.3.1).

5.4 How to Feel a Name's Swedish Grammar

A similar approach towards 'feeling a name's grammar' can be applied in the Swedish context. With the institutionalization of personal names at the legal level, a hegemonic understanding of 'feel for language' is constantly authorized and re_produced. Retrospectively, Brylla comments on the concept as follows, referring to the introduction of the legislation on personal names in 1963 that should, among others, regulate the changing of last names. At the time,

> "[o]ne should build on the name creation opportunities offered by the then existing system and connect the names with the Swedish feel for language. However, the feel for language has been subject to constant displacements. The year after, a new name reference book was published, in which a large number of empty prefixes, generated by computer, were suggested. Henceforth, there has existed a basically free combination of acceptable phonetic sequences in the prefixes and prevalent elements as suffixes. This is an example of the displacements of the feel for language that had principally been initiated by Jöran Sahlgren's name reference books of 1939 and 1940 in which place name elements were suggested."[188]

As Brylla states, it becomes obvious that a 'feel for language' is not a fixed unchangeable conceptualization. Rather, it seems to be subject to constant shifts that depend on how

188 Original: "Man skulle bygga på de namnbildningsmöjligheter som det dåvarande systemet erbjöd och dessutom ansluta namnen till svensk språkkänsla. Språkkänslan undergår emellertid ständiga förskjutningar. Året efter utkom åter en ny namnförslagsbok, där en stor mängd förslag med innehållslösa förleder framtagna med datorns hjälp finns. Från och med nu förekommer en i princip fri kombination av godtagbara ljudföljder i förlederna och gängse element som slutleder. Detta är exempel på förskjutning av språkkänslan som i princip hade påbörjats i Jöran Sahlgrens namnförslagsböcker från 1939 och 1940, där förslagen bestod av ortnamnselement." (Brylla 2009:58–59, translated by EH).

språkkänslan is defined by a given authority. With the 1963 name law, Swedish authorities aimed at providing a legal foundation to change last names, thus 'allowing' already accustomed 'non-Swedish' linguistic elements to become a part of the Swedish grammar/language: "New family names should, with regard to word formation, pronunciation and spelling, comply 'with native language use'. The wording was also supposed to cover Finnish and Sami family naming norms" (Brylla 2013:137).[189]

Thus, also in the Swedish context, the feel for language has been closely linked to conventionalized Swedish grammar which can be described phonologically and morphologically as "acceptable phonetic sequences in the prefixes and prevalent elements as suffixes" (Brylla 2009:58–59)[190]. Furthermore, as described for the German linguistic context above, some 'non-Swedish' names seem to have been already adapted and 'included in' the Swedish feel for language. Brylla identifies some of those morphemes as German, English, Italian as well as Slavic (Brylla 2009:96). However, as I will show in the following, not all of them are accepted in the Swedish hegemonic linguistic environment in the same way.

Until 2017, the Swedish Patent and Registration Office, *Patent- och Registreringsverket* (PRV), had authority to decide whether or not a 'newly created' last name is acceptable according to the Swedish name law of 1982, *Namnlag (1982:670)* (Justitiedepartementet L7 2001), thus enabling a name to be changed. It specified its understanding of how a 'new' surname should look by help of an e-service (*e-tjänst*) that offered a variety of different pre- and suffixes for the creation of the new name (Patent- och Registreringsverket n.d.a). The suggestions made follow a conventionalized perception of Swedisized surnames: For example, it suggests choosing a name that consists of a prefix such as *Lind-* or *Borg-* (Patent- och Registreringsverket n.d.c) and a suffix such as *-kvist* or *-ström* (Patent- och Registreringsverket n.d.b) which conventionally would be hegemonically recognized and negotiated as 'Swedish'. However, it is important to note that those morphemes that Brylla identified as 'Slavic'

189 Original: "Nya släktnamn skulle till bildning, uttal och stavning överensstämma 'med inhemskt språkbruk'. Formuleringen var tänkt att täcka även finskt och samiskt släktnamnsskick." (Brylla 2013:137, translated by EH).

190 Original: "godtagbara ljudföljder i förlederna och gängse element som slutleder" (Brylla 2009:58–59, translated by EH).

and 'Italian' (*-ow, -ski, -witz* as well as *-andi, -ano, -ato, -ino, -iro, -oni, -ono*) are not listed among PRV's suggestions, whereas identical or assimilated morphemes of its German (*-feldt*, *-stedt*, *-heim*) examples can be found (*-fält*, *-stedt*, *-hem*) (Brylla 2009:96). In this way, only older German identified morphemes are actually accustomed in such a way that they became intelligible as 'Swedish'. Thus, if a person created a surname with the help of the PRV-service, it was most likely negotiable as Swedish, since the tool only offered a set of morphemes which are hegemonically accustomed as Swedish. A person who wanted to change their surname to Åsalm, which consists of affix suggestions *Ås-* and *-alm*, simply needed to have the name checked by the PRV to find out whether it is already taken by someone that has the right or is entitled to bear that name. This complied with the name law, *Namnlag (1982:670),* according to which a newly created name must not have to be already registered in Swedish municipalities nor must it be a "commonly known" last name from abroad or from an extinct family (*Namnlag (1982:670)*, Justitiedepartementet L2 1/03/2012: article 13).

The phrase "commonly known" was not further defined by PRV, thus making it possible to reject, for example, the 'foreign' name Donadoni[191] and left open the question of who decides which names should be 'commonly' available. In this way, those 'new' names might sooner or later easily be negotiated as conventional Swedish surnames, thus silencing and excluding names from the feel for the Swedish language that are hegemonically negotiated as non-Swedish. In this way, migratized Swedes are only offered a set of non-migratizable morphemes they are forced to identify with and thus forced to dis-identify with migratized name affixes.

The refusal to acknowledge migratizable name spellings and name pronunciations as Swedish is confirmed by a poll that the *Namnlagskommittén* tasked to Statistics Sweden (SCB) in 2012 in order to assess people's attitudes towards the changes in the new Swedish naming law. The questions can be identified as biased and discriminatory, as they negotiated spelling and pronunciation already as non-Swedish and, with regard to the examples used (for example Qroqhztrömm, Razafindrandriatsaimaniry,

191 According to PRV, Donadoni is supposed to be "ett allmänt känt utländskt efternamn" (Patent- och Registreringsverket n.d.d).

Xenogiannakopoulidis), also migratized (cf. Namnlagskommittén 2013:Annex 4, p. 3). *Namnlagskommittén's* explanation of the results in this case is particularly interesting because it tells something about the hegemonic de_perception of discriminatory naming practices. It assumed that the questions may have been 'misunderstood' and migratized people might have been given the impression that their own names were questioned to be acceptable in Sweden. The committee admitted that the query might not have been clear enough in distinguishing between already existing and newly created names to be accepted (cf. Namnlagskommittén 2013:249–250). However, this acknowledgement does not contribute to explaining the case, as it still re_produces the idea that newly created migratizable names that do not or are not known to exist in Sweden could be subject to rejection.

Simultaneously, it needs to be borne in mind that if non-migratized people assumed a name that consists of migratizable morphemes in order for them to benefit from a migratizable position (cf. footnote 227), this could then be regarded as an appropriation of a name and therefore a hegemonic ascription, which places the privileged in a fight that is not theirs.

5.5 Rational metaphors for emotive names

As personal names tend to refer to people first, those personal names that conventionally are negotiated as promoting an etymological explanation for people's implied 'nationality' and 'gender' implicitly also support the discriminatory differentiation of people. In hegemonic discourse, 'nationality' is regarded from a national historical perspective: In this way, also those names will be negotiated as German that are identified as 'Germanic' (cf. Seibicke 2008). To identify an imagined, metaphoric and nationalizing and nationalized existence of 'German(ic) roots' or 'German(ic) family of languages' during a time prior to the establishment of so-called nation states shows that 'the national idea' is a powerful hegemonic retroactive ex post invention (cf. Anderson 1983). Promoters of an etymological explanation for a nationality-based categorization attempt to differentiate and distinguish groups of people by using metaphors. A metaphor such as 'family roots' supports the sedimentation of 'difference' as a concept that is intrinsic and innate to people and

which, through its cis-binary-reprogenderist implications, abjectifies trans and gender non-conform people (cf. Fütty 2015). One either 'belongs' to a nation via family reprogendered 'family' relatedness and cis-binary performance or not. Additionally, the 'root' metaphor implies the existence of a fixed location and/or territory. As Marianne Winther Jørgensen and Louise Phillips state, the constant re_production of this metaphor leads to exclusionary conceptualization (Winther Jørgensen, Phillips 1999). In this way, 'nation' can be regarded as a label for a group one is born into and/or for a territory one is rooted in. The idea of having an 'age-long' family history of being rooted in a specific location impedes or prevents 'outsiders' from migrating to and becoming a part of the settled community. This metaphor needs to be regarded as one of the central causes for the permanent exclusion of Roma people over the centuries (cf. chapter 3.2.3.2.2). It is legally re_produced and confirmed by the implementation of *ius sanguinis*, *ius soli* and their mixed forms that are globally the most common principles to determine nationality and/or citizenship (cf. chapter 3.2).

With their work on metaphors, George Lakoff and Mark Johnson contributed to a pragma-cognitive understanding of language according to which daily interactions with the social and physical environment contest and shape people's way to perceive the world (Lakoff, Johnson 2011:114):

> "If we are right in suggesting that our conceptual system is largely metaphorical, then the way we think, what we experience, and what we do every day is very much a matter of metaphor." (Lakoff, Johnson 2011:130)

Lakoff and Johnson claim for hegemonic discourses in Western societies that metaphors can be regarded as means to grasp emotive experiences such as "feelings, aesthetic experiences, moral practices, and spiritual awareness" that are hegemonically conceptualized as subjective (Lakoff, Johnson 2011:114). In order to comply with the – as I would add – accustomed Western dogma of rationality, Lakoff and Johnson are convinced that metaphors can help to employ these experiences in "an imaginative rationality" (Lakoff, Johnson 2011:114). Applying this approach to the root metaphor above, feelings for an imagined nation and/or territory that from a universalizing, objectifying and neutralizing perspective (cf. chapters 1.2.1 1.2.2 and 1.2.3) would be regarded as emotive and subjective can be depersonalized and homogenized by

metaphors. In this way, metaphors appear as 'rational' and 'objective' knowledge that is shared in and authorized by hegemonic discourse.

However, the metaphorical conceptualization of what people experience is not detached from the impact of power relations and thus people's different social positioning. What might be true for people that are privileged through hegemonic discourse is mostly contested for people whose knowledge about the oppressive nature of societal and cognitive structures does not comply with hegemonically shared experiences. Hence, as Kilomba (2010b) has shown regarding the racist constitution of German society, anti-racist knowledge that is based on experience is denied validity. Kilomba demonstrates that these concepts are myths (cf. chapter 1.2) that persist in hegemonic discourse. Yet, only when knowledge, social practices or artifacts from groups that are discriminated in and by hegemonic discourse are appropriated, can they turn into matters of hegemonic discourse. In this way, they symbolize hegemonic conquest which can lead to hegemonic acceptance and use of these artifacts after a period of accustoming.

For example, at the time anti-Semitic guidelines on forced names were introduced by the Nazi regime, gentiles had already been using many names that traditionally names that traditionally have been negotiated as Jewish. In order to distinguish Jews from 'Aryans', Nazi legislation enforced Jews to bear a second name; Sara for womanisized people and Israel for 'males'. These names should mark them as Jewish, thus denying Jews the right to bear their traditional biblical names (cf. chapter 6.2.2.3). In this way, Sara and Israel were assigned a metaphorical anti-Semitic meaning.

I remember an anti-Semitic episode in my Catholic family in the early 1990s, when my younger cousin was born and their parents wondered whether they should call her 'Sarah'. Some family members objected to the name because it reminded them of a pejorative expression in which it was used in my regional vernacular. I remember that while growing up, I never fully understood what /za:ra:/ meant when used in that expression and why, only that it metaphorically meant someone that I should not be. Thus, it was only on the day my cousin was born that I finally realized the anti-Semitic meaning of the reason for not naming my cousin 'Sarah': The name interpellated 'the unwanted' as conceptualized by Nazi legislation. However, since the 1970s, Sarah and the variation Sara have become increasingly popular in Germany and ranked number

one in the year my cousin was born (Bielefeld n.d.b). Thus, it needs to be questioned to which extent, and where, the anti-Semitic metaphor of the name is still interpellated. On the grounds of its popularity it seems that after being appropriated by hegemonic discourse, the formerly racialized name is increasingly and broadly negotiated as *ius sanguinis* German. In this way, appropriation can affect and influence the conceptualization of the German *sprachgefühl*.

Additionally, names understood as being an integral part of languages that are hegemonically conceptualized as 'related' (another family metaphor used in traditional linguistics), such as Swedish and German, are more likely to be included in the imagined inventory of names of those nationalized languages and can be connected to and identified by a German *sprachgefühl* as non-migratized. I do not deny that names or languages can actually be perceived and negotiated as different, and that both names and languages usually need to be acquired and learned. What I would like to question and challenge here is *how* differences are negotiated, hierarchized and valuated. To metaphorize and group languages as related to each other by use of labels such as 'language families' as it is done in the field of linguistics results in these languages being conceptualized as closer to each other. Against the background of a hegemonic understanding of 'family', emotive concepts such as closeness, trust and familiarity are interpellated. In this way, names 'from' 'related' languages can be conceptualized as non-foreign or familiar.

Other ways of how names that are not considered 'German(ic)' are made historically intelligible as non-foreign in Germany can be explained by their normalization through social conventionalization. Hence, what Seibicke negotiated as 'foreign names' are basically names that are intelligible as 'familiar' (cf. above). This conflicts with Seibicke's second association of 'foreign' that he later re_produces in an attempt to define the 'loaning' of names. Seibicke states that first names that are conventionally identified as 'Turkish', 'Greek', 'Albanian' and 'Yugoslavian' were barely used for children of statisized parents. He concludes that actual personal or linguistic contact would not deliver a satisfying explanation to motivate the loaning of names (Seibicke 2008:112) – or as I would say – conceptualizing a name as *ius sanguinis* German. The explanation Seibicke provides focuses on the ascribed societal position of the people and not on the migratist

conditions migratized people are forced to live with in Germany. Hence, the source of discrimination and 'Otherness' is conceptualized as lying with migratized people and not as a consequence of the hegemonic discourse which invented 'Otherness' as non-statisizable and which Seibicke re_produces. The idea of 'the Other' implies the existence of a statisized norm which is re_produced and homogenized by ideas such as the German *sprachgefühl*. Grammaticalization, structuralization and standardization construct and control the distinction between migratizable and statisizable names. Consequently, I argue that as soon as names are negotiated as 'loan names' (cf. Seibicke 2008:107–112), they become negotiable as statisizable names.

5.6 Summary

The perception and negotiation of a name that complies with the idea of a German or Swedish feel for language and the feel for language as an argument in a court of law to justify rejection of a migratizable name depend on a set of presuppositions that need to be accepted as truths: for example, that a name can be regarded as part of a nationalized language system and that the binary gender system is taken for granted and regarded as a necessity for a person's successful socialization. The presupposed existence and necessity of these systems to categorize language and people are fundamental for the structuralist 'grammaticalization' of names. By silencing the presence and impact of power relations on personal names, naming processes are de_perceived as processes that ascribe identities to names and thus persons. Thus, it becomes possible to claim that names as well as people 'are' German or Swedish, are 'female' or 'male'. Accustoming this categorical structuralist knowledge enables the myth of a feel for language as decisive for the categorization of names to become intelligible, despite the fact that this '*sprachgefühl*' is neither neutral nor complementary with hegemonic linguistic understanding: As demonstrated, some of the names that are migratized comply with the phonotactic rules of German grammar. Linguistic Othering is re_produced despite the fact that a historic comparison on the intelligibility of names being read as German shows that the linguistic framework is flexible enough to include names that previously were not that common in the hegemonic German linguistic community.

Given that migratized names such as Kiran, Thanh Tien, Ahmed, Ayşe, Hasan and Ricardo have existed in the German language community for quite a while leads to the conclusion that apparently, only some names are chosen for Germanification and conventionalization by hegemonic discourse, while other names remain excluded. To explain this exclusion with a feel for language that is shared by L1 speakers means denying L2 speakers the chance to develop the same '*sprachgefühl*'. As the exclusion from both Germanification as well as Swedification concerns migratizable names, it seems likely that the feel for language is particularly denied migratized L2 speakers.

As demonstrated in both the German and Swedish context, a feel for language can be understood as a form of accustomed and internalized knowledge that only appears to be 'natural' or 'intuitive': a knowledge of how to distinguish languages and people as well as how to feel about the groups of people that were separated from one another by way of structuralist distinction. The feel for names and their linguistic in- or exclusion by hegemonic discourse can go so far as to identify names metaphorically as representations of either the own or the unwanted Other. A personal name that is metaphorically conceptualized as linguistically 'related' to a language can invoke emotive aspects of closeness and familiarity, for example so-called 'Germanic' names in the Swedish and German hegemonic discourse, whereas a name that is perceived and constructed as 'unrelated' can interpellate emotive pejorization. In this way, the feel for a language, for a grammatical expression or for a name is an accustomed normative practice that has taught people how to feel about themselves as well as about 'the Other' and is thus never neutral but constituted by power relations.

In comparison, Swedish discourse on the Swedish grammar of names appears to focus more on the extent to which last names can be read as Swedish and less on how first names should be chosen. This opens up the question of what a last name interpellates and represents in hegemonic discourse and in comparison, to a first name. This will be discussed in the following chapter against the question how personhood is defined and denied through hegemonic naming practices.

6. Naming Me, Naming You? Becoming a Person: the Personal, the Collective and Their Name(s)

In the movie "Nothing personal" the protagonist, a solitary *white* ableized cis-womanisized person leaves her previous life behind to walk around Ireland. One day on the road, she is asked her name but refuses to tell it.

> "Where're you going?"
>
> "I'm just going."
>
> [...]
>
> "Why don't you stay 'n' work for me? You can leave any time you want."
>
> "That's right."
>
> "I won't ask you anything and I won't talk about myself."
>
> "Okay, deal."
>
> "Just – one question: What's your name?"
>
> "What do you need my name for?"
>
> "It might come in handy. I might wanna call you something."
>
> "If you wanna call me, you can just call me you."
>
> (Antoniak 2009:00:16:00–00:16:31)

Later in the movie it is revealed that this refusal to tell her name was a refusal to tell anything personal at all. In this way, while the protagonist refuses to tell anything personal about herself, the omission and silencing of one's name can be considered as a form of self-depersonalization: A person without a name is (a) nobody. By remaining nameless, she does not accomplish the hegemonic norm according to which it is expected that people share such personal information as her name. The normalized expectation towards a person in order to be recognized is that every person has a personal name.

In Marica Bodro ić's novel *Kirschholz und alte Gefühle*, her protagonist makes a similar statement. She reminds the reader that humans have a name:

> "Life always had a face. A name. Was a human." [192]

Further in the novel, Bodro ić describes how the protagonist realizes that as a child growing up in Europe, she conventionally experienced the presence of her name as something natural and antecedent, just like linguistic structures and hegemonic knowledge she becomes accustomed to (cf. chapter 2.2).

> "At the age of three, I thought that my name begins with *Ara* and ends with *love*, that all these words are one name, my name given to me by nature, and that I am all that what the single words say."[193]

She also refers to the belief that a name individualizes a person and makes everyone someone unique:

> "I came across old diaries, photo albums and address books. [...] While scrolling around, I also came across old phone numbers of Hiromi and Nadeshda. [...] I wonder what exactly an individual is worth when we all disappear at a certain point in time in the crowd of names, numbers and addresses. Or is this just an option to escape one's own interchangeability?"[194]

Both the examples from the movie and from the novel show how a personal name confirms personhood. Or in other words, it equates the presence of a personal name with personhood and individuality by presupposing that people have names. However, the expectations and implications generated from these introductory quotations interpellate hegemonic conceptualizations of personhood which people need to relate and re_act to, in both the movie as well as the novel.

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192 Original: "Das Leben hatte immer ein Gesicht. Einen Namen. War ein Mensch." (Bodro ić 2014:25, translated by EH).

193 Original: "Im Alter von drei Jahren dachte ich, dass mein Name mit Ara beginnt und mit Liebes endet, dass all diese Wörter ein Name sind, mein mir von der Natur zugeteilter Name, und ich all das bin, was die einzelnen Wörter sagen." (Bodro ić 2014:121, translated by EH).

194 Original: "Ich bin auf alte Tagebücher, Fotoalben und Adressbücher gestoßen. [...] Ich stieß beim Herumblättern auch auf alte Telefonnummern von Hiromi und Nadeshda. [...] Ich frage mich, worin genau der Wert von einem Einzelnen besteht, wenn wir doch alle ab einem bestimmten Zeitpunkt in der Menge der Namen, Nummern und Adressen verschwinden. Oder ist das gerade eine Möglichkeit, der eigenen Austauschbarkeit zu entkommen?" (Bodro ić 2014:138, translated by EH).

As demonstrated in the previous chapters, the presence of power relations has an impact on people's impressions and perceptions of personhood: Power relations constitute privileged as well as discriminatory images of humans by racializing, gendering, disabling and migratizing them and their personal names. The presence of a conventionally acceptable name enables registration, which is a prerequisite for the assignment of citizenship. Thus, a name does not only interpellate expectations about its presence and transfers an object into a subject, an unnamed living creature into a human being; it also provides access to civic rights and obligations such as working for a living. Only individuals with a subject status can have ID cards or passports, personal identity numbers, working contracts, families and other expressions of social regulation that symbolize the institutionalization and individualization of life.

This chapter discusses the implications of these name expectations interpellated by the quotations, as well as by the results of the previous chapters. First, I show how naming is based on legal and medical implications of personhood constituting Western hegemonic discourse by analyzing artistic discourse, in addition to academic, popular scientific educational, juridical and governmental discourses. A person whose personhood status is recognized by hegemonic legal and medical discourse must have a name. Thus, the idea of a nameless person does not exist, is not intelligible. In other words, only a name enables a person to become and be recognized as a person. Thus, if a person's name is withdrawn and replaced, for example, by numbers or injurious names, they might be denied personhood in hegemonic discourse. Integrating artistic discourse enables to approach how initial and self-determined naming practices are expressed and experienced in counter-hegemonic discourses.

Secondly, based on these accustomed as well as institutionalized practices, I use nearly all discourse areas to analyze how hegemonic naming practices deny people personal rights and personhood, resulting in effects such as

- silencing of re_traumatization triggered by injurious names (Benson 2006) that were imposed as slave names, or by names of historical figures that caused pain and harm to specific groups of people and that have a symbolic effect;

- enforced name change as assignment for ownership, as a tool for selection, as the marking of the other and as a form of assimilation;
- anonymization through the silencing of people's initial names leading to the objectification and dehumanization of people and possibly also to genocide.

These effects are only distinguished on the grounds of analytic reasons. They do intersect with each other and need to be regarded as interdependent, i.e. mutually constituting and determining. The material consists of knowledge productions that addresses or had been produced in situations when these effects came into force.

6.1 Defining Personhood: Hegemonic Implications on Naming

When I ask myself whether I actually know a person who does not have a name or lives without a name, I have to admit that I actually never thought about it. I do expect everyone to have a name, a first name that this person has had since birth, and a last name that this person might have changed in the context of a heterogendered marriage. In the hegemonic Western contexts I live and grew up in, a person's name is usually the first information one exchanges with someone one does not know. But why do people who participate in hegemonic Western discourse want to know this information about a person? Why do I assume that a person has a personal name which everybody is entitled to have access to? Why do I regard this exchange of information as a practice that I, from a privileged point of view, conceptualize as given and unproblematic, something everyone can or wants to share?

I may answer "because I am used to it" or "because this is how it's done" based on accustomed knowledge about the role of names in Western societies. However, with these questions I attempt to re_focus on the fact that since personal names are negotiated as playing a central role in people's lives, the presence as well as absence of names are based upon the hegemonic perception of an individual person's personhood: From the very moment a human is recognized as a person by legal as well as medical discourse, they needs to have a personal name.

In Germany, the recognition process is monitored and regulated on an institutionalized level through the Law on Civil Status, *Personenstandsgesetz* (*PStG*). By defining the moment when an unborn child can be acknowledged as a (civic) person, the *PStG* links naming to the official recognition of a human being as a person at an institutionalized level. If a fetus dies at a weight below 500 grams, it is not recognized as a person that needs to be registered, i.e. named. In this case, the dead fetus is negotiated as a 'miscarriage'. However, if they was alive but born too soon and died afterwards, then it is recognized as a 'stillbirth', which means it needs to be registered by name as well as gender (*PStV*, Bundesministerium des Inneren 2015: article 31). Hence, weight and signs of life serve as indicators of whether a fetus is negotiated as a person or not. The recognition as a person is then institutionally confirmed at the registry offices by attributing both name and gender to the child. The moment an unborn child is institutionally recognized as a person is interdependent with the moment an unborn child is recognized as a human by their parents or other people in whose company the child would live. In this way, the differentiation between miscarriage and stillbirth is not only a medical and legislative but also a cultural and ethical distinction that constitutes personhood and that, consequently, affects the concept of mourning.

6.1.1 One biological and one social birth?

For her study on how members of pregnancy support groups in the USA, mostly consisting of *white,* middle-class Catholics, Protestants and Jews, deal with miscarriage, Layne applies the distinction between the social and biological birth of a human being found in hegemonic USAmerican anthropological discourse and links this differentiation to naming practices (cf. Layne 2006:34–35). In this context, naming is seen as crucial for the recognition of an unborn child as a person one can think of and talk about:

> "Social birth has been decoupled from biological birth, made manifest by the fact that fetuses are frequently being named during pregnancy. At the same time, new laws reflecting the increasing importance of fetal personhood are enabling stillborn infants to be named months after their birth/death." (Layne 2006:32)

A child's initial naming can be negotiated as the child's social birth. According to Layne's findings, parental bonding with their child seems to be initiated by naming them. Thus,

naming has not only symbolic significance; the results of Layne's study show that naming has an impact on whether or not the dead child is assigned personhood as well as affection. Some reports seem to prove that naming makes parents become more attached to the lost child (Layne 2006:42–43). In order to avoid being reminded of their loss, other parents chose not to name their children. However, this could also change months or years after the child's death: Naming would then help to facilitate mourning (Layne 2006:35–36). A deceased child with a name enables grieving, whereas a child without a name would be impossible to mourn. These examples show that naming indeed plays an important role for the social as well as emotional identification and perception of a person, born or unborn. The social world attributes feelings for the person and identifies them as someone to communicate with or to talk about (cf. chapter 5.2). In this way, naming can also serve as a means to personalize a child beyond medical and juridical recognition, turning a 'nobody' into 'somebody' (Layne 2006:49; Nübling et al. 2012:183) and making the child's social birth and death intelligible as events that happened to 'somebody' and not to 'nobody'.

Following Nübling, Fahlbusch & Heuser's summary of Layne's observations, social birth can further be negotiated as an event that "is always affected by [a person's] naming and can take place some time following the biological birth" (Nübling et al. 2012:183)[195]. Thus, naming can be delayed for a person that has already been born but still lives without a name, for example, children whose parents have not taken a decision on their name yet[196]. Another example is preterm naming. Guardians or parents apply it to a person that is not yet born but is already named. Coming out as trans*_genderqueer is sometimes accompanied by name change and can also initiate social birth and thus be empowering. Jayrôme C. Robinet uses the metaphor of (social) birth in his monologue play in which the protagonist reflects on his trans coming out while on the way to his parents:

> "Tomorrow is my birthday, you know? yes
> no, of course you don't know and even my parents have no idea

195 Original: "erfolgt immer mit seiner Benennung und kann zeitlich von der biologischen Geburt entfernt sein." (Nübling et al. 2012:183, translated by EH).

196 *PStG* article 22, paragraph 1 requires a first name one month after the child's biological birth (Deutscher Bundestag 1/01/2009: article 22, paragraph 1).

my parents do not even know that they don't know

[…]

Tomorrow I turn one vraiment

Tomorrow is my first birthday

Tomorrow […] it will be exactly 365 days ago that I had a second birth, let's call it that way

Tomorrow, exactly one year ago, I […] chose a new first name".[197]

AK ProNa also quotes a text from a person who had changed their previous first names, E. and S., to Robin. In the text, the new name does not only signal the person's social birth but also brings the person themselves to life and marks the death of E. and S. This is why E. and S. are not spelled out in the text, as explained by AK ProNa:

"Robin turned one yesterday

Robin has 2 siblings

E. and S.

Both have turned 20 last year

And then died for me

Just before Robin's birth

[…]

Robin can only really be here

When E. and S. disappear

Not just for me

But also for the university,

for my parents

and for you.

197 Original: "[M]orgen ist mein Geburtstag, wissen Sie? ja
nein, natürlich wissen Sie es nicht und meine Eltern auch nicht sie haben keine Ahnung
meine Eltern wissen nicht einmal, dass sie das nicht wissen
[…]
morgen werde ich eins vraiment
morgen ist mein erster Geburtstag
morgen […] wird es genau 365 Tage her sein, dass ich eine zweite Geburt erlebte nennen wir das mal so
morgen ist es exakt ein Jahr her, das ich mir […] meinen neuen Vornamen ausgewählt […] habe" (Robinet 2015:88–90, translated by EH).

I'm sorry.
But if you want to get to know
E. and S.
then without me."[198]

In both examples, social birth is emphasized by the *change* of name. It can also be symbolized by the *choice* of name, for example 'Renée', which can also be translated from the French as 'reborn' (cf. Alford 1988:159). These examples show that, unlike 'biological birth', social birth could potentially take place multiple times, as also illustrated in the following citation:

> "There were nights that stretched past morning, but I knew if I could make it to sunrise, on the wall of the youth center would be hanging a white board that said:
>
> Old name New Name Pronoun
>
> Everyone knew to check it every day, because in our world, today's new name could be tomorrow's old news [...] We were giving birth to our own lives, naming ourselves out of baby books or rebirthing ourselves with names that came to us, soaked and cold from a Portland rainstorm." (Lowrey 2010:199–200)

198 Original: "Robin ist gestern 1 Jahr alt geworden
Robin hat 2 Geschwister
E. und S.
Beide sind letztes Jahr 20 geworden
Und dann für mich gestorben
Kurz vor Robins Geburt
[...]
Robin kann nur wirklich da sein
Wenn E. und S. verschwinden
Nicht nur für mich
Sondern auch für die Uni,
für meine Eltern
und für dich.

Es tut mir leid.
Aber wenn du E. und S.
kennenlernen magst,
dann ohne mich."
(AK ProNa 2015:30, translated by EH).

Nevertheless, identifying 'coming out' as 'social birth' is hegemonically not recognized in the same way as the delayed or preterm naming of children who cannot choose their initial names themselves. In Germany, the latter is still recognized as conforming with the norms, whereas the change of first names in particular is hegemonically not intelligible (cf. chapter 6.2.2.5).

As shown above, the definitions in hegemonic legal and medical discourse are negotiated as decisive for a person to be recognized as 'being alive' as well as 'having lived'. Layne states that "'social birth' is modeled on 'biological birth'" (Layne 2006:37), of which the latter is understood to be "a one-time event" (Layne 2006:38) since a baby can only be born once. However, 'biological birth' is not only preconditional for 'social birth'; it is also constituted by hegemonic perceptions of personhood. In both Sweden and Germany, the Law on Population Registration (*Folkbokföringslag*) and the Law on Civil Status (*PStG*) insist on gendering newborn children by indicating gender during registration and – in the Swedish case – also with the so-called personal identity number (*personnummer*). The latter is defined as

> "a uniform identifier for natural persons. [...] Every person listed in the civil registration records must have a personal identity number. [...] The only information that can be read from a personal identity number is the birth date and gender."[199]

Thus, in both countries the indication of one (out of only two possible) juridical gender when registering a child is required that shall also be 'reflected' by the name or personal identity number, although there is no legal basis demanding this. Courts in both countries have disagreed on whether or not a person can have a name whose conventionalized use is not in line with the assigned juridical 'birth gender'. For Germany, I already discussed the Kiran court case in chapter 4.4). In Sweden, the situation has slightly changed in the context of naming. In 2001, the Swedish administrative court of appeals rejected a trans-woman's petition to change her name to one that is conventionally negotiated as gender-contrarian because it was against

199 Original: "en enhetlig identitetsbeteckning för fysiska personer. [...] Varje person som är registrerad i folkbokföringen ska ha ett personnummer som identitetsbeteckning. [...] De enda uppgifter som kan utläsas ur ett personnummer är födelsetid och kön." (Skatteverket 2007:[1], translated by EH).

"Swedish naming tradition" (RFSL 2001). Thus, the authorities forced the person to adopt a name that is conventionally recognized as 'gender neutral' although there is – as in Germany – no legal basis for that decision. In this way, the Swedish naming tradition prevented the person from having their self-defined 'social birth' recognized and confirmed by her self-chosen name. However, in 2009 the Swedish Supreme Administrative Court decided that people twelve years of age and older can change their name regardless of their ascribed juridical 'birth gender' (Transföreningen FPES). At the end of that same year, *Skatteverket* declared that anyone could have a gender-contrarian name. People who wish to change their names may do so and parents have been assigned the sole responsibility for the choice of name for their newborn child (cf. chapter 4.6).

Nevertheless, despite these developments and other recent legal changes that tackle questions of genderization[200], binary-gendering, the enforced normalized assignment to gender a person as either 'female' or 'male', remains the only possible way of reference and response to enforced gendering in terms of recognized person status in both countries. Thus, it can be stated that a person's social birth through naming is still hegemonically linked to their biologized recognition: When negotiating 'biological birth' as a one-time event the idea of 'social birth' also happens usually only once in hegemonic discourse. Additionally, the initiation of a person's first social birth by initial naming is not only implied in delayed or preterm naming of (unborn) children but also seems to be normalized in general. In Germany, the substantial[201] changing of people's 'official' names is almost made impossible by law (cf. chapter 3.2.2.2). In this context, only parents or guardians are entitled to choose another person's name; someone else than the very person themselves. Until recently, assigning oneself a pseudonym or a religious name was the only possible option to register oneself with a self-chosen name,

200 Since 2013, in cases where children are defined as 'intersex,' no gender assignment is indicated in German registries, which leaves enforced 'gender specification' blank and leaves no other options (cf. chapter 6.2.2.5).

201 I am not talking here about the only way to change the own name without further explicit discrimination, namely on the grounds of graphemic-phonetical reasons: When a person's name is frequently misspelled. This, however, needs to be regarded as a form of state control, since the state must have an interest in the right spelling of a person's name for identification reasons (cf. Bundesministerium des Inneren:sections 34–50).

given that relevant proof of conventionalized use was provided.[202] As mentioned in chapter 3.1.1, the implementation of the German naming legislation might be about to change. In 2015, two persons were allowed to change their names to gender-neutral names under *NamÄndG* (Abad 2015). As such, the role of the parents and guardians as the sole first name givers may change. People will be more empowered to constitute their own identity via their self-chosen name. Consequently, parents might lose the constituting powers over their child's social life. And hegemonic expectations and presuppositions towards the right to a person's initial name may be challenged, as I will discuss in the following subchapter.

6.1.2 Everyone has the right to a name. What right to what name?

To think that a 'person' has a name is not only an accustomed conventionalization. Bearing a name is also considered a personal right as expressed by the Swedish PRV:

> "You have the right to create a surname by using your father's or mother's first name and adding -son, -sson or -dotter. The main rule is that male applicants can add the endings son or -sson and female applicants can add the endings -son, -sson or -dotter." (Patent- och Registreringsverket n.d.h)

Although it initially seems that womanisized persons in Sweden have more 'rights' to choose among the patronymic or metronymic suffixes, the limited choice is nevertheless discriminatory against them. The fact that 'male' applicants cannot or should not add or have a name ending with *-dotter* (cf. Namnlagskommittén 2013:277) is an accustomed convention and continuity of womanisized people's submission under a male-dominated household (cf. 6.2.2.1). In Germany, the right to a first name is a customary right (Fröschle 2008:29) and is supposed to be guaranteed by German Civil Code article 12 (*BGB*, Deutscher Bundestag 31/05/2016: article 12). Thus, from a privileged position, it might be inconceivable to imagine any circumstances in which this right could be denied in modern Germany and Sweden, given the fact that naming apparently constitutes personhood. Rather, a name is considered as obligatory or necessary.

202 As a consequence of a new Personal ID Act in 2007; this option was, however, not accessible between 2007 and 2010 (cf. Deutscher Bundestag 27/07/2007, Deutscher Bundestag 24/06/2009).

As already mentioned, when communicating with people I usually expect that they will be willing to introduce themselves by name in exchange for mine. In the hegemonic environments I grew up in, I became accustomed to expect that I will not only be entitled to know the other person's name after I present mine; I also anticipate that the name I am told will usually be the initial name that was externally given to this person and that everyone has access to. Hence, I can say I am accustomed to this convention of name exchange: That every person only has one official name that was given to them after their birth. This is a norm that I had not questioned or challenged before I began my research on the perception of names. Nor did I differentiate that the negotiation of initial names depended on people's social positioning, thus provoking different effects and consequences as well as different meanings and significance in different contexts. The right to a name is so normalized that I was even surprised to learn that citizens have that right. However, since naming explored in this research is assumed to be constituted by hegemonic discriminatory norms, this institutionalized right does not apply in the same way to everyone.

People who are discriminated against by genderism might choose to conceal their initial name. Although through *NamÄndVwV* German jurisdiction is aware that people might have been assigned names in a forceful way in contexts outside of German legislation and 'admits' changing the name (cf. *NamÄndVwV*, Bundesministerium des Inneren 2014: sections 44a. and 64.), the relevant paragraph does not seem to apply to initial naming practices. Instead, it suggests (cf. *NamÄndVwV*, Bundesministerium des Inneren 2014: section 44) that this option may only be applied to *ius sanguinis* Germans that experienced an unwanted assignment of a new name under the legislation of another country in which they were registered.

People that are discriminated against by racism and migratism might conceal their self- or community-chosen name which is only intended to be used as community marker. Investigating and learning about these self-empowering practices from a privileged research perspective might be regarded as appropriating knowledge. What other purpose do they serve than that of possessing and controlling[203] knowledge that is not

203 Cf. also the withdrawal of a person's name as a form of control. This was practiced in slavery and violently disrupted enslaved Black people's family history by imposing the colonial master's name (cf. Benson 2006:178 and below).

meant for hegemonic discourse? For example, minority communities might use different personal names when communicating within and outside of the community. There must be a reason for this and it needs to be questioned why a non-community researcher thinks that it is appropriate to reveal and investigate these community names.

Disableized people experience a similar form of withdrawal and silencing of their name when pathologized and only addressed with a name which interpellates their ascribed disability.[204] In German hegemonic media discourse, this disrespectful form of address is often used with people that do not comply with the normative perceptions of 'Germanness'. This, again, is linked to the recognition of personhood, as explained above.

Hence, I need to ask myself what right do I as a privileged ableized, non-migratized, white, cis-womanisized researcher have to ask a person about the 'origin' and 'background' of their name? In order to be able to understand and dismantle discrimination, I suggest to question and challenge the circumstances of my intersecting privilege which enables me to meet hegemonic expectations linked to and interpellated by my name. For example, I am not forced to change my name in order to be recognized as German (=non-migratized, white, Christian socialized, cis-binary-genderable) and therefore have access to the privileges of being

- more likely addressed by my personal name,
- more often and likely invited to job interviews (cf. Akman et al. 2005; Bursell 2007; Kaas, Manger 2010; Krause et al. 2012),
- more likely offered a flat when applying for one (cf. Ahmed, Hammarstedt 2008; Senatsverwaltung für Integration 2010),
- never asked to explain where my family (name) originally comes from,
- never regarded as a terrorist, although my name is just as German as those of NSU members and other Nazis,

204 I am grateful to Lio Oppenländer, who made me aware that the right to a name and the right to choose a name are also constituted by ableism (Oppenländer 2013).

- never asked what gender my name (and thus I) represents and thus never enforced to out myself, since in hegemonic discourse cis is considered the norm that does not require outing,
- thus, never asked to perceive cis-gendering as a constraint (cf. *TSG*, Deutscher Bundestag 23/07/2009: article 1) and to provide a medical attest stating why I want to keep my initial name (cf. *TSG* Deutscher Bundestag 23/07/2009: article 4, paragraph 3),
- in the position to assume that in hegemonic German discourse, my name might be remembered more 'easily' because it complies with the phonetic set and phonotactic rules that are hegemonically negotiated as German *sprachgefühl* (cf. chapter 5).

So who has what right to what name? And what does this right entail? In the following, I attempt to summarize some of the presuppositions of the German right to a name. Those presupposed concepts determine the intelligibility of names by legally defining its boundaries as well as by generating privilege for those citizens that are intrinsically assigned personhood on the grounds of their positionality and who are thus included and addressed by the right to a name.

6.1.3 Default perception of names: In the names of whiteness, ability, middle-class, statization & binary-genderability

In the following citation, Susan Benson states that the identification of people via their names is constituted by power. With regard to the context in which Benson's article was published, Western anthropological scholarship on names and naming, and the content the article negotiated, naming, disavowal and recuperation in contexts of slavery and emancipation, the pronouns 'our', 'us' and 'we' can both be read as interpellations of people positioned in Western societies and as a statement of an emancipated person speaking from a post-slavery perspective.

> "[O]ur names are, in the most literal sense, what we call our selves: absolutely and indissolubly 'us.' Our names also both represent and define our selfhood in the social world: they are what we must 'own up to.' [...] Yet names are never simply our own: they are conferred on us, and demand recognition by others to operate as

> names at all. As such, they are constituted within and ratified by the symbolic order, the order of power and its inscriptions." (Benson 2006:178)

In order to be identified as such, a person's name needs to be recognized by others. However, this recognition presupposes – as Benson states – the ratification of hegemonic discourse. Thus, it needs to be questioned how people's names are ratified and recognized. As illustrated in chapter 2.3, naming in Germany is hegemonically constituted by _genderism_racism_migratism_ableism_classism_. I have already mentioned some examples of how these norms are enacted and implemented interdependently, which I only briefly want to summarize here. All assumptions presuppose that _binary-genderability_*white*ness_statization_ability_middle-class_ are negotiated as normalized and taken-for-granted categories for personhood:

- Names perceived as German are hegemonically negotiated and perceived as cis-binary-gendered, exceptions can be explained by the normative and normalized and accepted impact of Christianity.
- Names perceived as German are hegemonically negotiated and perceived as non-migratized.
- Naming practices perceived as typically German normalize and promote andro_hetero_repro_genderist family conceptualizations.
- Names perceived as German interpellate *white*ness in hegemonic discourse.
- Names perceived as German interpellate ability in hegemonic discourse.
- People with names perceived as middle-class have higher chances to succeed in hegemonic discourse.

The invulnerability of a child's well-being is negotiated as central principle when the child is registered with their name as a German citizen. In this context, the genderability of a name according to the binary-gender norm is made a requirement in Germany, although this is not determined by law (cf. chapter 4). Swedish legislative discourse links the child's well-being in a similar way to binary-genderism but leaves the responsibility for the consequences of the name choice to the parents, thus enabling parents to choose

between conventionalized gender-conform, gender-neutral and gender-contrarian names (cf. chapter 4.6).

As also shown by the example of a court decision, genderability is constituted by the belief in a German feel for language that excludes migratizable names from being recognized as German and genderable, thus presupposing genderability as a default indication for Germanness (cf. chapter 5.3 However, normative regulations that derive from Christianity's worship of Mary, mother of Jesus, break this otherwise firm normative practice of binary-gender-distinctivity by allowing boys to be named 'Maria' (cf. *NamÄndVwV*, Bundesministerium des Inneren: section 67). In comparison, in Swedish discourses on the feel for a name's Swedish grammar, the statisizability of specifically last names seems to have played a larger role than the genderability of first names (cf. chapter 5.4).

By persisting in hereditary family names as well as in *ius sanguinis*, German legislation has used the biological reproduction norm as a tool to promote *white*ness (cf. chapter 3.2.2). For example, womanisized persons in Germany are still more likely to signal belonging to their husband or husband's family by assuming their husband's last name than the other way around. Greven Medien and the GfK market research institute conducted a study in 2014 to analyze name change in the context of heterogenderist name change. According to a press release, 61.9% of people who identified as men keep their names, compared to only 18.8% of people who identified as women (Greven Medien GmbH & Co. KG 22/05/2014). Similar trends can be stated for the Swedish context. In 2012, 63.9% of people who identified as women took their husband's middle or last name, whereas only 21.1% of people who identified as women kept their name (Göransson 2013).

Thus, default perceptions of names are constituted by accustomed naming traditions and hegemonic normalized knowledge on personal names, as well as by the frequent re_production and confirmation of these traditions and this knowledge in hegemonically normalized naming practices. Consequently, these hegemonic implications and expectations towards naming practices have an impact on the extent to which a person is perceived, normalized and privileged as a person by default.

6.1.4 Uniqueness through unique names?

Before I discuss how defaultism results in the denial of personhood and, thus, individuality, I revisit the thought that in hegemonic Western discourse a personal name, consisting of at least one first and one last name, also marks a person as an individual. Unlike collective nouns such as 'Germans', 'Swedes' or 'humans', a personal name not only serves to distinguish people from each other but also to individualize them. This is why the registry office in Germany will most probably not allow siblings to share the exact same first name(s), according to a report quoting Gabriele Rodríguez, a recognized name expert from *Namensberatungsstelle* in Leipzig (Zeh 2011). The following quotations seem to confirm this implication:

> "The statement that a personal name designates a single person [...] is incorrect: it identifies and individualizes them."[205]

And for the Swedish context:

> "The use of names arose [...] from the need to distinguish individuals from each other. The development from first name to surname to last name happened ususally spontaneously and reflected emerging societies' need for better and more solid means of individualization."[206]

Often and conventionally, the personal name is perceived and negotiated as an identifier for an individual (Kohlheim 2013). For example, when a specific person is searched for in the media after having committed a crime, the person's name will be one of the main identifiers, if it is known. In order to be recognized as a unique person, people sometimes try to choose rare or artificial names – for their children as initial names (cf. Namenberatungsstelle an der Universität Leipzig n.d.; Namnlagskommittén 2013) and for themselves as an artist's name (Kilian 2003–2012). There are different reasons why people choose a specific name. For example, some aim to use their self-chosen gender-free 'artist's' name in official contexts that were not possible before 2015, according to

205 Original: "Die Aussage, der Personenname kennzeichne den einzelnen Menschen [...], ist unzutreffend: er identifiziert und individualisiert ihn" (Kohlheim 2013, translated by EH).

206 Original: "Bruket av namn uppstod [...] ur ett behov av att särskilja individer. Utvecklingen från förnamn över tillnamn till efternamn har i allmänhet skett spontant och avspeglat det behov som invånarna i de framväxande samhällena har haft av bättre och stabilare medel för individualisering." (Namnlagskommittén 2013:139, translated by EH).

German juridical discourse (cf. Abad 2015). Another reason can be the re_establishment of an African family name that was deprived through slavery (cf. chapter 6.2.2.1). Considering these reasons which are provoked by structural discrimination, negotiating uniqueness as the only reason and criterion would suggest that this person chooses a rare and artificial name from a rather privileged position. I will illustrate this assumption by help of the following example.

In Sweden, where changing names has become a legal practice that does not pathologize people by requiring medical attestation as in Germany (cf. chapter 6.2.2.5) there has been a small and relatively stable trend since 2003 among Swedes to change their surnames into less conventionalized, existing ones[207]. Instead of a name like Svensson, people create their own 'new' surnames: "All new surnames shall signal that the bearers are different from the crowd. A unique name is a statement."[208] On the grounds of the examples *Språktidningen* chooses it can be assumed that 'uniqueness' is a desire that is shared among non-migratized Swedes:

> "Slowly but surely, the crowd of Andersson, Johansson, Karlsson and Nilsson, our most common last names, diminishes. […] Now we want to be called Gryningsdotter, Gyllenhorn, Brownström, Clinståhl, Tvetomte or Soldagg."[209]

Here, non-migratized Swedes are not only interpellated by non-migratized last names but also by the pronouns used. The collective 'we' ("*våra*", "*vi*") is the agent of the name change, thus a so-called trendsetter. The trendsetter, however, changes their name not on the grounds of migratist, racist or genderist discrimination but because they want to exemplify "a statement". In this way, migratism, racism and genderism are silenced as relevant reasons for name change in a genderist, racist, migratist society that hinders

207 Statistics 2003-2012: Patent- och Registreringsverket n.d.g, statistics 2013- today: Patent- och Registreringsverket n.d.f.

208 Språktidningen Februar 2013, S.16: „Alla [nya efternamn] ska de signalera att bärarna skiljer sig från mängden. Ett unikt namn är ett *statement*", translated by EH. Cf. also S.19: "Trenden att personer med utländsk bakgrund byter till mer svenskklingande namn (Språktidningen 1/2010) är bruten, enligt PRV. I stället byter många till nya namn med utgångspunkt i sitt eget språk, som Bouzhanieilam, Halbori, Albadini, Cordiani, Zazzio, Engelbach, Usopov och Yeshuel." And cf. Patent- och Registreringsverket n.d.g.

209 Original: "Sakta men säkert minskar skaran av Andersson, Johansson, Karlsson och Nilsson, våra allra vanligaste efternamn. […] Nu vill vi heta Gryningsdotter, Gyllenhorn, Brownström, Clinståhl, Tvetomte eller Soldagg." (Karlsson 2013:14, translated by EH).

people from getting jobs or housing. In contrast, the desire for uniqueness by a homogenized group ("we") is centered on which migratized people with migratizable names are excluded (cf. chapter 1.2.1). Thus, with regard to being included in the 'we', migratized people are forced to identify with the example and therefore, with the hegemonic homogenized collective of Svensson & Co. This migratist strategy is – as previously stated – also re_produced by the PRV name change tool that offers only non-migratized affixes for the creation of new last names, as if these affixes were the only possible option (cf. chapter 5.4).

Uniqueness as a privileged conceptualization is also expressed in the following quotation that has already been cited: "But not only Svensson is tired of their name."[210] By using 'boredom' as reason for a name change and in comparison with the reasons given by people who face discrimination on the grounds of the hegemonic ways their names are perceived, the conceptualization of 'uniqueness' seems to be one that might more likely be articulated from a privileged position. The historical background of the implementation of a legislation on naming might be another indicator for this assumption: The Swedish law was introduced in order to provide a legal basis to prevent people from non-aristocratic families in assuming a name that has been traditionally negotiated as 'belonging' to an aristocratic family (Brylla 2002:74–75; 88–92). This resulted in the protection of already existing surnames (*Namnlag (1982:670)*, Justitiedepartementet L2 1/03/2012: article 13 and articles 20–23; *Lag (2016:1013)*, Justitiedepartementet L2 17/11/2016: article 15 and articles 23–25). In this way, aristocratic families can consider themselves as 'unique' by having name changes to their 'family name' forbidden by law. PRV stated on its website:

> "The name law contains provisions on what names are not allowed. [...] It is not possible to take a [...] name starting with *af*, *von* or the like. [...] PRV cannot approve last names, be they newly formed or not, that can easily be confused with:
>
> - A last name that another person bears or is entitled to bear by law.
> - A commonly known last name that has been born by an extinct family."[211]

210 Original: "Men det är inte bara Svensson som tröttnat på sitt namn" (Karlsson 2013:19, translated by EH).

Simultaneously, this 'uniqueness' marks classist privilege to which aristocratic families have (had) access, such as reputation and networking among each other to maintain and control wealth. However, distinctive, i.e. already existing but non-conventional[212] last names of anyone registered in Sweden are protected by Swedish name law. The same applies to company names and trademarks (cf. Patent- och Registreringsverket 2013; Patent- och Registreringsverket n.d.d). The new name law determines that a last name needs to be borne by at least 2,000 people in order for a name change to be possible for anyone (*Lag (2016:1013)*, Justitiedepartementet L2 17/11/2016: article 16).

Yet, 'uniqueness' is not only a privileged concept because of the people's wish for singularity; it is also a concept that needs to be contested in terms of the hegemonic perception of personal names. Names conventionally invoke expectations about the person's gender, religion, and origin – categorizations that the person shares with others despite attempts at individualization; or, as Hagström states, it is "an important factor in the context of social and cultural categorization".[213] Thus, although a personal name provides a person with the status of individuality, the fact that names are perceived in a categorical way assigns people nevertheless membership to certain groups of people. Naming also implies the assignment of conceptual group membership, a collective, regardless if the person identifies with the assigned affiliation. For example, a person might be categorized as female via their name but does not necessarily identify with this hegemonic cis-binary-gendering categorization. A strategic way to intervene in this form of cis-binary-gendering would be to change practices of introducing oneself, such as having university students introduce themselves in class with the name(s) and pronoun(s) they want to be addressed with. This might be different from the juridical name the person has to present in official contexts, such as enrollment.

211 Original: "Namnlagen innehåller bestämmelser om vilka namn som inte är tillåtna. […] Det är inte möjligt att ta ett […] namn som inleds med *af*, *von* eller liknande. […] Som efternamn, vare sig det är nybildat eller inte, kan PRV inte godkänna namn som lätt kan förväxlas med:

- Ett efternamn som någon annan enligt lag bär eller har rätt att bära.
- Ett allmänt känt efternamn som har burits av en utdöd släkt."

(Patent- och Registreringsverket 2013, translated by EH).

212 Conventional names would be names like Svensson or Bergström.

213 Original: "en viktig faktor i den sociala och kulturella kategoriseringen" (Hagström 2006:13, translated by EH).

6.2 Denying Personhood: Structural Discrimination Through Hegemonic Naming Practices

After having discussed hegemonic implications of personhood defined by Western medical and legal discourse, I now focus on the effects of these implications that result in the denial of personhood in different naming practices and the exclusion from access to privilege. In the following, some specific personhood denying practices are discussed by using examples which focus on some specific forms of discrimination, for example the hegemonic denial and silencing of re_traumatization through street names that interpellate racist colonial aggressors. However, that does not mean that these practices are not likewise applied in other discriminatory naming contexts. For example, public places interpellating the names of ableist politicians and Nobel Prize winners such as Hjalmar Branting and Alva and Gunnar Myrdal, who promoted the sterilization of disableized people in Sweden (cf. Korn 2013; Myrdal, Mydral 1934), can trigger similar trauma. By honoring these personalities for what they have achieved in their lifetimes, disableized people's experience with and knowledge about sterilization on the grounds of ascribed disability are not taken into account. This is simultaneously a typical practice to deny disableized people personhood. Also, the silencing of trans*people as potential name givers of public places and, thus, the abjectification of transgender lives is a practice that might cause traumatization.

6.2.1 Hegemonic denial: silencing of re_traumatization through symbolic names

Denial is one of the most common reactions of hegemonic discourse on anti-discriminatory interventions. Various anti-racist scholars have discussed and fleshed out the conceptualization of denial: Kilomba defines denial as the first step in a psychological process "when *white* people start dealing with racism. […] First, they're dealing with denial and saying 'No, that is not like that and I'm not *white* and I'm not racist, I'm different" (Kilomba 2010a:00:03:19). Mulinari & Neergaard also illustrate denial on the grounds of privileged people's lack of awareness – when *white* people express their shock about racist events, which, from a *white* perspective, seem to have

happened unexpectedly (Mulinari, Neergaard 2012).[214] As for personal names, trauma can be triggered by names that stand for people who committed violence, for example in an institutionalized form under the colonialist regime in the former German colonies and under the sterilization laws in Sweden. A privileged ignorance against the risk of re_traumatization through these symbolic names can be regarded as a form of denial. According to Kilomba, trauma in the context of racism interpellates the remembrance of racist violence that abruptly breaks the Black subject's link to society and, thus places the person forcefully in a subordinated, vulnerable position that "revives a colonial trauma" (Kilomba 2010b:95). In this way, a name that reminds one of a colonial scene from the past connects this traumatic past with the present. The present usage of traumatic names re_produces colonial trauma, whereas structural racism enables to "restage [...] scenes of colonialism" (Kilomba 2010b:95) via traumatic names (cf. chapter 2.3).

During an interview, I asked a registrar what names were regarded as violating a child's wellbeing. I mentioned certain names and combinations of first and last names that symbolized sympathy with National Socialism and that I, consequently, assumed would be negotiated as a threat to not only the child's well-being but also to people for whom these names invoke traumatic memories. I wanted to know how the registrar would react if parents wanted to name their child 'Adolf' or 'Eva' in combination with the last name 'Braun' (cf. Hayn 24/07/2012a). A friend of mine had just recently told me about an experience she had as a pupil on her first day in school, when all the classmates learned each other's names: When checking attendance, the teacher inquired about a classmate named 'Eva Braun'. Surprised, my friend realized that none of her classmates reacted to the name, as if they were not aware of its historic implication.[215] However, I expected that as an official state representative, the registrar would not only have knowledge about the historical implications of these names but also give a clear statement that would show her awareness of the traumatic interpellation of the name. However, I was puzzled by the registrar's answer – just like my friend:

214 This was specifically pointed out by Mulinari & Neergaard when they discussed the hegemonic shock about the effects of everyday racism in hegemonic Scandinavia which resulted in the Sweden Democrats' winning the parliamentary representation in the 2010 election and in the bombing and massacre in Norway on 22 July 2011.

215 I am grateful to Anita Zech for this example (Zech 2013).

> "[When it comes to names, EH] it's about the name and not about a historical person. Today, associations with historical names [such as Adolf and Eva Braun, EH] are no longer that strong. I would not give that name to my children, but I would not advise parents against doing so. As regards the child's well-being, there must be an obvious reason in order to refuse to register a name."[216]

What would actually be an obvious reason and for whom? Why would the registrar reject the name 'Adolf' for her children but simultaneously not discourage parents that do not mind assigning their child a name that prominently interpellates the image of a well-known racist dictator and mass murderer, a name that is difficult to resignify in current mainstream discourse (cf. Delaporte, La Patellière 2012)? How can she on one side claim that a name needs to 'be' gender-distinctive according to the customs of a society and in the name of the child's well-being (cf. chapter 4) and on the other side say that names need to be regarded out of that society's historical context? The denial of history's impact on the perception of names seems even more questionable against the background of the traditional (linguistic) perception and migratization of names: that names can tell where a person 'comes from' and allows to get to know a person's historic background when analyzing their last names (cf. Nübling et al. 2012:11).

Nevertheless, in this context I also need to scrutinize my own denial: Being puzzled or shocked shows that at the time, I did not imagine it to be intelligible and possible that someone working in public administration would argue as the registrar did. Applying Mulinari & Neergaard's approach, to be shocked means to deny recognizing that within Germany's hegemonic society, the registrar's answer does not come unexpected. "To be shocked is to be in denial. To be shocked is to embody the privilege of *white* 'innocence'" (Mulinari, Neergaard 2012:14). I share this privilege of mine with the hegemonic *white* majority in Germany. It is constantly re_produced by the joint experience of learning German history from a *white*, non-migratized, ableized, cis-binary-gendered perspective only. The powerful privileged position remains unchallenged and denamed. By singling out and demonizing the crimes of the Nazis and their leaders, it also silences how the

216 Original: "Hier geht es um den Namen als Namen und nicht um die historische Person. Heute ist die Assoziation mit den historischen Namen nicht mehr so gegeben. Ich würde meinen Kindern den Namen 'Adolf' zwar nicht geben, Eltern aber auch nicht davon abraten. In Fragen des Kindeswohls muss bei einer Namensablehnung ein offensichtlicher Grund vorliegen." (Hayn 24/07/2012a, translated by EH).

hegemonic privileged society supported and implemented both Nazi ideology and crimes, and how these racist, ableist and genderist theories still find their continuities today (cf. chapter 2.3, cf. naming practices in my family below). This form of exceptionalism of an undesired part of national history implies the existence of a 'regular' national history's narrative that serves an assumed need to positively identify oneself with nation building. Consequently, the national history and experiences of deprivileged people are barely recognized and often remain untold and de_mentioned, such as the genocide of Herero and Nama people during Germany's colonization of modern-day Namibia (cf. Hamann 2010). Both these historical periods, colonialism and National Socialism, are not only linked by their common racist theories but also by the people who represent this ideology. Historic names 'lose' their associations only if a society has an interest in silencing the continuities and effects of the ideological crimes linked to them, for example on the grounds of refusing reparation payments for deprivation, exploitation and genocide (cf. Hayn 2010).

Thus, both denaming and de_mentioning enable privileged people to play the 'innocent', whereas only naming and mentioning the historic crimes can motivate recognition and understanding of the circumstances and presuppositions of privilege and discrimination. To declare that traumatic associations with historic names are "not that strong anymore" can only be uttered from a position that does not only successfully deny understanding history as an ongoing, continuous process but that is also selective when it needs to be decided what figures in 'history' are negotiated as relevant in order to provide a foundation for the prohibition of a name. Names from troublesome Christian figures such as Judas that – over centuries – has been negotiated as traitorous in hegemonic German society have actually been regarded as improper and have been forbidden (cf. Hayn 23/07/2012; Hayn 24/07/2012a; Fröschle 2008; Bielefeld; Bielefeld). Thus, by allowing 'Adolf' but forbidding 'Judas', one can jump to the conclusion that crimes committed under Adolf Hitler's name should be less remembered than Judas' betrayal. In this way, events that mainly are of relevance for Christian history only (and that happened 2000 years ago) are recognized, whereas comparatively recent historic events with a global humanitarian relevance due to their violent and sustainable impact caused by collective acknowledgement are silenced in current

naming practices in German registry offices. A reason might be that Judas' betrayal might be negotiated as a threat against the religion of the privileged, whereas the crimes under Hitler were conducted by the privileged.

Thus, although the registrar's answer was only an individual person speaking, it represents an official as well as general hegemonic perspective on the impact of traumatic names. The attempt to disconnect a linguistic expression such as a name from its historical and societal context is a strategy for the privileged not to deal with the continuities of their own historical crimes that are interpellated by traumatic names. Hence, if the name's disconnection from context would be applied generally, there would not be any need to question the acceptability of a name at all.

This attempted disconnection seems to be even more astonishing with regard to section 39 of the administrative regulation of *NamÄndG*. It demonstrates the awareness that names can indeed interpellate traumatic events. Nevertheless, the change of the perpetrator's (!) and their family members' last name is possible only if this facilitates resocialization:

> "If, by way of the reporting of a criminal offense, a rare and conspicuous last name is so closely linked to the crime and the perpetrator that even after a long time, wide circles of the population keep making connections, the last name of both the perpetrator and their relatives can be changed in order to facilitate resocialization. This can happen even before the convict is released, given the approval of the correctional service [...].."[217]

Consequently, the family members' desire to distance themselves from the traumatic event that is invoked by the very last name they share with the perpetrator is not possible:

217 Original: "Ist ein seltener oder auffälliger Familienname durch die Berichterstattung über eine Straftat so eng mit Tat und Täter verbunden, daß in weiten Kreisen der Bevölkerung bei Nennung des Namens auch nach längerer Zeit noch immer ein Zusammenhang hergestellt wird, so kann der Familienname des Täters und gegebenenfalls auch der seiner Angehörigen zur Erleichterung der Resozialisierung geändert werden. Dies kann bereits vor der Haftentlassung geschehen, wenn die Strafvollzugsbehörde dies befürwortet [...]." (Bundesministerium des Inneren: section 39, paragraph 1, translated by EH).

> "The last name of the perpetrator's relatives can be changed if it seems to be reasonable in connection with the change of residence, in order to prevent harassment. Should an objective obstruction not exist, and should the relatives only have the desire to dissociate and distance themselves from the offender, a name change is usually not justified."[218]

Whatever "objective obstruction/impediment" ("*objektive Behinderung*") is supposed to mean and however this is identified 'objectively' (cf. Kilomba 2010b, cf. chapter 1.2) it can be summarized that no matter how unlikely a change of name is, its feasibility basically takes into account an anticipated harassment by the environment of the perpetrator and not the probable re_traumatization of those affected by the crime(s) on both a structural and individual level. By justifying that there is a "public interest in retaining the inherited name"[219], German jurisdiction confirms once more its focus on the conservation of well-established norms, whereas in the Swedish context, jurisdiction tends to incorporate the position and perspective of minorities with regard to the changing of names.

The next example illustrates the difference between being 'accidentally' and structurally affected by a criminal event. It simultaneously proves the relevance of the social position a person speaks and acts from when assigning and using traumatic historic names. In her novel "the things I am thinking while smiling politely", Otoo discusses traumatic historical names whose contexts have been silenced in a way that these personal names do not seem to interpellate the colonial crimes and genocide linked to them. The denaming of German colonial history constitutes the systematic discriminatory framework in which the protagonist of Otoo's novel meets a person with the last name 'Peters'. While initially on the grounds of _racism_migratism_[220] relieved to be married[221] to "[s]omeone with a surname so unambiguously of the country he was born, raised and lived in" (Otoo 2012:10), the protagonist soon learns about the historical

218 Original: "Der Familienname von Angehörigen des Täters kann geändert werden, wenn dies etwa im Zusammenhang mit einem Wohnungswechsel, zur Vermeidung von Belästigungen sinnvoll erscheint. Besteht eine objektive Behinderung nicht und hat der Angehörige nur den Wunsch, sich von dem Täter loszusagen oder zu distanzieren, rechtfertigt dies eine Namensänderung im allgemeinen nicht." (Bundesministerium des Inneren: section 39, paragraph 2, translated by EH).

219 Original: "öffentliches Interesse an der Beibehaltung des überkommenen Namens" (Bundesministerium des Inneren:section 30, paragraph 4, translated by EH).

trauma 'Peters' evokes for Afro-Germans and indigenous people from countries formerly colonized by the German Empire:

> "Several months after we were married, I discovered that 'Peters' was also the surname of a German colonial aggressor and, although I didn't begin to hate it then, I stopped adorning myself with it, like it was some magnificent fur coat, but begun instead to treat it like an ugly scarf: functional and necessary in cold weather, but not my item of choice and it wouldn't matter much if I misplaced it one day, or perhaps lent it to someone in need, and it was never returned." (Otoo 2012:10)

The lack of awareness of traumatic names in hegemonic discourses is again a political form of actively silencing the historical associations a name interpellates. It has been a German tradition to name streets after colonialist aggressors. Despite the fact that political counter-activism and interventions have been increasing in the public sphere over the last years[222], there is still a hegemonic denial to reflect and acknowledge the colonial past in German society that also finds its expressions in existing colonialist public spaces. In Germany, there are plenty of streets and places named after Carl Peters, the colonial aggressor Otoo talks about. Thanks to anti-racist interventions, some of these places and streets have been renamed. Yet, the relevant authorities have not yet changed all the 'Peters' (cf. CulturCooperation e.V. 2010), which shows there is still either a hegemonic denial that prevents renaming them or an explanation that the street name now 'refers' to a different person is given. For example, Petersallee in Berlin

220 Cf. project "Who is missing and why" on the impact to set locally the reasons for discriminated people's resistance: It is not their social positioning as Black, Jewish, trans or disabled that makes people flee the country, rename themselves or made unable to perform certain tasks but racism, genderism and ableism (Projekt Who is missing? And why? 2012).

221 I discussed the heteronormative implications of the specifically *white*_statisized woman's assuming of her husband's name in chapter 2.3.6.

222 To name a few: international conference 'Decolonize the City!' (cf. 2012); the project 'Freedom Roads' to name and rename colonial street names in Berlin (cf. Berlin Postkolonial e.V. n.d.), the joint initiative to name and intervene in street names re_constructing positive connections with colonialism in Berlin, their dossier and claim for renaming and its associations: AfricAvenir International e.V., Berliner Entwicklungspolitischer Ratschlag e.V., Initiative Schwarze Menschen in Deutschland, Internationale Liga für Menschenrechte, Projekt „Unterm Teppich?" – Rassistische Konzepte, Koloniale Fantasien am Beispiel eines Berliner Straßennamens, Tanzania-Network.de e.V., Uwatab e.V. and Werkstatt der Kulturen (cf. Kwesi Aikins, Kopp 2008). For a recent intervention cf. ISD Online 2014.

Wedding is supposed to honor the anti-Nazi partisan Hans Peters since 1986 (cf. CulturCooperation e.V. 2010). However, both the initial reason to name the street as such and the existing street names in the neighborhood of Petersallee interpellate Germany's colonial racist history. Thus, the re_production of the traumatic cognitive connection and interpellation that is effected by the use of the name 'Peters' is denied and silenced. By believing that meaning can be reclaimed beyond power relations, the effects of the dispositive of discrimination (cf. chapter 2.3) are not taken into account. The general hegemonic neglect and avoidance to recognize the continuities of the colonial past in present German society by denaming Carl Peters' colonial aggression does not lead to the resignification of the street name. In comparison, an active and explicit change such as the renaming of Gröbenufer into May-Ayim-Ufer in Berlin Kreuzberg (CulturCooperation e.V. 2010) shows a political will to eliminate traumatic interpellations. Thus, how names are perceived and negotiated also demonstrates the extent to which individuals take societal as well as structural implications of names into account. Otoo addresses this aspect in her novella:

> "Till, who had never really known his father had had little understanding for my obsession with his surname […]." (Otoo 2012:10)

Till's neglect to engage with the own surname's privileging and traumatic implications is a sound indication for a privileged person's choice to simultaneously engage in understanding and fighting structures of discrimination. A privileged person with a name 'accidentally' and, in this case, unknowingly linked to the crimes committed by someone with the same last name does not experience the traumatic discriminatory impact of naming. Thus, they do not necessarily experience the *need* for change. This is why discrimination and trauma are often negotiated as individual, subjective, specific, personal as well as partial experiences (Kilomba 2010b: 26-38), although and because they derive from accustomed hegemonic oppressive practices. As Kilomba (2010a:00:04:00) suggests, only when the "*white* person is able to position itself "are recognition and reparation, thus societal change, possible.

Other forms of naming that silence the name's traumatic effects are the retention and assumption of traumatic names, for example, through institutionalized hetero- as well as reprogendering practices. Through her marriage, German politician Katrin Göring-

Eckardt assumed her husband's last name that shares the same last name with one of the most influential Nazi criminals, Hermann Göring. It needs to be questioned to what extent G.-Eckardt was forced to do so (e.g. not marrying might have been an option). Yet, at the time of marriage in 1988 in the GDR, cis-women had to assume their husbands surname according to the law at the time (cf. chapter 2.3.6). In this way, Katrin G.-Eckardt's retention of her maiden name might be seen as a form of anti-sexist (but less as contra_racist) intervention, since at the time hyphenation was not as established, conventionalized and accustomed as it is today.

With regard to my own family, I also observed reprogendering naming practices that simultaneously invoke trauma for people that have been persecuted by the National Socialist regime. Passing on a last name that starts with an H as well as knowing about Nazi propaganda coding, and assigning a child with a first name that starts with either A or H re_produces – also unconsciously – discriminatory practices of Nazi symbolic language use.[223] After 1945, giving a child a first name that was popular during the regime of the National Socialist Party or that was borne by prominent Nazis such as Hermann (cf. Göring case above) and that was in the NS-Family Register issued by the Nazi authorities (cf. annex) does not show any awareness of the trauma these names interpellate. Most of them are, according to traditional onomastics, negotiable as 'Germanic' names, for example Helga (cf. chapter 5.3, cf. Maruhn 2002:151). Sometimes, they interpellate(d) a meaning which became symbolic for Nazism. For example, the name 'Horst' became very popular because the name reminded of Horst Wessel, who was negotiated as a martyr under the NS regime (cf. Lorenz 2006).

As described in chapter 1.1.2 for the identification of discriminatory naming practices, it does not matter whether the interpellation of trauma was intended when the name represented a family tradition of naming the child after a deceased relative. Also prior to 1933, those names were negotiated as 'typical German names' and thus interpellate not only privilege but also nationalist ideology. Thus, naming children Hermann, Helga and Horst shortly after the end of World War II must be read and understood as – unintended or not – an indication and continuity of Nazi ideology, given the name's popularity at the time (cf. Wolffsohn, Brechenmacher 1999:228–233).

223 Two subsequent capital H interpellate a Nazi salutation (cf. Udolph, Fitzek 2005:175).

6.2.2 Hegemonic juridification of name change: enforcing norms and counter-activist empowerment

In this subchapter I focus on enforced naming practices and counter-activist ways of self-definition. I discuss how institutionalized normative naming practices that are regulated by legislation enforce discriminatory naming practices and, thus, deny personhood. The practices I investigated are directed against groups of people who are discriminated against by racism and genderism. Thus, the concept of 'personhood' does not interpellate the individual only but all group members' opportunity to freely choose and keep a personal name that relates to the community's history (enslaved People of Color and Black people) and/or self-determination (German Jews under the Nazi regime, trans and gender non-conform people). Again, naming is understood as an act which from a hegemonic point of view, denominates both the individual as well as the collective. One counter-activist example for empowering name change is analyzed in Patricia Hill Collins' "Fighting Word". She quotes Sojourner Truth, "an illiterate, newly emancipated, poor Black woman" born into slavery who "dare[d] to name herself" (Collins 1998:229):

> "My name was Isabella; but when I left the house of bondage, I left everything behind. I wa'n't goin' to keep nothin' of Egypt on me, an' so I went to the Lord an' asked him to give me a new name. And the Lord gave me Sojourner, because I was to travel up an' down the land, showin' the people their sins, an' bein' a sign unto them. Afterward I told the Lord I wanted another name, 'cause everybody else had two names; and the Lord gave me Truth, because i was to declare the truth to the people." (Sojourner Truth quoted in Collins 1998:229)

The quotation and the context of slavery in which it was expressed shows the interconnection of empowering naming practices and the discriminatory environment that constitutes the person's condition as the oppressed from which they is to be empowered. Collins emphasizes the symbolism Truth's name change involved and states that

> "[s]tepping outside the conventions of 1832, Truth created her own identity and invoked naming as a symbolic act imbued with meaning. Refusing to be silenced,

> Truth claimed the authority of her own experiences to challenge racism, sexism, and class privilege of her time." (Collins 1998:229)

Legislation and institutionalized practices constitute the circumstances of the disavowal of personal names, the enforcement of injurious names and the recuperation and emancipation[224] from oppressive institutions such as slavery, forced marriage and forced registration. As Benson has shown, after liberation enslaved people chose different naming strategies to mark the transformation from the oppressed to the liberated and empowered individual in order to claim in Collins' words "the authority of her own experiences" (Collins 1998:229, cf. Benson 2006).

6.2.2.1 Name change as assignment for ownership

Name change can symbolize ownership of oppressed groups. The following example deals with the ownership of a group of people allowed only since 1958 to keep their own last names, initially in a hyphenated version, when changing their legal status: women-identified people in Germany (cf. chapter 2.3.6). Although the change of legal status by marriage probably still applies mostly to heterosexual cis-women, it should be remembered that due to genderist and sexist discrimination in capitalist societies over the centuries, it is only since women-identified people's empowerment that women-identified people, including lesbians as well as trans and gender non-conform people, are no longer forced into marriage.

I will discuss the relevance of keeping one's last name against the background of conventionalized family and kinship constructions that are consolidated by legislation. Traditionally, in Germany and Sweden surnames re_produce the idea of a name's inheritability through kinship. Kinship interpellates a reprogenderist understanding of 'family' as a biological concept, which is re_produced by the inheritance of not only materialistic goods and privilege but also by the last name, be it the same one or a patronymic. Thus, a last name contributes to the idea of 'origin' through *ius sanguinis* (cf. chapters 2.3.1 and 3.2.1).

This traditional hereditary naming practice might continue to be a German, norm-conserving strategy, given the fact that ever since Swedish legislation was introduced, it

224 Cf. title of Benson's essay (Benson 2006).

has implicitly disrupted the hereditary naming system by encouraging the changing of last names especially (cf. chapter 3.2.3.2.3). However, this does not mean that the conceptualization of *ius sanguinis* has become obsolete in Swedish society. Some of the newly created family names still interpellate references to previous family names or other family-related memories and traditions. For example, some newlywed couples combine their previous last names to create a new joint name. Carlén and Enarsson then becomes Carlenarsson; or they transfer a toponym, the name of a place that has symbolic meaning for the couple's families, into an anthroponym.[225] Thus, these family related names can also be regarded as a new form of hereditary naming practice which, however, is not prescribed by the state. It is chosen by the couples who continue to re_produce the conceptualization of marking heredity through naming.

In Germany, the 'inheritance' of a last name has traditionally been an andro- as well as heterogenderist concept because only the names of male-identified persons are hierarchically and unilaterally 'transferred': from fathers to daughters, from husbands to wives (cf. also the gendering of last names below). Of course, sons also receive their fathers' names. However, unlike their women-identified siblings, they are considered as the legitimate heir who represents the family and therefore keeps the family name. Thus, it is assumed that the husband's name symbolizes the heteronormative paradigm of the wife's heterogenderist submission to her husband.

Consequently, the last name also constitutes a family's existence and continuity. When there is no person to transfer the family's genes, name and/or history to the next generation, a family is considered as extinct. For example, my father once told me that I was assigned the name 'Evelyn' because in this way the 'y' would be saved. He was afraid that once I married, I would lose the 'y' in my last name, 'Hayn'. Based on my ascribed birth gender, he assumed that I would lead a heterosexual life (which so far I have actually done for the most part) and later agree to marry and to take on my presumed husband's last name (which I have not). He also thought that I as a woman-identified, married person would no longer be in the position to represent the Hayn family. I still actually use both of my names and have no intention of changing that; not only because I intend to remain unmarried, but because I want to keep both y's for the symmetry in

225 Cf. Karlsson 2013 for both examples.

the ending of both names and because I have gotten accustomed to my name. I am still content with it because my name is rather rare, which gives me the air and privilege (and vanity) of uniqueness (cf. chapter 6.1.4). However, the conceptualization of uniqueness needs to be examined, since with my name I am read as a non-migratized German woman-identified person – a position I share with several people in Germany which provides me with privilege and responsibility.

As illustrated and implied by the self-empowering name change of Sojourner Truth, the ownership concept together with oppression has also constituted naming practices in the context of slavery. However, unlike *white* womanised persons, Black enslaved people's history of kinship has been disrupted indelibly. Benson demonstrates the extent of violence against enslaved people that has been performed in enforced renaming practices. For example, enslaved people in British households were given "ordinary names, albeit often their diminutive form: Tom, Bess, or Jack: servant names" or

> "named fancifully, often with names culled from classic antiquity: Scipio [Africanus] [sic!], Caesar, Nero or, most commonly, Pompey – the latter so popular that it became the generic name for a black servant in eighteenth-century England. [...] These were names to call as a joke, names whose grandiosity humiliated: Ignatius Sancho, Gustavus Vassa, Julius Soubise." (Benson 2006:189)

In this way, these names did not only belittle the enslaved person's position but also "indicated incomplete personhood" (Benson 2006:190) and interpellated "the performative iteration of [the] erasure [of the enslaved individual's personal history, EH] in the ways in which slaves were addressed in the everyday contexts of their subjection" (Benson 2006:197). Thus, by violently disavowing their personal names, enslaved people were denied personhood in multiple ways: by the rupture of any connection to kinship and thus by the denial of personal history; by the violent assignment and tattooing of the 'master's' name (Benson 2006:192), thus marking and interpellating 'ownership'; and by the placement in a position of inferiority, which thus denied self-determination, personal rights as well as "autonomous selfhood and [...] social capacity" (Benson 2006:181). Benson identifies the latter as Western conceptualizations linked to proper names (Benson 2006:181).

6.2.2.2 Name change and emancipation from ownership and oppression

The use of pen names or pseudonyms by *white* woman-identified persons in the 19th century in Great Britain can be regarded as an example of *white* anti-genderist empowerment against *white* androgenderist naming practices. Woman-identified persons socialized and accustomed in a heteronormative way may have adopted and become familiar with the *white* oppressor's sexist manners and language "for some illusion of protection" as Lorde has phrased it (Lorde 2007:114). The many cases where womanisized authors aimed at concealing their hegemonic genderization as 'women' serve as examples for a strategic adoption of the oppressor's language. Some of the most commonly known women-identified writers are the Bell/Brontë siblings as well as George Eliot and George Sand who during the 19th century, were forced to conceal their ascribed genderization by using supposedly male pen names. In this way, they could increase their chances to be published. At the time, womanisized writers were barely given credit for their authorship, which is why they could not live from writing under their 'original' names (cf. Hacker 2007). The oppressors' norms and manners could not be changed that easily, hence women-identified writers were forced to adopt them in an anti-sexist way. The use of pen names may also be negotiated as an empowering way for trans*people to change their names and initiate social birth (cf. chapter 6.1.1).

Elana Dykewomon undertook another empowering writer's name change. In order to mark that she addressed lesbians, dykes or – as Dykewomon expressed it – womyn and dykewomyn only, she chose a last name that would make them a recognizable member of the lesbian community, Dykewomon (cf. Dykewomon 1991:158). 'Woman' was changed to 'womon' in order to reject any recognizable links to 'man' (Dykewomon 1991:155–156). In this way, the name change was meant to symbolize community-building among lesbians and dykes, thus providing space as well as encouragement for womyn and dykewomyn to identify needs and supportive opportunities for each other. Dykewomon also abandoned her patriarchal family's name and simultaneously also her Jewish connection, which, as she later commented, she would not do again. Instead, she would "choose a name more easily identified as Jewish" (Dykewomon 1991:157). In this way, the name would address the community of Jewish womyn and dykewomyn in particular and in an empowering, intersecting way. In Germany, abandoning the family

name is also possible, according to German legislation (*NamÄndG*, Deutscher Bundestag 1/09/2009: articles 3, paragraph 1, *NamÄndVwV*, Bundesministerium des Inneren: section 28), if the name triggers trauma by interpellating family violence. However, a psychological opinion is mandatory which confirms that the person can no longer live with the name (Hayn 24/07/2012b).

An example for an anti-racist intervention in the hegemonic perception of names in Germany is the name change of May Ayim, who introduced her name as a pen name. When the book *Farbe bekennen: Afro-deutsche Frauen auf den Spuren ihrer Geschichte* (Oguntoye et al. 2006) was published, Ayim used her legalized surname, which is hegemonically perceived as 'typically German'. However, her legalized first name was already replaced by a self-chosen one, May. In later publications as well as in later editions of *Farbe bekennen*, Ayim used her birth father's name as last name (MacCarroll 2005). Afro-German poet Ika Hügel-Marshall also adopted her father's name later in life (Hügel-Marshall 2001) to commemorate their family connection. By identifying themselves with their Black fathers' ancestry via their last names, both Ayim and Hügel-Marshall wrote Afro-German history. To choose a new or – if known – old family name is a strategy of Black people in both Germany and Sweden to re_establish the connection to their African descent which was violently interrupted through colonialization and slavery (cf. chapter 6.2.3).

While writing about their struggles growing up and surviving as a Black German in the hegemonic *white* German society[226], Ayim together with co-editor Katharina Oguntoye and all the other Afro-German authors of *Farbe bekennen*, Doris Reiprich, Erika Ngambi Ul Kuo, Helga Emde, Astrid Berger, Miriam Goldschmidt, Laura Baum, Eleonore Wiedenroth, Corinna N., Angelika Eisenbrandt, Julia Berger, Abena Adomako and Raja Lubinetzki, made the Afro-German identity that had been silenced in hegemonic discourse visible (Oguntoye et al. 2006).

The groundbreaking publication launched the founding of organizations representing Black people in Germany, most notably *Initiative Schwarzer Deutscher* (*ISD*) and *Afro-deutsche Frauen* (*ADEFRA*). By naming the discriminatory conditions within

226 Particularly in her poems e.g. *afro-deutsch I*, *afro-deutsch II*, *blues in schwarz weiss*, *grenzenlos und unverschämt*. Cf. Ayim 1996, Ayim 2002.

hegemonic *white* German society and its structures in the book, as well as renaming a street after May Ayim in 2010, Ayim's name today is regarded as a metaphor for the legacy of the Afro-German community and empowerment in Germany (cf. also Kelly 2016; Kelly, Oguntoye 2015).

These anti-racist and anti-genderist examples demonstrate the symbolism of name change with regard to community-building. The social positioning is relevant for the recognition of community membership and empowerment. This is why name changes by privileged persons who adopt symbolic names of communities they are not members of are appropriation and deceit: Even by assuming to be an ally, actively appropriating a symbol of the community members' anti-discriminatory struggle is an act of deception. Appropriation is not only a symbol of oppression but also a pretense to experience the same discriminatory struggles (which is impossible for privileged people).[227]

Alford (1988) provides another example which demonstrates the relevance and necessity of social positing. Searching for reasons why people change their names, Alford reports that it could "assist a person in shedding an old, unwanted identity" (Alford 1988:158). It is to be questioned why an 'identity' would be unwanted by a person, particularly with regard to the example. After having immigrated to the USA in the late 1800s and early 1900s, some Jews adopted so-called Anglicized names (Alford 1988:158). This most probably did not happen – as Alford suggests – because Jews did not want a Jewish identity but because of anti-Semitic experience that is not only re_produced in Europe[228]. Here, I apply Dahl's conceptualization of forced migration which Dahl introduced to reveal the de_mentioned history of Polish Jews forced to

227 Cf. for example author Claus Heck, who hid his cis-male non-migratized privilege behind the name Aléa Torik, a name and an identity he invented in order to be able to write from the position of a womanisized migratized person (Heck, 22. Juli 2015 "Literatur 2.0: Was sind literarische Blogs" http://www.aleatorik.eu/). A somewhat different case might be Ingrid Hella Irmelinde Kirsch who assumed 'Sarah' as her first name in the 1960's post World War II Germany. This name was enforced upon Jewish woman-identified persons by Nazi German legislation (cf. below). With the appropriation of 'Sarah', Kirsch denamed her *white*, non-Jewish privilege that was interpellated by her previous first names; however, the appropriation of a name that only a few years ago led to the extermination of Jews who were identified as such by the name can also be negotiated as a way to intervene in this anti-Semitic perception of the name 'Sara(h)' and to make presumably Jewish names intelligible as German.

228 Thanks to the initiators of the project 'Who is missing and why', I was made aware of the shift in perspective when talking about the reasons Jews were forced to flee Europe or "divested of her permission to teach": not because they were Jewish but because Europe was (and still is) anti-Semitic (cf. Projekt Who is missing? And why? 2012, in particular portait of Hedwig Hintze).

immigrate to Sweden due to anti-Semitism in Poland (cf. Dahl 2013). In Alford's example, one can also assume that Jews did not change their names because they did not like their 'identity' which was interpellated via their name but because the identification as Jewish by hegemonic discourse meant anti-Semitic discrimination. Although the decision to change a name was based on individual accounts, they cannot be detached from the power relations that influenced these decisions. The same applies to name changes where – as Alford mentions as a second reason – "name changes may express a person's new sense of identity" (Alford 1988:158) in that he once more connects with religiously motivated reflections. It is again an individual's decision to change their name due to religious conversion. However, whether the decision is forced upon someone or whether it expresses empowerment depends again on the individual's social positioning. The cases of religiously motivated name change Alford mentions can be identified as empowerment. For Muhammed Ali it was an opportunity to get rid of his enforced slave name (Benson 2006:195) – a perception of Muhammed Ali's name change that remained unmentioned by Alford. The same applies to Malcom X, who exchanged their previous last name that reminded of their family slave history for an X, which marks the space for the lost African last name of their ancestors (Benson 2006:195, 199).

In her short story, Chimamanda Ngozi Adichie illustrates how colonialist proselytization made Nigerians reject their Nigerian heritage. In order to attend school, children had to be baptized with an English Christian name and live a Christian life according to the "white men's tradition" (Adichie 2008). However, Adichie's protagonist rebels against the colonialist norms by keeping up their naming traditions and secretly using traditional first names for their children and grandchildren. The choice of these names also symbolizes the resistance against colonialist name erasure which, at the end of the story, is manifested by the granddaughter's change of name from their Christian name to the one their grandmother had given, Afamefu, meaning "my name will not be lost" (cf. Adichie 2008).

As far as religiously motivated name changes are concerned, the conversion of oppressed groups might also have been a forced one. As illustrated in chapter 3.2.2, Jews living in German speaking territories in the 18th and 19th centuries were forced to

adopt a German-sounding last name with the first edict issued in Austria in 1787. However, almost eighty years later, a new enforcement was institutionalized. In an article on the changing of names in the context of Vienna Jews 'converting' to Christianity, Anna Staudacher mentions that the conversion provided the opportunity to acquire civil rights until the year 1868 (cf. Staudacher 2009). Apparently, these rights had been denied to Jews, despite the 'emancipation deal' at the beginning of the 19th century. By investigating the accounts of a Vienna foundling hospital, Staudacher found out that the hospital's Jewish children were forcefully christened until 1868. Until 1843, they were also assigned a new surname which, however, was not necessarily negotiated as distinctively 'Christian'. Similar to the name changing practices of converts, some names were hegemonically negotiated as typically Jewish (cf. Staudacher 2009). Consequently, the enforced christening did not protect the children from anti-Semitism but needs to be understood as an expression of it.

6.2.2.3 Name change as tool for selection: marking the Other

As mentioned in chapter 3.2.2, the institutionalization of legislation on civil status and naming in Germany is an example of enforced name change. Jews living in German speaking territory were only assigned civil rights at the beginning of the 19th century. As a consequence, Jews were forced to take on a family name. Soon, the naming of Jews was regulated by the state, which aimed to maintain a clear distinction between Jews and gentiles through personal names and to limit and control 'assimilation' (cf. Mattlinger 1996:17–18, cf. chapter 3.2.2). Hence, Jews should be prevented from choosing Christian names. However, the definition of what was hegemonically recognized as a Christian name was ambiguous since, according to etymological research, names such as Maria and Joseph were of Hebrew origin instead of Germanic (cf. Bering 1992:153). In Germany in 1938, the legislation on civil status was changed in the latter respect. According to *Erste Verordnung zum Personenstandsgesetz* of May 19th, it became obligatory to indicate "the former membership to the Jewish religious community" (Reichsministerium der Justiz 21/05/1938: article 12, paragraph 3). On July 4th 1939, the Nazi regime's SS Reich Security Head Office, *SS-Reichssicherheitshauptamt*, appropriated the umbrella organization of the Reich's deputation of German Jews (*Reichsvertretung der Deutschen Juden*), the Reich's

Association of the Jews in Germany (*Reichsvereinigung der Juden in Deutschland*), which was forced to operate under different names since the Nuremberg Laws had been passed in 1935. The *Reichsvertretung der Deutschen Juden* had been founded in 1933 to represent Jewish political and religious groups in Germany. It particularly focused on Jewish self-help activities during persecution under the Nazi regime and kept a register of its members. With its appropriation, the Jewish umbrella organization was turned into an organ of the Reich Security Main Office using the same name and retaining most of the staff. All persons who were racialized and defined as Jewish by the Nuremberg Laws were subject to compulsory membership. The work of Jewish staff members was controlled by the Gestapo (cf. Zentralrat der Juden n.d.), who therefore had access to the members' register, and the staff was forced to 'collaborate' with the Reich Office for Hereditary Research (*Reichsstelle für Sippenforschung*) to evaluate Jewish registers on civil status. With the beginning of the deportations on October 18th 1941, the staff was forced to occasionally choose the persons who should be deported (cf. Maierhof 2009). Commenting on these anti-Semitic conditions, Klüger writes in her autobiography:

> "And now, as my unconsolidated belief in Austria got wavered, I became Jewish in defense. Before I was seven, that is in the first months after the Anschluss, I abandoned my hitherto existing first name. Before Hitler [came to power, EH], everyone called me Susi; henceforward, I insisted on the other name, which I also had [...] I wanted a Jewish name, appropriate to the circumstances."[229]

The juridically institutionalized racist anti-Semitic discrimination in the context of legislation on personal status in Nazi Germany continued with the introduction of compulsory names. With the Second Decree on the Execution of the Law regarding the Changing of Surnames and Forenames of August 17th, 1938, German Jews should become identifiable on the grounds of their names (Reichsministerium des Inneren, Reichsministerium der Justiz 18/08/1938). As previously mentioned (cf. chapter 3.2.2.2.3), persons who were classified as Jewish according to the Nuremberg Laws were forced from the beginning of January 1939 to adopt the name Sara (for womanisized

229 Original: "Und nun, als mein ungefestigter Glaube an Österreich ins Schwanken geriet, wurde ich jüdisch in Abwehr. Bevor ich sieben war, also schon in den ersten Monaten nach dem Anschluß, legte ich meinen bisherigen Rufnamen ab. Vor Hitler war ich für alle Welt die Susi, dann habe ich auf dem anderen Namen bestanden, den ich ja auch hatte [...] Einen jüdischen Namen wollte ich, den Umständen angemessen." (Klüger 2013:41, translated by EH).

people) or Israel (for 'males') if their proper names did not follow the guidelines on the adoption of first names, *Richtlinien über die Führung der Vornamen*, of August 18th, 1938 (Reichsministerium des Inneren 18/08/1938). The list consisted of pejorative names that had been chosen by Hitler and partly invented by NS authority (cf. below), most notably by Hans Globke. Globke's employer, the Prussian Ministry of Internal Affairs, had already tasked him in November 1932 with drafting guidelines for the registry office which should prevent Jews from changing their name to one that was not identifiable as Jewish. A year later, under the NS regime, Globke was involved in introducing the law to prohibit misfeasance in marriage and in the adoption of a child, which enabled registrars to invalidate name changes conducted by Jews (cf. chapter 3.2.2.2.3). Now, with the introduction of the Second Decree, Globke could forward his proposal to force Jews to bear specific first names that would 'identify' them as distinctively Jewish (cf. Maruhn 2002:153). Thus, the same person who should later have a successful career in post 1945 Germany (cf. below) continued to be responsible for anti-Semitic naming politics under the NS regime.

As a result, Jews were no longer allowed to change their family names when the old names were 'identifiable' as Jewish according to hegemonic perception. The 1938 list included, according to Antonia Kleikamp, first names that were considered seldom outside of Jewish communities, or they were invented for pejorative reasons (cf. below). Moreover, names such as Miriam, David, Michael or Matthias that traditionally had been negotiated as Jewish names were not included in the list because gentiles simultaneously used them (cf. Kleikamp 2013).

In its entry "*Namensänderungsverordnung*", Wikipedia lists as sources some contemporary witnesses who were affected by the new legislation (cf. Wikipedia 2015). I researched them and present their full testimonies as follows. Jewish holocaust survivor and witness Victor Klemperer reports:

> "Five minutes ago, I read the law on Jewish first names that was just published. It would make you laugh if you did not lose your mind [at the same time, EH]. The new names are mostly not taken from the Old Testament but are funny-sounding Yiddish or ghetto names – such as Franzos, Kompert. Accordingly, I have to inform the registry offices of Landsberg and Berlin as well as the community of Dölzschen

> that my name is Victor-Israel; and I have to sign business letters in this way. Whether Eva has to consider Eva-Sara, I still have to find out."[230]

According to racist Nazi ideology, Eva Klemperer, a Protestant *white* German, was considered 'Aryan'. This is why Klemperer questions if the new legislation would also apply to his wife. In order to avoid forced naming, 76-year-old Jewish Hedwig Jastrow committed suicide on November 29th, 1938. In her suicide note she writes:

> "If only one did not want to attempt resuscitation with someone who does not want to live! This is not an accident, nor has there been a fit of melancholia. Someone departs from life whose family has been in the possession of German civil letters for over 100 years, handed over with civic oath, always keeping that oath. For 43 years, I have been teaching and caring for German children against all troubles, and for an even longer period I have done charitable work on the German people in war and peace. I do not want to live without a fatherland, without a homeland, without a dwelling, without civic rights, ostracized and insulted. And I want to be buried with the name that my parents partly gave me and partly passed on to me [...] on which there is no flaw. I do not want to wait until a stigma is attached to it. Every convict, every murderer keeps their name. It is a scandal!"[231]

People who were also recognized as 'Aryans' made a stand against the introduction of forced first names for Jews. Described as a Hitler admirer, Luise Solmitz, sister of

230 Original: "Vor fünf Minuten habe ich das eben veröffentlichte Gesetz über die jüdischen Vornamen gelesen. Es wäre zum Lachen, wenn man nicht den Verstand darüber verlieren könnte. Die neuen Namen sind zum überwiegenden Teil nicht alttestamentarische, sondern komisch klingende jiddische oder Ghettonamen – Richtung Franzos, Kompert. Ich selber habe also den Standesämtern Landsberg und Berlin sowie der Gemeinde Dölzschen zu melden, daß ich Victor-Israel heiße, und habe Geschäftsbriefe derart zu unterzeichnen. Ob für Eva Eva-Sara in Frage kommt, muß ich noch feststellen." (Klemperer 1996:419, translated by EH).

231 Original: "Wenn man nur keine Wiederbelebungsversuche anstellen wollte bei einem, der nicht leben will! Es liegt auch kein Unfall vor und kein Schwermutsanfall. Es geht jemand aus dem Leben, dessen Familie seit über 100 Jahren deutsche Bürgerbriefe besitzt, mit Bürgereid übergeben, der Eid stets gehalten. 43 Jahre lang habe ich deutsche Kinder unterrichtet und in allen Nöten betreut und noch viel länger Wohlfahrtsarbeit am deutschen Volk getan in Krieg und Frieden. Ich will nicht leben ohne Vaterland, ohne Heimat, ohne Wohnung, ohne Bürgerrecht, geächtet und beschimpft. Und ich will begraben werden mit dem Namen, den meine Eltern mir teils gegeben und teils vererbt haben und auf dem kein Makel haftet. Ich will nicht warten, bis ihm ein Schandmal angehängt wird. Jeder Zuchthäusler, jeder Mörder behält seinen Namen. Es schreit zum Himmel!" (DOK. 181, Heim et al. 2009:512, translated by EH).

NSDAP member and deputy press chief to the German Empire, Werner Stephan, was married to Friedrich Solmitz, a Jew. She writes in her diary on August 24th 1938:

> "And in the evening, the next blow we were waiting for fell. Fr[iedrich] entirely pale and quiet; then he told me: German, only German first names, a few naturalized ones included; but Jews Jewish [names, EH]. – Just before, I had said: 'Watch out, they will dictate them!' And so, it happened. Not Jonas, Joshua, Benjamin, that could be endured, but the most terrible [ones, EH], barely known, partly insulting names; and what applies to Fr. – whoever has a different first name must add, as a man: Israel, as a woman: Sarah. One does not even know what to say. Every official signature must be made in such a way; [the names, EH] are listed in the telephone directory, in the address book, in the checking account. Fr. wrote immediately to Minister of the Interior Frick, asked him to spare him, gave his reasons. [But, EH] who knows if this is not considered a rebellion?"[232]

Protestant writer Jochen Klepper who was married to Johanna Stein, a Jew, noted on August 23rd 1938:

> "As of January 1, all Jewish men, whether baptized or not, must use the name Israel as their middle name, and all Jewish women Sara as their second name. The list of first names that was stipulated for newborn Jewish children is eighty percent sadistic mockery. The biblical, famous names are banned for Jews."[233]

232 Original: "Und abends fiel dann auch der neue Schlag, auf den wir warteten. Fr[iedrich] ganz blass und still, dann sagte er es mir. Deutsche, nur deutsche Vornamen, ein paar eingebürgerte eingeschlossen. Aber Juden jüdische. – Ich sagte vorher: 'Pass auf, sie schreiben sie vor!' Und so kam es auch. Nicht Jonas, Josua, Benjamin, die sich ertragen liessen, sondern furchtbarste, kaum gekannte, zum Teil beleidigende Namen, und was für Fr. in Betracht kommt, wer andere Vornamen hat, muss ihnen, als Mann: Israel, als Frau: Sarah hinzufügen. Man weiss gar nicht, was man sagen soll. Jede amtliche Unterschrift muss so geleistet werden; so steht's im Fernsprechverzeichnis, im Adressbuch, im Girokonto. Fr. schrieb sogleich an den Minister des Inneren Frick, bat ihn, davon verschont zu bleiben, gab seine Gründe an. Wer weiss, ob das nicht noch als Auflehnung gilt?" (DOK. 86, Heim et al. 2009:272, translated by EH).

233 Original: "Ab 1.1. müssen alle Juden, ob getauft oder nicht, als zweiten Vornamen den Namen Israel, alle Jüdinnen den zweiten Namen Sara führen. Die Liste der Vornamen, die für neugeborene Judenkinder festgesetzt ist, bedeutet zu achtzig Prozent eine sadistische Verhöhnung. Die biblischen, berühmten Namen sind den Juden gesperrt." (Klepper 1983:631, translated by EH).

After denied permission to leave the German Empire, Jochen Klepper committed suicide together with his wife and daughter in December 1942, in order to escape deportation.

The Second Decree was abolished on September 20, 1945 by Law no. 1 of the Control Council which dealt with the abolition of Nazi law. On January 29, 1948, the Law regarding the Changing of Surnames and Forenames was extended by a Third Decree that initiated the erasure and change of Jewish forced names, which suspended the Second Decree (*FamNamV BY*, Bundesministerium der Justiz und für Verbraucherschutz). Although the Second Decree is not mentioned explicitly in current German legislation, it should be questioned why new legislation has not been written without any reference to the anti-Semitic establishment of the law on January 07, 1938. Here, this reference seems to imply that a possible Forth Decree might enable the Second Decree to come back into effect. Furthermore, why can one still find phrases such as "*Deutsches Reich*" (*NamÄndG*, Deutscher Bundestag 1/09/2009) and "*Der Reichsminister des Inneren*" (*FamNamÄndGDV 1*, Bundesministerium des Inneren 15/08/2013)? Are these phrases meant to refer to the modern German state and to the current German Minister of the Interior?

The Law on the Changing of Surnames and Forenames and the Second Decree had been written by civil servant and lawyer Hans Globke, who later became director of West Germany's Federal Chancellery from 1953-1963 and one of Chancellor Konrad Adenauer's closest advisors. Through Globke's legislative activities between 1933 and 1945, he was responsible for the juridical institutionalization of accustomed anti-Semitism and the establishment of anti-Semitic legislation on personal status and naming, which through the explicit marking of Jews, facilitated the creation of deportation lists. Globke's role in the planning of the Holocaust has been played down by himself and through the support of Adenauer. However, the effects of Globke's actions cannot be minimized by the principle of unintentionality, which is a powerful presupposition of German (as well as Swedish[234]) hegemonic discourse and particularly jurisdiction which can limit legal culpability. Globke's case is just one of many which

234 Cf. Habel 2011:107: "[C]onceptions that racism is underpinned by intentions and acts of volition are very useful in the public arena [in Sweden] [...]. If you *don't mean* anything racist, you have not performed a racist act."

demonstrate the institutionalized continuities of National Socialism in Germany after 1945.[235]

From my own family context, I am familiar with another continuity of anti-Semitic naming practices. I became accustomed to using the phrase 'Sara' as pejorization for girls – initially without conceptualizing it as a personal name in these contexts. It was only when my aunt and uncle decided that they wanted to assign a Hebrew name to my newborn cousin that other family members made it clear that Sarah was not an option because of the pejorative appellations. At this moment they explicitly re_produced the anti-Semitic use of the name that is discriminatory against Jews and not against the person whose name it initially is (cf. chapters 1.3.5 and 5.5).

6.2.2.4 Assimilation as enforced name change

As discussed in chapter 3.2.2.1, 'Germanness' was historically institutionalized as a *white*, non-migratized concept that is still negotiated as such today. Thus, when the first registration and naming laws were established in the German Empire, they were actually designed for *white*, non-migratized Germans. Afro-Germans were not conceptualized as intelligible (cf. El-Tayeb 2001; Oguntoye et al. 2006). El-Tayeb's analysis of the racist context and exclusion of Afro-Germans in the German Empire shows that the enforced Germanification of their supposedly non-German names would not necessarily enable a Black person to naturalize as German. Rather, the Germanification of Afro-Germans' names must be regarded as ignorance and the refusal by German authorities to learn and deal with names they were not accustomed to (El-Tayeb 2001:114). Astrid Berger recalls that her father's name was amended into not only a German but Christian name: from Kala King to Gottlieb Kala Kinger (cf. Berger 2006:123). Apparently, both first and last names had to be changed, although the orthography suggests a phonetic pronunciation that would not have caused any problems for a *white*, non-migratized German registrar (cf. chapter 5.1). Assimilating

235 On May 13, 1951, a law was established that regulated the legal relationships of people who fall under article 131 of the German Constitution – in other words, former members of the NSdAP that were not classified as convicted war criminals. The legislation introduced one of the first quota systems which benefited these Nazis: It obliged the German public administration to reserve at least 20% of the available positions for former NSdAP members (cf. Deutscher Bundestag 13/05/1951:section II, articles 11–18), except for former employees of the Gestapo (cf. Deutscher Bundestag 13/05/1951:section I, article 3, paragraph 4).

names in order to make them look 'more German' is a form of enforced name change. Asian-German Hanna Hoa Anh Mai also reports in her essay how her aunt 'Susan' was forcefully assigned her name:

> "'Your Aunt Susan's name is not Susan. When she came to Canada with her grandparents, it was said in school: And your name is Susan; because they found her real name too difficult to pronounce.' As a five-year-old, I thought that was terribly unfair. If someone just gave me another name, I'd think of a thousand ways to rebel."[236]

The question of whether or not a person and their name has been recognized as hegemonically 'intelligible' and thus legalized in Germany, is linked to the legal status of the name bearer as a German citizen. As shown in chapter 3.2, since its institutionalization in Germany in 1913, citizenship has been negotiated as a legalized means for discrimination. People with names that did not comply with the hegemonic perception of German names were advised to assimilate their name with their naturalization as a German citizen. German Civil Code suggests that every person who

> "acquired their name under an applicable foreign law and whose name will henceforth comply with German Law may [...] take on a German version of their first or family name at the registration office; in case this version does not exist, another new first name can be taken instead."[237]

As described in chapters 3.2.1 and 4.1, prior to 2000 only *ius sanguinis* 'post-war repatriates' were enabled to assume German citizenship. Consequently, it has only been possible since 2000 for anyone who wishes to naturalize as German to change their personal name through 'Germanization'. This form of institutionally advised linguistic assimilation can, for example, be expressed by exchanging one's original name with the

236 Original: "'Deine Tante Susan heißt eigentlich nicht Susan. Als sie mit deinen Großeltern nach Kanada kam, hieß es in der Schule: Und du heißt Susan, weil sie ihren richtigen Namen dort zu schwierig auszusprechen fanden.' Als Fünfjährige fand ich das schrecklich ungerecht. Wenn mir einfach irgendjemand einen anderen Namen geben würde? Ich malte mir tausend Arten aus, wie dann rebellieren würde." (Mai 2012:192, translated by EH).

237 Original: "Hat eine Person nach einem anwendbaren ausländischen Recht einen Namen erworben und richtet sich ihr Name fortan nach deutschem Recht, so kann sie durch Erklärung gegenüber dem Standesamt [...] eine deutschsprachige Form ihres Vor- oder ihres Familiennamens annehmen; gibt es eine solche Form des Vornamens nicht, so kann sie neue Vornamen annehmen" (Deutscher Bundestag: article 47, paragraph 1, point 5, translated by EH).

assumed German-sounding gendered equivalent (e.g. Katharina for Jekaterina; Mackensen 1978:272; 278–279 [238]) or finding a new name which appears to be gender-distinct (cf. chapter 6.1.2). Although name assimilation is negotiated as an option in the legislation and is also recommended by the registrars (cf. Hayn 24/07/2012b; Bundesverband der Deutschen Standesbeamten n.d.), one can barely speak of an unrestricted choice. As migratist_genderist_racist perceptions of names affect discrimination in hegemonic German discourse, the choice is between facing migratist discrimination and passing as German, a risky and only potential privilege (cf. Hayn 2015). When Eugen Litwinow moved to Germany in 1993, he was recognized as 'post-war repatriate' according to the German Constitution article 116, a person entitled to German citizenship through *ius sanguinis* (cf. *GG*, Deutscher Bundestag 31/12/2014: article 116 paragraph 1). In the context of naturalization his name was assimilated, form Евгений to Eugen.[239] In a documentary, Litwinow explains that changing his name did not happen voluntarily:

> "20 years ago, still a child, I moved to Germany with my family. Shortly after our arrival I had to abandon the name Evgenij. It was said that this would make integration easier. And Eugen was the official German substitutional name." (Litwinow 2013b:00:36-00:48)

Simultaneously, his middle name (the so-called father name) was eliminated according to the *BGBEG*'s claim that, "name parts that are not recognized by German law, can be

238 In this book, the editor attempts to translate first 'German' names into their assumed 'non-German' variation and vice versa. As a side note, the editor of the book left out his own first name on the book cover.

239 For 'post-war repatriates', the following registration regulations of the Federal Refugee Act apply: "(1) Displaced persons and post-war expatriates [...] that are recognized as 'Germans' according to Article 116,1 of the German Constitution may declare to the Federal Administration Office in charge of their redistribution procedure or to the registration office [...] 1. to dismiss name parts that are not allowed by German Legislation, 2. to take on the original form of a name that was altered with regard to gender or family relations, 3. to take on a German version of their first or family name; in case this version does not exist, another new first name can be taken instead [...] 5. to take on the family name in a German translation provided that the translation reveals a name that is accepted in the German speaking area." (Deutscher Bundestag 25/11/2015: article 94, paragraph 1, translated by EH). There are special regulations for children: As soon as they turn five they must agree with the name change. At fourteen, they need to submit the declaration themselves. However, the extent can be questioned to which children are in the position and have the necessary life experience to understand the implications and consequences of a name change that is motivated by hegemonic assimiliation contraints.

abandoned"[240]. After Litwinow learned from his father that his character had changed with the changing of his name, he started a book project which is based on the experiences of fellow Russian German youth who had moved from Russia to Germany. Their commonality is that they had been asked and/or forced to take on Eugen as their new name in Germany. However, they differ in their opinions and decisions when it comes to the identification with their name. With his project, Litwinow shows that the enforced name change did not necessarily ease a person's life, despite its assimilation to hegemonic accustomed norms. Today, Eugen as well as other presumably 'translated' names such as Elsa for Jelisaweta (cf. Russian-online.net n.d.a) or Waldemar for Vladimir (cf. Russian-online.net n.d.b) are barely given to children as a first name. Litwinow even quotes a fellow migratized person who stresses that Eugen is an unusual name nowadays.

When Litwinow was asked his name and replied 'Eugen', he was identified as 'Russian', based on the experience that only naturalized 'post-war repatriates' have that name (cf. Litwinow 2013a:70). Hence, the name can be regarded as a marker for the biographical background of these people, as well as their social positioning in German society. Simultaneously, it proves that assimilation by changing a name did not have the 'integrating' effects the registrars and legislation had thought they would. This form of enforced name change does not prevent migratist discrimination but instead divides the group of people discriminated against on the grounds of migratist perception, not only of their names but also of their use of language and place of birth and childhood. Russian Germans face migratist discrimination, although they are institutionally recognized and privileged as '*ius sanguinis* Germans' by law.

However, legislative recognition provides an easier access to privilege, as a current example of name change and assimilation shows. In 2005, a family from Azerbaijan received asylum in Germany. After realizing discrimination on the grounds of migratist_racist name perception, they applied for a name change in order to increase their chances to find a job and to fully integrate into German society. Simultaneously, they also declared that they felt like an easy target for political persecution because their

240 Original: "Bestandteile des Namens ablegen, die das deutsche Recht nicht vorsieht" (Deutscher Bundestag: article 47, paragraph 1, point 3, translated by EH).

family name was rare. However, the family's right to change their name according to articles 1, 3 and 11 of Germany's *NamÄndG* was denied (cf. Migazin - Migration in Germany Online 2012; Verwaltungsgericht Göttingen, Urteil of 25/04/2012). Discrimination on the grounds of a racist_migratist perception of their names was not recognized as a practice that excludes people from the labor market, nor was their fear of persecution regarded as a substantial risk in Germany. This trivializing perspective that regards Germany as safe 'for all' is only respecting a privileged position that never had to fear persecution or face structural discrimination. Also, to argue that name discrimination on the labor market cannot be a reason for a name change – although there might be evidence[241] – mirrors the anti-Semitic decree introduced in 1894 that denied Jews their right to change their names, despite an awareness of the impact of anti-Semitism by those in charge (cf. Wagner-Kern 2002:96). In light of the historical presuppositions of *NamÄndG*, the following phrase by the administrative court Göttingen appears to be revisionist towards the law's historical context: "It is not the role of the naming laws to counter-act societal aberration."[242] In this way, German legislation denames the fact that anti-Semitism constituted *NamÄndG* and that the law indeed contributes to societal aberration (cf. chapter 3.2.2). What is more, in the case of Litwinow, which addresses the forced Germanification of Russian-identified names during naturalization, German legislation claims that name assimilation would ease 'integration'. Thus, the perception of names as German or non-German has a powerful effect for the naturalizing person. However, the responsibility for any discriminatory consequences is assigned to the name bearer and not to the discriminatory norms that are re_produced in hegemonic discourse areas, such as legislation. Consequently, discrimination on the grounds of racist_migratist name perception is – despite empirical evidence (cf. Kaas, Manger 2010; Krause et al. 2012; Senatsverwaltung für Integration 2010) – neglected on a structural level and individualized on a personal level.

241 Original: "[...] aufgrund [eines] ausländischen Namens Diskriminierungen auf dem Arbeitsmarkt ausgesetzt zu sein, ist zwar nicht ganz auszuschließen. Jedoch stellt diese keinen wichtigen Grund für eine Namensänderung dar" (Verwaltungsgericht Göttingen, Urteil of 25/04/2012).

242 Original: "Es ist nicht Aufgabe des Namensrechts, einer gesellschaftlichen Fehlentwicklung entgegenzusteuern" (Verwaltungsgericht Göttingen, Urteil of 25/04/2012, translated by EH).

For the German context, the enforced assimilation of names to an assumed German name grammar does not necessarily have inclusive effects for people who are considered non-German. Quite the contrary: Until 1990, naturalization and, thus the Germanization of names was more or less limited only to non-migratized Germans who were defined as such by *ius sanguinis*. Consequently, naming practices in Germany have resulted in what I would identify as a Germany-specific practice, the marking of 'the Other', the non-German (cf. 6.2.2.3). The invention of citizenship and nationality is the immediate prerequisite and institutionalized presupposition of Othering which is performed in German registration offices. In cases where persons with non-German citizenship come to register their children, the registrar applies the legislative rules of the respective state even though these persons may make Germany their permanent residence (Hayn 23/07/2012).

In comparison, the constraints that motivated the introduction of Sweden's first law on names aimed at protecting existing 'Swedish' names and at promoting the creation of new names that hegemonically had been perceived as 'Swedish' on the grounds of their phonology and morphology. Thus, given the nationalist promotion of 'Swedishness' in the context of naming, and given the evidence of racist_migratist discrimination on the labor and housing markets, name changing in Sweden has also not necessarily been a free choice but rather a form of enforced assimilation.

6.2.2.5 Old name – new name – self-determined

What effect the changing of names can have for the individual person depends on the person's social positioning and on the context of the naming act. In order to increase their chances on the job or housing markets, migratized people might experience the enforced need to change their migratized names in order to pass as 'German' or 'Swedish' (cf. Verwaltungsgericht Göttingen, Urteil of 25/04/2012; Lerner 2011); statisized Germans or Swedes with a name that is hegemonically recognized as German or Swedish do not experience this form of exclusion. In comparison, to exchange the enforced gendered name with a gender-free and gender non-conform name is an act of empowerment, just as adding or exchanging names that remind of slavery and colonialization with names interpellating Afro-Germans' African descent (cf. chapter 6.2.2.1). Cis-people usually do not change their names because they identify with the

implied gender-distinctivity. As discussed before, in Germany they have the privilege of changing their name based on spelling difficulties (cf. chapter 6.1.1). In Sweden, name change appears to be more accepted, at least by legislation. The journal *Språktidningen* suggests that the changing of a person's name might be motivated by a person's wish to be unique, while ignoring the fact that deprivileged people might also have other reasons for name change, such as survival (cf. chapter 6.1.4). However, hegemonic discourse in Germany prevents the intelligibility of naming practices in which it is regarded as appropriate for a person to choose their own name. This concerns in particular the disruption of the enforced binary gender norm that forces trans and gender non-conform people to identify with their birth gender and with genderization in general. The following quotation reminds of the societal construction and distinction between biological and social birth (cf. chapter 6.1.1).

> "There were nights that stretched past morning, but I knew if I could make it to sunrise, on the wall of the youth center would be hanging a white board that said:
>
> Old name New Name Pronoun
>
> Everyone knew to check it every day, because in our world, today's new name could be tomorrow's old news [...] We were giving birth to our own lives, naming ourselves out of baby books or rebirthing ourselves with names that came to us, soaked and cold from a Portland rainstorm." (Lowrey 2010:199–200)

This quotation is an empowering example for making social birth intelligible as a self-chosen, self-determined act. Not only is self-naming negotiated as appropriate but also the possibility to actually change one's name and pronoun every day. However, in German hegemonic discourse, both these empowering principles are denamed and de_conceptualized, as the following example demonstrates.

A friend[243] I had not spoken to for a while called one day and we talked about what we had recently experienced in our lives. I was curious to learn how they were doing, since they had just changed their first name some weeks before. However, as sadly expected, my friend was confronted with not only supporting environments. When coming out as

243 I am grateful to an anonymous friend that shared their knowledge about genderist name discrimination with me (Anonymous friend *** 2013).

gender non-conform and sharing the good news of having finally found a fitting name, some people, in particular relatives, did not understand the relevance and impact of the name change for my friend. They started to question the reasons as well as the self-empowerment, not realizing that this form of mistrust is discriminatory. In this way, the hegemonic norm was re_produced that restricts the opportunity to choose a first name to others, such as guardians or parents or – in the case of nicknaming – even to friends but not to oneself. Despite the wide-spread practice which negotiates names as one of the most personal and incarnating features about a person (cf. chapter 6.1) if a person chooses their own name, hegemonic discourse questions it and is even ignorant about the self-determined name change: "I might just not get used to it that quickly and might make 'mistakes' so that's the reason why I am still using your old name" (a fictional but quite possible excuse, defense and denial). The accustoming of institutionalized hetero- as well as reprogendering practices becomes further evident against the background of ritualized practices, such as congratulating on the event of a newborn child or its baptism (representing personal first names as symbols for Christening, the becoming of a Christian) but not for name changes, which can have a similar social meaning in terms of social birth (cf. chapter 6.1.1).

Sharing their experiences with me, my friend bestowed upon me knowledge they gained through genderist discrimination, a knowledge – like all life stories of everyday discrimination that do not apply to me as a privileged person – I cannot experience in the same way. I speak from a position with a name that privileges me to experience full recognition as a citizen, thus recognition as non-migratized, *white*, cis-binary-genderable. However, as this experience is so normalized for privileged people, they usually do not recognize that they are indeed privileged because they are simply not asked about how they got their names and why or where they came from.

As previously stated in chapter 4, the enforced gendering of names is implied in the principle of revealing the assigned birth gender through a conventionalized 'gender-distinct' name (*Geschlechtsoffenkundigkeit*). This principle can be regarded not only as an institutionalized and structuralized discriminatory naming practice but also as an internalized as well as normalized accustomed ideology that remains unchallenged by hegemonic discourse. German Law on Civil Status forces newborn people to be classified

as either male or female (*PStG*, Deutscher Bundestag 1/01/2009: article 21, paragraph 1). Since 2013, this does only apply to people who according to medical discourse are diagnosed with binary-gender fitting. People who are not recognized by medical discourse as genderable (thus denied normality), such as intergender and intersex people, are assigned without gender as 'Other', but not as a third category in addition to female and male. The legislation on personal status forces them to later decide between these two options, and does not provide a real choice for a self-identified life (cf. *PStG*, Deutscher Bundestag 1/01/2009: article 22, paragraph 3). In a press release, OII Germany (IVIM) states that "[t]his means that only with a present intersex diagnosis these options are accessible and that medicine would still act as gatekeeper for gender classification"[244]. Hence, they demand

> "the elimination of official gender registration of newborns. As an alternative, the entry can remain open or be negotiated as a voluntary indication of one's own choice. This option must be open to anyone – without the requirement of a medical diagnosis!"[245]

Thus, people who later will not be grouped within such cis-binary-gendered boundaries as trans and gender non-conform people will not be forcefully identified as cis-female or cis-male or gendered within a naturalized binary-gender at birth. In contrast, people who have never been discriminated by the binary-gender norm are not questioned in regard to their position or their conventionalized practice to 'identify' as female or male.

As already stated in cf. chapter 2.3.1, to forcefully gender a person is also explicitly linked to citizenship. Registration practices in Germany defer from those of other countries. For example, in the UK it is possible to name people gender unspecifically.[246] Until 2011 in Germany (cf. *TSG*, Deutscher Bundestag 23/07/2009: article 8, second footnote) and until 2013 in Sweden (Sveriges Riksdag 2013, cf. Liljenblad 2013)

244 Original: "Das bedeutet, dass nur bei vorliegender Intersex-Diagnose diese Optionen offen stünden und weiterhin die Medizin als *gatekeeper* der Geschlechtsklassifikation fungieren würde" (IVIM/OII Deutschland 23.902.2012, translated by EH).

245 Original: "die Streichung der amtlichen Geschlechtsregistrierung von Neugeborenen. Alternativ: Eintragung offen lassen oder freiwillige Angabe mit einem Eintrag eigener Wahl. Diese Option muss allen Menschen offen stehen – ohne die Voraussetzung einer medizinischen Diagnose!" (IVIM/OII Deutschland 23.902.2012, translated by EH).

246 I am grateful to Natasha A. Kelly for this example (Kelly 2012b).

trans*people were forced to be sterilized, which forced them to adapt to hegemonic gendered body norms in order to be registered under 'the Other' of only two gender options. In comparison to the silenced forms of denial of personhood that are at the core of my analysis, forced sterilization is an explicit indication for the depersonalization and denial of trans*_genderqueer people's rights.

Based on the various ways to deal with fundamental genderism, one needs to question why the German registration process enforces and applies the principle of gender-distinctivity (Geschlechtsoffenkundigkeit) for names, an activity that even from a hegemonic point of view lacks legal backing. Although the (separate) indication of gender is still negotiated as mandatory during registration, neither NamÄndG nor PStG demand a gender-distinct name. However, this also applied to the outdated administrative regulations (Dienstanweisung für die Standesbeamten und ihre Aufsichtsbehörden), which with their regulating character instructed registrars to enforce the gendering of names. Interviews I conducted with three registrars in 2012 show that this regulative norm was still in effect (Hayn 23/07/2012; Hayn 24/07/2012b; Hayn 24/07/2012a), despite the Federal Constitutional Court decision in 2008 which declared the enforced gender-distinctivity of names to be without legal basis (cf. Bundesverfassungsgericht, Beschluss of 5/12/2008) and despite the fact that the DA regulations had been replaced by general administrative regulation to the Law on Civil Status (Allgemeine Verwaltungsvorschrift zum Personenstandsgesetz, PStGVwV) in 2010 which no longer requires gender-distinctivity (cf. Bundesministerium des Inneren 15/04/2010, cf. Justiz-und-Recht 2016, cf. chapter 4.4). Thus, the accustoming and cognitive internalization of hegemonic structuralist ways to gender people might serve as one possible explanation for the registrars' continuing genderist practice. Those cognitive structuralizations shape and influence the individual's perception of the social world and can be understood as a mutual process. People perceive and re_produce what they have become accustomed to. Given that registrars are accustomed to gender people and do not follow all juridical decisions that concern personal naming, they perceive and re_produce norms (cis-binary gendering) which are not challenged daily in hegemonic and media contexts but instead re_inforced. The 'ability' to gender a name is also linked to the names people are accustomed to gender. As shown in chapter 4, genderability is

usually implied in the statisizability of a name. In the German context, this means that every name that is statisizable is genderable. Thus, as long as privilege is not contested but silently maintained as the normative perspective of legislation, these discriminatory naming practices will not be eliminated. Or in Ahmed's words: If your norm is already accomplished by general norm, you do not need to challenge the norm[247].

The implicitness to conceptualize names as cis-binary-gendered, consisting of a first and second name as well as a denomination that one can always identify with, is re_produced in everyday practice: when ordering a library ID card, when applying for an e-mail address (although here it is possible and conventionalized to choose a self-determined name, depending on provider), when addressing a letter or labeling a mail box. In Germany, people who cannot identify with their assigned birth name(s) are discriminated by a norm which prevents name change on the grounds of genderism by not asking a person at different states of their life to what extent they can still identify with their name. Until recently, the only legal way required either accepting the medical and juridical implications of the transgender law (*Transsexuellengesetz*, *TSG*), such as the requirement of 'expert' assessments as well as legal procedures (cf. *TSG*, Deutscher Bundestag 23/07/2009: article 1, paragraph 1, points 1 and 2; article 4, paragraph 3; cf. Bundesweiter Arbeitskreis TSG-Reform[248]), or choosing a pseudonym aka artist's name (cf. *PAuswG*, Deutscher Bundestag 24/06/2009: article 9; *BGB*, Deutscher Bundestag 31/05/2016: article 12). A creative intervention in the conceptualization that a personal name can represent one person only is the joint artist's name Mwangi Hutter (formerly: Ingrid Mwangi Robert Hutter) that denominates two persons but only one artist (Mwangi Hutter n.d.). It remains to be seen what impact the newly accepted applications for name change (cf. chapter 3.1.1) will be allowed to have by those implementing the *NamÄndG*.

These accustomed forms of institutionalized naming also generate the assumption that people are willing to share the name they have been registered with, although this might

247 Cf. Sara Ahmed's 'original' words at thought as action conference in Bergen, August 16th, 2012, were: "If your will is already accomplished by general will, you do not need to be self-willed" (Ahmed 2012).

248 Cf. postulation paper of Bundesweiter Arbeitskreis TSG-Reform of June 1st, 2012 for the reform of *TSG*, such as abolishing assessment as well as legal procedures: Bundesweiter Arbeitskreis TSG-Reform 2012.

cause trauma (cf. chapter 6.2.1). Additionally, people who cannot identify or perceive themselves with their assigned initial name because of abjectification and accustomed unintelligibility are forced to name and explain their discrimination, as well as the desire to change their name in order to intervene in discriminatory naming practices. Since it is hegemonic as well as silenced naming norms which are fought against, structural discrimination is often individualized and made the 'problem' of those who experience discrimination (cf. Linton 2006; Corker). And yet it would be only respectful to ask people how they want to be addressed.

Transferring the observation of Critical Race theorists that structural discrimination and unequal treatment on the grounds of migratism, genderism and racism remain undisturbed by legislation (cf. chapter 3.2) to the present case, this means that neither *NamÄndG* nor any other law will fight discriminatory perceptions of names. Although there might be some opportunities to find self-determining ways of naming oneself within the law, they can simultaneously re_produce the discriminatory structural framework in which people are forced to respond to normative expectations on personal names. For example, name assimilation can lead to what Spade calls the "building and legitimizing systems of control" (Spade 2011:161). With regard to interventions in genderism, Spade reminds that counter-political activism which tries to compromise hegemonic gender norms is in danger to "leav[e] behind more vulnerable trans populations" (Spade 2011:161). Considering also migratist and racist name perceptions, enforced name assimilation in Germany re_produces the prototypical image of 'Germanness' by making gender-free, gender non-conform and migration-free names unintelligible. However, as societal structures and norms are seldom quick to change, name assimilation can serve as a strategy of survival. Privileged people who do not experience discrimination based on their names might not even understand or will deny that the negotiation of names is not neutral. Hence, the hegemonic perception of names as German or Swedish, as gender-distinct or not, is critical to guarantee personal rights in German and Swedish society, including the right not be discriminated against.

6.2.3 Hegemonic anonymization: silencing names, objectifying people, killing fellow humans

When looking at a random photograph in a journal, newspaper or charity poster that re_produces a scene of disaster, despair or poverty, People of Color as well as Black people are often presented in a token way that makes them represent the global South. In most cases they appear nameless, as if their individual life stories were not worth mentioning to contrast the colonialist charity concept. This is especially noticeable when the poster also shows photographs of *white* people representing the wealthy and pseudo-philanthropic global North.

As Carolin Philipp and Timo Kiesel state in their analysis of charity advertisement in Germany, there is an asymmetry when it comes to naming people on charity posters (cf. Philipp, Kiesel n.d.; Philipp 2006; Kiesel 2006; Kiesel, Philipp 2007; Kiesel, Bendix 2009, Philipp 2012; Philipp, Kiesel 2011). Only *white* people on the posters are presented with their names and celebrities are often included in a pseudo-philanthropic manner that is accompanied by a message explaining why they support charity. Philipp, Daniel Kiesel and Bendix's results display repetitive colonialist patterns depicted in charity posters which focus on the absence of People of Color and Black people's names:

> "No entire face, no portrait is shown; the pictures are neither described with names nor professions. They represent the many [anonymized; EH] people in the projects of 'Brot für die Welt'. They are not described in a personalized, but in an impersonal way."[249]

In comparison, *white* people are named, even those that are hegemonically unknown on a personal level but represent a certain stereotypical character in German hegemonic society (here: Granny Schmidt or Smith from next door):

> "Every time when organizations choose *white* promotional ambassadors, they are usually well-known celebrities and occasionally 'granny Smith from next door' [...]. In both cases, they are assigned individuality by a quotation, by certain attributes such as name, age, occupation. They are portrayed as subjects of their own doing

249 Original: "Es wird kein ganzes Gesicht, kein Porträt gezeigt, die Bilder sind weder mit Namen, noch mit Professionen bezeichnet. Sie stehen stellvertretend für viele Menschen in den Projekten von Brot für die Welt. Sie werden nicht personalisiert beschrieben, sondern unpersönlich." (Philipp 2006:65, translated by EH).

> who are not defined solely by the circumstances they live in but by the way they take their lives into their own hands and shape them."[250]

One campaign that was analyzed changed the way of presenting Black people and People of Color by naming them on a first name basis and thus providing a position for them to speak from. However, if again compared with the representation of *white* people, the *whites* are presented with their full name and profession, thus belittling and infantilizing Black people and People of Color's professional achievements and knowledge in the context of 'development':

> "In 2009, the Catholic relief organization Misereor developed a campaign format entitled "with anger and tenderness side by side with the poor" [...] in which differently positioned people are portrayed. The big step forward is that Black people and People of Color are allowed to speak for themselves. Whilst *white* people are presented by their first and last name and their profession or activity, Misereor addresses Black people and People of Color – not consistently, but repeatedly – by their first name only. Furthermore, instead of also naming their profession, only the country of origin is referred to.[251]

The hegemonic colonialist_racist perception of Black people and People of Color as indigent, poor and dependent and the self-conception of *white* people as pseudo-philanthropic and independent provide not only an explanation of the depicted hierarchy between 'beneficiaries' and 'donors' of charity but also re_produce a colonial scene. In this traumatic depiction, the role of the colonizer as the powerful one who controls, determines, objectifies, depersonalizes and silences the colonized, and the role

250 Original: "Wenn die Organisationen weiße Werbebotschafter auswählen, sind dies meist bekannte Persönlichkeiten oder auch gelegentlich 'Oma Schmidt von nebenan' [...]. In beiden Fällen bekommen sie durch ein Zitat, durch bestimmte Attribute wie Name, Alter, Beruf eine Individualität zugesprochen. Sie werden als Subjekte ihres Handels dargestellt, die nicht allein durch ihre Lebensumstände definiert werden, sondern ihr Leben aktiv in die Hand nehmen und formen können." (Philipp 2012:23, translated by EH).

251 Original: "Das katholische Hilfswerk Misereor hat 2009 mit der Kampagne „mit Zorn und Zärtlichkeit an der Seite der Armen" [...] ein Format geschaffen, in dem Menschen unterschiedlicher Positionierung porträtiert werden. Der große Fortschritt besteht darin, dass hier Schwarze und People of Colour selbst sprechen dürfen. Während *Weiße* allerdings durch ihren Vor- und Nachnamen sowie ihren Beruf oder ihre Tätigkeit vorgestellt werden, nennt Misereor Schwarze und People of Colour – zwar nicht durchgängig, jedoch wiederholt – nur beim Vornamen. Anstatt auch hier den Beruf zu nennen, wird lediglich auf das Herkunftsland verwiesen." (Kiesel, Bendix 2009:492, translated by EH).

of the colonized as the powerless ones who are controlled, objectified, depersonalized, made anonymous and silenced by the colonizer are re_produced. Those who are conceptualized as so-called 'beneficiaries' of the global North's appropriated wealth and prosperity (that is grounded in the exploitation of the people in the global South) appear as nameless representatives of the many anonymous people who are conceptualized as one homogeneous group. The acceptance of the racist classification of the nameless person is presupposed to the *white* reading of the posters. It silences and de_intelligiblizes the perception of Black donors as well as counter-discourses of Afrocentric organizations, such as the African Union, that call on the global North for reparation payments instead of patriarchic 'donation' gestures (cf. Hayn 2010). Thus, the silencing of the Black person's name also re_produces the colonialist scene that results in Othering and in devaluation and depersonalization. For this reason, it can be assumed that recognizing and respecting a person's name and thus identifying them as a person (cf. chapter 6.1) promotes caring about them.

Kelly suggests decolonizing one's own perception of colonialist images. A person looking at the colonialist photograph of an anonymous Black person has the power to question and change their accustomed cognitive colonialist gaze that is constituted by hegemonic linguistic as well as visual contexts and identify the Black person as an individual with a life story and professional background (cf. Kelly 2012a). In this way, the person in the photograph will be recognized as such and imagined as a person that indeed has a full name, which is silenced by hegemonic norms.

A similar form of name silencing can be observed when discriminated people are described and talked about on the grounds of their social positioning but not with their name and function in the given context. In chapter 2.3.4 I discussed a case that came to my attention on the website Leidmedien.de[252]. Daniel Themann, a 39-year-old person with trisomy 21, was nominated to Germany's Federal Convention to elect the Federal President. Among others, the press office of the Protestant church in Germany reported on Themann's nomination but instead of using the title to introduce him with his proper name and function (Daniel Themann, member of the Federal Convention) they chose to

252 Revised version of the title of a report on the election of the German Federal President by an assigned member of the election committee, the Federal Convention: Nielsen 2012 and a screenshot of the original version: wheelmap.org 2012.

call him by his disabilization. However, following some inventions (wheelmap.org 2012), the discriminatory denomination was exchanged for his first name (only). I want to focus on two discriminatory practices that are discussed on Leidmedien.de (Maskos n.d.a): disability as a tool for sensationalism and for infantilization. First, the nomination is hegemonically negotiated as a practice to show respect towards an individual member's engagement in society, as well as to bestow responsibility and certain privileges on the members. Thus, by silencing Themann's name in the title, the church's press office not only served mainstream sensationalism; they also denied Themann to be foremost recognized as a respectable citizen who was nominated by the federal state of Lower-Saxony to elect the president. Second, in hegemonic media discourse, it is an expression of politeness and respect to name a person either with their full name or – when abbreviated in the title – with the last name. In press titles, first names are usually only used for people who are commonly known on a first name basis (for example artists) or children. For politicians and representatives of state institutions such as Themann, however, naming the last name is the protocolic norm. By exchanging the discriminatory denomination with the first name, the evangelical press office infantilized Themann and did not recognize him as a fully respectable representative and member of the Federal Convention. Infantilization results in the representation of disableized persons as, according to Leidmedien.de, "passive and helpless [...], as 'problem children' that need to be taken care of"[253] as well as people that are spoken about but not with. In this way, their full names are silenced, which results in silencing their voices and expertise on their own experiences and life stories.

In contrast, naming practices go so far as to personalize all living creatures, as is demonstrated by the naming of pets. An example from a German TV show shows how a name metaphorically personalizes an animal in a way that makes it difficult to kill:

> Criminal inspector (asking the owner of a rabbitry after learning the mate rabbit's name): "What are the other [rabbits, EH] called?"

253 Original: "passiv und hilflos [...], als 'Sorgenkinder', um die man sich kümmern muss" (Maskos n.d.a, translated by EH).

> Owner of rabbitry: "They don't have any names. They have a numbered ear. I could never slaughter an animal that has a name. Not me, that's not possible."[254]

Apparently, having named the mate rabbit prevents the owner from killing it, whereas a number makes it possible, thus intelligible, for him to kill the nameless rabbits. This correlation between name and life as well as number and death reminds of Nazi extermination practices, when a number tattooed on their arms replaced the prisoners' names. It suggests that a number dehumanizes people and removes emotive attachment to a fellow human[255], making the dehumanized more vulnerable to discrimination and finally to being killed. In his survival report, Schramm describes the correlation between being asked one's name and feeling human (cf. Schramm 2011:95). Thus, a number does not have the same identity and personhood as a personal name, and even less so when the camp internees were never really interpellated by their enforced number (cf. Klüger 2008) and the number interpellated its bearer's arbitrariness and interchangeability (cf. Schramm 2011:88) instead.

Ilene Prusher, journalist at Haaretz, summarizes the relevance of a name, and in particular of a last name, for Jewish heritage as follows:

> "[T]he horrors and miracles of the 20th century have left their mark on the state of Jewish family names. For some, the idea of a family name dying out sits on the collective memory of a whole people almost being wiped out. For others, the creation of a new name – often with a Hebrew element – is the ultimate statement of Jewish survival. It is no coincidence that Israel's national holocaust memorial museum is called Yad Vashem, meaning "a place and a name," a reference from the Book of Isaiah." (Prusher 2014)

Against this background, the effect on people of being recognized by a number instead of by a name – as is the case in Sweden – should be examined. Since 1947, registration in Sweden includes the allocation of a personal identity number. Introduced shortly after

254 Scene from episode "Sag nichts" of German TV series Tatort. Original: "Wie heißen denn die andern [Hasen, EH]?" – "Die haben keinen Namen. Die haben 'ne Nummer im Ohr. Ich brächte es nicht übers Herz, ein Tier zu schlachten, das einen Namen hat. Nee, ich nicht." (Kraume 2003:50:25–50:35) translated by EH.

255 Cf. for example the title of the chapter about Schramm's survival in KZ Buchenwald: "Vom Menschen zur Nummer gemacht: Buchenwald" (Schramm 2011:77).

World War II, the number is used in all official as well as everyday contexts. In this way, the personal identity number is negotiated as essential for daily life in Sweden. A person newly arrived in Sweden explains how the number has excluded her from numerous opportunities to participate in everyday life and summarizes: "Being any kind of human recognizable to Swedish bureaucracy? Nope" (Vashisht 2014). Given that it was introduced so shortly after World War II, the personal identity number has invoked trauma with Holocaust survivors living in Sweden (Dahl 2011).

The personal identity number also re_produces categorical information about a person in both its acquisition and compilation when issued by the Swedish Tax Agency. It is only since 2000 that it is assigned to everyone who is registered in Sweden. Hence, whether a person receives a personal identity number or not depends on whether they is identified as entitled for registration by law. Until 1990, the number consisted of 10 digits, of which the seventh and eighth digit indicated place of birth (cf. Skatteverket 2007; Statistiska centralbyrån 2007; Wikipedia 2016a). Thus, people who were born outside of Sweden were digitally marked as such by their personal identity number. In this way, the civic concept of *ius soli* is so interpellated that together with *ius sanguinis*, it constitutes the hegemonic conceptualization of Swedishness (cf. chapter 3.2.3.1). Hence, if someone's place of birth is Sweden it is most likely that the digit interpellates the image of a *white*, ableized, non-migratized Swedish person on the grounds of accustomed default-setting (cf. chapter 2.3.4).

Additionally, hegemonic genderization according to the binary-gender system is also indicated in the personal identity number: "The three-digit birth number is [gender]-specific. […] It is odd for men (e.g. 999) and even for women (998), i.e. the third digit is odd for men but never for women" (Ludvigsson et al. 2009:660).[256]

Thus, despite the fact that the personal identity number replaces and excels personal names in Swedish bureaucracy, the number can be regarded as having a similar function as a personal name: The indication of the date of one's biological birth together with its enforced assignment of one of two genders and place of birth are indicators for the extent to which a person is perceived in a discriminatory way. Additionally, the process

256 Cf. also Justitiedepartementet L6: article 18 and Skatteverket 2007.

of applying for a personal identity number might thus need to be compared to the process of naturalization: Who is entitled to apply for a number? What difficulties do migratized and non-migratized, ableized and disableized, trans and gender non-conform people and cis-people encounter during the application process? And to what extent has bureaucracy in Sweden changed since the introduction of the personal identity number in terms of discrimination, specifically as it enables the objectification and alienation of people?

6.3 Summary

In this chapter, I discussed hegemonic Western expectations towards personal names which result in the recognition of people as legal persons with personal rights. Personhood is defined by hegemonic legal as well as medical discourse. Both discourses constitute a person's existence as the result of a person's biological and social birth. Both events are hegemonically negotiated as one-time events, thus making another or multiple social births of trans*_genderqueer people unintelligible.

However, as illustrated, people do not have the same access to personal rights, such as the right to choose a name that intervenes in the hegemonic perception of names as gendered and statisized. This can lead to the denial of personhood by hegemonic naming processes. The legally guaranteed right to a name therefore only applies to people who are privileged through naming practices. In Sweden, this right to a name includes the right to change the personal name without further medical pathologization and investigation. Since the right to change one's name is negotiated as a statement that makes people's names unique, this right is questioned: In comparison to migratized people who hope to increase their chances on the job and housing markets by changing their names, listing boredom of one's name and the wish for uniqueness as reasons for name change needs to be regarded as a privileged person's argumentation. This is valid despite the fact that even an assumed unique name interpellates group membership and thus personhood. In comparison to naming strategies which result in the denial of personhood, supposedly unique names make their bearers still intelligible in hegemonic discourse. Hegemonic silencing of traumatic names, the withdrawal of a person's name and the enforced need to change one's name in order to improve their chances in society

exclude people from the right to a name as well as from the right of non-discrimination that is caused by these naming practices.

Trauma is invoked by the ignorance of the historical impact and associations interpellated by names of, for example, colonial aggressors. The disconnection of a name from its historical and societal context allows *white* statisized people to de_perceive the continuities of historical crimes conducted by fellow *white* statisized people. In this way, hegemonic denial allows privileged people to play the 'innocent' – a strategy I contest in the final chapter by drafting recommendations for privileged people, such as me becoming actively involved with my own discriminatory perceptions of personal names.

With the institutionalization of naming practices, discrimination becomes particularly evident in name changing. Institutional regulations enforce people to take on names that interpellate conceptualizations of ownership, that mark people's position as the oppressed and unwanted Other, and that re_produce hegemonic perceptions of names as statisized. Despite these hegemonic norms, empowering examples show how regulations can be used in order to emancipate from oppression and find a way for self-determined identification.

Finally, the silencing of oppressed people's names performs hegemonic anonymization of people. This results in the silencing of their voices, in their unintelligibility as members of society and thus as people to care about, and in the marking of their position as the underprivileged by fate (and not by power). Another effect of anonymization is the objectification of people by replacing their name with an entity, such as a number that does not interpellate those personhood-defining associations that a name does. This form of objectification can lead to dehumanization and to the killing of fellow humans.

In summary, name change can be motivated by very different circumstances. The following quotation by Klüger proves this. Under the National Socialist regime, Klüger and other Jews were forced to use a pseudonym to help them survive anti-Semitic persecution and murder. After World War II, they continued to live with their original names and forgot the enforced fake ones:

> "I also forgot our names. After the war had ended, I never thought about them. This is not repression, this is leaving behind. I know a Polish Jew [...] who lived under a code name in Belgium during the Nazi period for four years. He cannot remember his fake name either although he use it for so long. [...] The man has not repressed that he needed to change his name. But the name itself is like the telephone number of an appartment one does not live in any longer. One knows for sure that there was a telephone connection, but the order of numbers is irrelevant, thus blurred, erased. When you can finally have your real name back, why bringing the false identity back to mind?"[257]

Klüger did not see the need to memorize the enforced cover name. Retaining their own original name means empowerment – showing the connection to Jewish ancestry that was persecuted and murdered as the unwanted Other under National Socialism. It also symbolizes survival – the old name outlived the enforced temporary name that stands for anti-Semitic oppression.

257 Original: "Auch *unsere* Namen habe ich vergessen. Nach Kriegsende nie wieder daran gedacht. Das ist keine Verdrängung, das ist ein Hintersichlassen. Ich kenne einen polnischen Juden [...], der als Kind in der Nazizeit in Belgien vier Jahre lang unter einem Decknamen lebte. Der weiß auch seinen falschen Namen nicht mehr, obwohl er ihn so lange benutzt hat. [...] Der Mann hat ja nicht verdrängt, dass er sich umbenennen mußte. Doch der Name selbst ist wie die Telephonnummer einer Wohnung, die man nicht mehr bewohnt. Sicher weiß man, daß man dort Telephonanschluß hatte, aber die Reihenfolge der Zahlen ist unerheblich, daher verwischt, gelöscht. Wenn man endlich wieder so heißen kann, wie man wirklich heißt, warum sich die falsche Identität ins Gedächtnis zurückrufen?" (Klüger 2013:181, translated by EH).

7. Summary: Deconstructivist Strategies to Negotiate Naming Processes: Interventions and Recommendations

"How should I live? Perhaps this is not even the question.
– How should I think?"[258]

7.1 What I Have Done: Returning to the Initial Questions

In this study, I investigated presuppositions, assumptions and perceptions that are hegemonically interpellated with personal names and that have been identified as structural discrimination that is performed and experienced every day. Personal names have been analyzed from a deconstructivist pragmatic perspective in their contextual usage in society and thus have been perceived as processual, naming activities to which meaning is ascribed. This approach allowed me to question what names are perceived and negotiated as gender-distinct, German or Swedish and to analyze and describe the consequences for people's social perception in Germany and Sweden. By applying a feminist dispositive approach, I negotiated social reality as intrinsically constituted by intersecting power relations and _genderism_racism_migratism_ableism_classism_ which are enacted through hegemonic discourse. The model not only helped me to analyze how certain naming practices are discriminatory but also provided me with a framework to the question of why the identified power relations have been historically persistent in modern-day Sweden and Germany. To determine the conceptualization of hegemonic discourse in this study, I based my theoretical and methodological approach on feminist, postcolonial and postmigrant knowledge productions that deal with the discriminatory effects of hegemonic power relations. These knowledge productions allowed me to ask new questions on the powerful effects of a structuralist perception and classification of personal names. In this way, I aim to contribute to previous research on personal names with a new research perspective. By bringing those different theoretical and methodological approaches and their 'materializations' together and by applying a trans- and postdisciplinary approach that requires the researcher to critically

258 Original: "Wie soll ich leben? Vielleicht ist das gar nicht die Frage. – Wie soll ich denken?" (Wenders 1987:27:35–27:44 translated by EH).

question their social positioning and privilege, I could identify diverse hegemonic strategies, presuppositions and assumptions that constitute, disseminate, sediment and normalize the discriminatory perceptions of personal names in both Swedish and German societies: accustoming of hegemonic naming practices, historical institutionalization of discriminatory naming practices, the 'protection' of the child's well-being as a current institutionalized naming principle in Germany, the interpellation of a German and Swedish feel for names and, finally, the indispensable presupposition of personal names as a constitutive condition for the recognition of people's personhood in Western societies. As a result, personal names position the person on a structural level, although they are hegemonically negotiated as denominating an individual person.

A name can then also be regarded as a marker for social categorization. The various everyday contexts in which names play a crucial role (e.g. at registration offices, labor market, housing market) show how these marking practices are constantly constituted and re_produced. In particular, those cases that aim at prohibiting interventions and prioritizing hegemonic names, such as in the context of name change, give evidence for the denial to deal with the effects of naming on a structural level.

I introduced **accustoming** by using an autobiographic life story of my role as the researcher of this study. Autobiographic reports may appear as a subjective narrative of an individual person who, in this case, explains how they perceived the personal name of a migratized sales person. Yet, as I illustrated, it is not. What a person knows about the social world and how a person is positioned within it is linked to the interaction with societal knowledge – knowledge productions that are shared, authorized, canonized and normalized on a broader societal, hegemonic level; knowledge productions a child quickly becomes accustomed to while growing up. Thus, I conceptualized accustoming as an approach to analyze how naming is institutionalized, what naming practices are normalized, why hegemonic naming practices remain discriminatory and how anti-discriminatory interventions are de_mentioned or made unintelligible.

By linking the conceptualization of accustoming to findings of educational as well as cognitive pragmatic science, I aimed to illustrate that this process can be understood as a continuous process of human socialization. Commonly and hegemonically shared patterns to perceive, understand and explain the world are acquired, accommodated,

structuralized and sedimented cognitively by children. Through the categorizations' constant silent confirmation as relevant linguistic activity, children internalize social differentiation rather quickly both as linguistic activity and cognitive knowledge production, which play a central role in society. Identity construction processes are conventionalized and normalized as existing structures and systems. Thus, with a quickly established system of perceiving people, hegemonic knowledge productions and personal names in a structuralist way, is convenient for children to get accustomed to. Children may even develop an emotional attachment to categorical identification and learn how to 'feel' female or male, German and Swedish, thus re_producing historical continuities of nationalist attachment that is constitutive for the conceptualization of German and Swedish citizenship.

As shown, hegemonic knowledge productions are grounded and develop in their societal and historical contexts. Using the example of the **historical institutionalization of naming practices** through legislation in Germany and Sweden, I illustrated how both societies are constituted by discriminatory regulations on citizenship and naming. With the institutionalization of citizenship and registration, not only has the nation state's image been established in a way that is described by Claudia Brunner as a state's self-assurance (cf. Brunner 2011) that societal norms are 'true' and 'relevant'; the genderist, racist, migratist as well as ableist perception of people as Germans and Swedes also affected the enacting of naming legislation. The legal definition of German and Swedish citizenship constitutes people's expectations, perceptions and negotiations towards personal names and determine which names and citizens are intelligible within hegemonic discourse. For example, in this study it remained an open question to what extent people not considered part of the Christian and consequently statisized community were registered by the Church before the establishment of registry offices in Germany and before Sami and Roma (Swedish Roma, Finnish Roma, Travelers) were recognized as minorities in Sweden. Also, it is important to note that the conceptual exclusion of Jewish-, Polish- and Afro-Germans from the hegemonic conceptualization of Germanness and of Sami and Roma-Swedes from the hegemonic conceptualization of Swedishness are listed just as examples to show that both countries' nationality conceptualizations are discriminatory. Another much broader study could focus on

further oppressed groups, for example disableized groups that have been denied citizens' rights and thus personhood in both countries in a similar way (cf. Boréus 2005; Reichsministerium des Inneren, Reichsministerium der Justiz 25/07/1933).

By using both historical and recent legislative as well as literary and autobiographic examples on naming, I attempted to illustrate the impact previous exclusionary, oppressive legislation has had in German and Swedish hegemonic discourse with the effect that discrimination is still found in society despite, in the German case, the abolition of discriminatory regulations such as the anti-Semitic Second Decree on the Execution of the Law regarding the Changing of Surnames and Forenames. The historical process during which hegemonic knowledge productions on names have been re_produced, normalized and sedimented in the collective mind of a society is understood as a form of accustoming. Legislation on naturalization and citizenship, and influential publications such as the International Handbook on Forenames can therefore be considered as materializations of this process, which contribute to an understanding of names as nationalized, non-/migratized and gendered. In this way, categorical knowledge on names that has been passed on over time is hegemonically perceived and negotiated as given, finalized and completed, particularly in written and published form in Western societies, which has also been identified as a colonialist practice (Lee 2007; Hanson [2009]). Quotations from literary productions but also autobiographic life stories, media discourse, ad hoc interviews with registrars as well as court decisions were analyzed to emphasize that discriminatory name categorization is continuously adapted to current hegemonic social norms by being enforced, re_produced, negotiated, transformed, disseminated and affirmed in different ways, which are illustrated in the following chapter.

As shown by the examples of the normative principle of the child's well-being and the German and Swedish feel for names as an argumentation strategy, the discriminatory effects of accustoming become especially evident when counter-activist anti-normative and anti-discriminatory naming practices confront the hegemonic order: They are perceived as a threat to the norm instead of providing an opportunity to learn about the one-sidedness and bias of historically accustomed knowledge.

With the analysis of court decisions on names, I could demonstrate how the **argumentation strategy of the child's well-being** contributes to individualized structural as well as institutional discrimination. Although the child's well-being is negotiated against the background of the impact of societal norms in the court decisions, those norms are not problematized for their discriminatory effects on a structural level. Rather, the plaintiffs' complaints are individualized and negotiated as single cases, which also complies with German jurisdiction. For example, in the context of the General Equal Treatment Act, people who experience racist discrimination need to prove it although their social positioning as e.g. Indianized German already is evidence for structural discrimination, but only from a feminist, postcolonial, postmigrant perspective. Additionally, German jurisdiction negotiates the discriminated position as just as powerful as the privileged position by stating that all people are 'equal' before the law and need to be treated equally, despite the fact that social positioning has an impact on the way people 'succeed' in society. How can a migratized person who is refused job interviews and who struggles to find housing and sign a rental contract prove that it is due to migratist name discrimination? By negotiating categories such as gender, migration, race and disability as given facts, legislation fails to focus on the discriminatory processes that ascribe people the idea of being female or male, Black, PoC or *white*, Jewish, Muslim, Hindu or Christian, disableized or ableized, precarious or elitist. Discrimination is not based on the grounds of a person's name but on the grounds of how people perceive a personal name. Thus, the institutionalization of social categorization as a sedimented process of ascribing 'identity' to people prevents nondiscrimination. Since structural discrimination is not recognized by hegemonic discourse but denied, anti-discriminatory voices are either de_mentioned or appropriated, for example by implementing anti-discrimination legislation without deconstructing the hegemonic norm. The analysis of the Kiran court case confirms this strategy. First, Kiran's parents were denied a German feel for language and, thus, the ability to choose a name that is 'appropriate' according to the hegemonic principle of *Geschlechtsoffenkundigkeit*. And second, the knowledge of the name's conventionalized use in India was appropriated and adopted to hegemonic conditions in Germany: Although in India, Kiran is an acceptable name for people identified as female or male, the courts still aimed to neglect the name, insisting on gender-distinctivity. Germany's

Federal Constitutional Court finally concluded the case by stating that the gender-distinctivity of names is not required when registering a child under German law, but only due to a revised interpretation of the registration regulations. That is to say that the Constitutional Court did not question cis-binary-genderism or the German feel for language in general. By denaming that in hegemonic discourse only privileged are assigned the power of definition, oppressed people are deprived of their self-determination and are subject to the oppressor's will. Thus, anti-genderist_anti-racist_anti-migratist activists need to find creative ways for empowerment in order to 'escape'[259] the enforced cis-binary-gender-system as well as the statisizability of names (cf. forms of intervention below). Also, the right to a name is not equally accessible to everyone but constrained by institutionalized naming principles and their accustomed presuppositions. Furthermore, this decision proves that registrars are in the powerful position to decide whether or not they accept a personal name. Although the court decision was taken in 2008, the interviews with the registrars showed that the principle of gender-distinctivity is still applied in German registry offices without legal basis.

One of the court's claims that a personal name needs to conform to the German **feel for language** led me to another presupposition that constitutes the discriminatory perception of personal names in Sweden and Germany. As with the analysis of the court decision, journal articles on language as well as an educational publication on German as a Second language suggest that the 'feel for language' is negotiated as language knowledge that is 'possessed' by people who have acquired German or Swedish as the first language. Thus, when language and names are connected with the concept of nationality and citizenship, this feel for language and names interpellates nationalist images of the self and 'the Other'. As I could illustrate, in a text book for German as a Second Language, the feel for language was linked to personal names that are hegemonically negotiated as statisizable. Thus, migratized people with migratizable names are neglected the chance to identify with the protagonists who are assigned a feel for language. The assignment of names is based on the assumption that personal names either give or do not give clues about a person's first language being German or Swedish. Despite the recognition that a feel for language can be acquired, and the actual

259 If that is possible at all.

possibility that German or Swedish might just well be their first language, the very feel is nevertheless initially denied to migratized persons with migratizable names, as the Kiran court case proves.

Consequently, implementing hegemonic norms which define who is entitled to a feel for the German language is not recognized and problematized in court rooms as discriminatory. Instead, the feel for language can become decisive for the intelligibility of names. Additionally, the normalization and internalization of the 'feel for language' conceptualization as a 'true' emotion 'from within' (cf. Wright 2004) makes it difficult to identify the hegemonic discourse as constitutive of this 'feeling'.

The feel for language also serves as a silencing strategy to a migratist as well as genderist perception of names. In order to re_affirm and maintain the hegemonic order, both German and Swedish registry offices promote the statisizability of personal names and German authorities in particular the genderability of names. However, linguistic patterns that may or may not be identified as 'grammatically German', such as specific phonotactic rules and morphological structures, do not necessarily serve as indicators for the statization or migratization of names. Linguistic Othering is constituted by conventionalization: Despite the fact that the linguistic framework of both the German and Swedish language is flexible enough to incorporate previously 'non-German' or 'non-Swedish' names, the names of migratized groups of people who have lived in the respective language communities for centuries are excluded from the 'nationalization' of names, despite their grammatical compliance. Thus, I suggest negotiating the feel for languages and names as an accustomed 'emotion' that is constituted by hegemonic perception of people as non-/migratized as well as by the nationalized 'grammaticalization' of a language use and naming practices.

The final naming assumption that is hegemonically presupposed in hegemonic discourse is the **indispensability of personal names for the recognition of personhood**. That every person has a name is a crucial assumption in Western societies. It was taken as a starting point in the last chapter to discuss the relevance for a person to actually have a personal name that defines a person's personhood. Using the example of biological and social birth, I illustrated situations where a name defines personhood and provides the person with access to societal privileges, such as

citizenship. Privilege such as access to citizenship gained through naming in the context of social birth, however, does not necessarily mean privilege only. Trans and gender non-conform people are simultaneously discriminated against and made unintelligible, since citizenship is only thinkable against the background of the binary-gender norm (cf. Fütty 2015). The last name has traditionally symbolized submission under a male-dominated household for womanisized people who have been made unintelligible as inheritrix of a family (name). Furthermore, defaultism prioritizes names that are conventionalized as German and Swedish, thus interpellating the image of a default German and Swedish citizen. In this context, German and Swedish citizenship does not prevent racialized, migratized and disableized people from being discriminated against and negotiated as non-German and as a non-adult. Thus, different strategies of self-empowerment might be employed in order to intervene in discriminatory naming practices, such as using a self- or community-chosen name openly or secretly. Here, the motivation for name change can serve as an indicator for the social position of the name changing person. People who change their names just to appear more unique might do so from a rather privileged position, whereas for deprivileged people, name change often symbolized survival and empowerment (cf. below). Thus, the changing of names appears to be a strategic political act with the potential for intervention and empowerment, depending on from which position and with what effects the change is performed.

In contrast, the hegemonic denial of personhood positions people as discriminated when the re_traumatization of historical symbolic names is silenced, when deprivileged people are forced to change their names for reasons of Othering, of assimilation and of indication of ownership, and when deprivileged people's names are withdrawn in order to enable objectification and murder. Consequently, these hegemonic discriminatory practices provide a framework in which counter-activist inventions are made necessary for survival and empowerment and in which privileged people are required to question their accustomed ways to perceive and negotiate personal names and naming traditions (cf. below).

Comparing German and Swedish discourses showed the different motivations and attitudes towards discriminated minorities that constituted the historical context

when the first nation-wide laws on name change were introduced. In Germany, the *NamÄndG* has an anti-Semitic background since it was basically meant to prevent Jews from changing their names. The first Swedish name law, however, was intended to motivate people living in Sweden, and specifically minorities such as Sami, Finnish and Swedish Roma people with supposedly non-Swedish names and naming traditions, to assimilate to the grammatical Swedish naming norms in order to make everyone more equal. However, the conceptualization of equality in this context gives proof of a form of nationalist oppression that is implied in concepts such as 'assimilation to' and 'integration in' a hegemonic norm which prevent plurality and diversity. These different historical contexts might also be reason why different strategies of dealing with counter-activist interventions could be identified in both societies. German legislation and jurisdiction on personal names focus more on the conservation of well-established norms by taking 'the public interest' (read: hegemonic discourse) into account and making the changing of names an endeavor that exposes deprivileged people to more discrimination, whereas in Sweden, legislation and jurisdiction tend to include the perspective of minorities with regard to the changing of names. The German state authorities appear to adopt a more controlling role whereas, particularly since 2009, Swedish jurisdiction assigns more responsibility to its citizens. For example, a person who intends to change their name officially into a gender-contrarian name may do so; the same applies to parents who choose a gender-contrarian name for their newborn child. However, there are some tendencies that point to a more liberal interpretation of German naming legislation, which enables name change without pathologization (cf. Abad 2015).

7.2 Empowering Interventions in Discriminatory Naming Practices

The following name changing strategies can be empowering depending on the legal context and the social positioning of the person who changes their name. Empowerment is, according to Collins' account (Collins 2000), a counter-activist intervention performed from a discriminated position. In this study, the following empowering strategies in the context of naming could be identified:

7.2.1 Resignification of names

Following Hornscheidt (2008a), I transfer the conceptualization of strategic resignification to the context of naming. In their model of strategic resignification, Hornscheidt negotiates personal appellation (cf. chapter 1.1.2) as an activity that has the potential to change the context in which the activity is performed. Strategic resignifications are conducted from a counter-activist position and strategically interrupt conventionalized hegemonic naming practices by using them in a new empowering context with new connotations and meanings (cf. Hornscheidt 2008a:284–285). Thus, in the context of naming, the resignification of personal names can be negotiated as the attempt to provide names that hegemonically symbolize privilege with a new, counter-activist interpellation that does not necessarily need to or is not supposed to be made known to hegemonic discourse. In comparison to the strategic resignification of pejorative collective interpellation forms which interpellate images of disableized people, Black people and trans*people in a discriminatory way, the resignification of personal names might appear less strategic because of a personal name's function to signify one individual person only. However, since personal names are simultaneously perceived in categorical ways which assign people membership to certain groups, the resignification of names can, nevertheless, also be regarded as strategic for counter-activism.

Despite the hegemonic assimilation constraints, migratized and racialized people who adopt a statisizable name can be regarded as a form of strategic resignification. By assuming a name that is hegemonically perceived as Swedish, the fact that a person who is hegemonically negotiated as migratized_racialized bears a statisizable name can encourage to challenge hegemonic default perceptions of supposedly Swedish names. This could transform them into conceptualizations that migratizable people are, indeed, Swedish and grant them better chances on the labor market. For example, the Swedish newspaper *Dagens Nyheter* reports that soon after Manne Didehvar changed their first name, he was offered an attractive, well-paid position (Lerner 2011). Similarly, women-identified writers had to take on a name that hegemonically was negotiated as 'male' in order to make a living in an otherwise male-identified profession.

Another empowering example that resignifies the conventional perception of personal names as gendered according to the binary-gender norm is the negotiation of one's personal name in a gender-free, gender-neutral way, e.g. by creating a new name (cf. examples in kollektief umkrempeln (hg.) 2016:59–61) and by resignifying so-called unisex as well as supposedly gender-distinct names (cf. Spoon, Coyote 2015:155) – although the latter might not work as a counter-activist strategy against the background of the impact of conventionalized and accustomed perceptions of names.

7.2.2 Reclaiming of names

Reclaiming is understood as a specific form of resignification that attempts to transform the discriminatory association of a denomination of a person with a group of people into a symbol for self-determination, empowerment and community building (cf. Butler 1997; Hornscheidt, Nduka-Agwu 2010:40–42).

In the context of personal names, the reassumption of a disavowed and withdrawn family name that was taken away as a consequence of colonial racism can be negotiated as a form of reclaiming. One example is the adoption of the name of a family member in a self-empowering way in order to establish a visible connection to the Black family's ancestry and to the Black community in general. Both Ayim (MacCarroll 2005) and Hügel-Marshall (Hügel-Marshall 2001) assumed their Black fathers' last names in order to commemorate them. The assumption of the capital letter X by Malcom X as a last name also reclaims the space and presence of African names of Black people's ancestors that are lost (Benson 2006). Exchanging the name by which they was generally called by, a name that has been typically interpellated as Jewish and that invoked the risk of exposing the name bearer to anti-Semitic discrimination, was a way for Klüger to cope with anti-Semitism in an empowering self-reclaiming way, and even more so in light of the anti-Semitic naming law that was introduced a few years after she had made the decision (Klüger 2013).

7.2.3 Re-naming & name change

The creation of a new name which signifies a new meaning is another way to counter-act discrimination. In this case, both the name and the association with the name are introduced as symbols demonstrating a self-chosen social birth. Both Sojourner Truth

(Collins 1998) and Muhammed Ali (Benson 2006:195) left their enforced slave names behind in order to initiate and introduce their post-slavery identities by ways of new religious names. Also, the protagonist in Robinet's monologue play empowered himself from genderist discrimination by celebrating the day of his name change as his new birthday (Robinet 2015:88–90). Similarly, in a creative text by a trans*_genderqueer person, the birthday of the name symbolizes the day of death for the old initial name (AK ProNa 2015). Activist and author Dykewomon introduced her new last name to mark that her authorship addresses lesbians, womyn and dykewomyn (cf. Dykewomon 1991) in order to encourage community-building among lesbians by providing space for the identification of specific needs and opportunities.

With the new name law in Sweden, all these forms of empowering name change should be legally accepted as long as the person is a Swedish citizen, a stateless person or recognized refugee living in Sweden. In Germany, however, name change is, as discussed in this study, nearly impossible. Nevertheless, there are some current and possible future ways that might enable people to change their names depending

- on the legal recognition of unequal access to gender-neutral names and of the need to adapt to current societal 'change' in terms of gender identification *(NamÄndG,* for a detailed description of the process cf. Abad 2015);
- on the legal recognition of a necessary proof that the use of the artist's or religious name has already been conventionalized (cf. *PauswG*, Deutscher Bundestag 24/06/2009: article 9);
- on people's medical classification as transsexuals (*TSG*, Deutscher Bundestag 23/07/2009: article 1, paragraph 1, points 1 and 2; article 4, paragraph 3);
- on people's legal classification as *ius sanguinis* 'post-war repatriates' in the context of naturalization (*BGBEG*, Deutscher Bundestag: article 47; *BGB*, Deutscher Bundestag 31/05/2016: article 12).

7.3 Recommendations for the Deconstruction of Accustomed Naming Practices

Through my study, I could identify different examples of structural discrimination in the context of naming. Changing historically accustomed, discriminatory structures is a necessary but plodding, if not utopian endeavor (cf. Sammla 2011). This is also due to the fact that hegemonic discourse is more persistent, in comparison to counter-activist discourse which relies on the resources of community members and their capacity to actively advocate counter-activism and empowerment, usually in addition to their daily occupations and obligations. Lorde demonstrates how ageism against older community members prohibits younger ones "to join hands and examine the living memories of the community" with repressive societies (Lorde 2007:117) and to persistently acquire and pass on counter-activist knowledge. Thus, how can counter-activist interventions be perpetuated and supported, also by privileged people who actually have the resources to be an active ally?

By building on a Four Pillars Model developed by the counter-activist Miami Workers Center, Spade regards it as indispensable for interventions to address the most vulnerable people in a society while focussing "on developing and mobilizing a base to create transformative change" (Spade 2011:184). This seems only possible when people actively and continuously understand and challenge the accustomed discriminatory ways of how both privileged and discriminated people are negotiated and perceived in hegemonic discourse (cf. Hayn 2015). As shown in this study, the accustomed discriminatory perception and negotiation of personal names is one central strategy that is decisive for people's development options in a society.

Consequently, in order to become an accountable ally, I as a privileged person am required to contest my accustomed knowledge on names. Understanding accustoming as a sedimented process of hegemonic knowledge production that 'makes' individuals perceive and negotiate people in discriminatory ways, also unconsciously, might be a helpful way for privileged people to position themselves as privileged. In this way, they might recognize that they are in the powerful position to decide to which extent they want to deconstruct internalized gender expectations and images of 'German-' and

'Swedishness'. Thus, I suggest the following, non-exhaustive self-critical strategies for the deconstruction of accustomed naming practices:

7.3.1 Recognizing differences, identifying and naming privilege

The circumstances and presuppositions of privilege and discrimination in the context of naming can only be understood and recognized when the historically grown differentiation of people who constitute naming laws is identified as an effect of structural power relations and when privileging naming practices are identified and named.

For example, as a cis-person, one can inquire about the circumstances that enable cis-people to meet the hegemonic gender expectations that are interpellated by their names and which constitute the practice of gender-distinction in German registry offices. Why is it that only two genders are intelligible? Why do people need to be gendered at all?

Another case to be skeptical about is forbidden names: Why were such names as Judas forbidden and why are names that can cause trauma for structurally discriminated people allowed? In this context, privileged people need to be aware that just because they do not share the experience of retraumatization through symbolic names (which is a privilege) does not mean that retraumatization does not exist.

With regard to the restrictions applied to changing one's name under German law, one can be skeptical about the few possible name changes that are intelligible by law, such as hetero- and reprogenderist name change in the context of marriage and the assimilation of names during naturalization: Who benefits from these opportunities? Who is enabled to change their name due to assimilation constraints and who is denied the same option in a contradictory way with regard to the hegemonic principle to 'integrate' migratized people into hegemonic society?

Another example that raises skepticism is when people who are actively involved in politics are addressed differently. What effect does it create when some people are addressed by their full name and others by their first name, professionalization or infantilization? The same applies to people who are depicted on charity posters. Who is portrayed with their personal name and who is not? What effects does this unequal presentation of people create? And how are these and all other examples related to

structural privilege? As a solution, one's accustomed perception of anonymous victimized People of Color can be decolonized and exchanged by an image that conceptualizes them as people who have a full name and professional expertise.

7.3.2 Getting involved with historical continuities of structural discrimination in a society

A successful way to get *white* people involved in the critical reflection of *white* privilege as an effect of racism is, according to Habel, to illustrate how a society has been historically and currently participating in colonialism and the re_production of racist discourse (Habel 2011:117). A way to identify historical continuities of colonialist racism is to question the naming of streets after historical persons. Who is commemorated and honored with a street and for what reason)? Also, what name do I use when I talk about a historical person whose name was violently withdrawn, for example in the context of slavery? Do I use the initial or the self-chosen one or the one that person was violently enforced to bear (Benson 2006)?

Furthermore, when people change their names, the effects of this change need to be analyzed against the background of societal norms which had been institutionalized as valid at the time of the change. What can look like the re_production of hetero- and repronormative naming practices could also have been a way of survival for racialized people to pass as German or Swedish. What can look like abandoning a supposedly unwanted identity after having immigrated to the USA in the late 1800s and early 1900s can be a necessary survival strategy against anti-Semitic oppression. Someone who can look like a person with an unusual German name might have been 'advised' during naturalization to exchange their migratizable name for a supposedly German equivalent (e.g. Eugen, Waldemar and Elsa).

Contrary to hegemonic belief, legislation does not prevent discrimination but perpetuates it. Comparing the anti-Semitic historical context and motivation to introduce *NamÄndG* with current court argumentation strategies which claim that "it is not the role of the naming laws to counter-act societal aberration"[260] begs the question of whether it was not the introduction of *NamÄndG* that was a societal aberration to begin

260 Original: "Es ist nicht Aufgabe des Namensrechts, einer gesellschaftlichen Fehlentwicklung entgegenzusteuern" (Verwaltungsgericht Göttingen, Urteil of 25/04/2012, translated by EH).

with. With regard to the changes in the Swedish naming law (and perhaps also in German naming jurisdiction), although counter-activist naming practices are recognized in the legislation, discrimination is still re_produced. For example, an 'equalization' of hegemonic and counter-activist naming practices does in fact prioritize hegemonic naming practices since they, as the accustomed norm, are not challenged and counter-activist naming practices will still be negotiated as non-normative in hegemonic discourse that should accomplish with the hegemonic norm. Consequently, people who conduct other counter-activist naming practices which are not (yet) recognized in legislation will still face discrimination. This is also why, for example, Spade urges that interventions should address the most vulnerable people in a society (cf. above).

And finally, historical naming traditions in one's own family should also be questioned. What traditions are re_produced and maintained? What names are chosen and what names are actively neglected, and why?

7.3.3 Learning from anti-discriminatory interventions and empowerment

Booklets like "*Mein Name, mein Pronomen*" specifically address privileged cis-people and invite them to make use of the knowledge that is generated from discriminatory experiences. By choosing name change as a central issue, the working group behind the project offers and shares information, creative texts and life stories on how to address trans*_genderqueer people in a nondiscriminatory way. For example, the booklet provides exercises on how to get accustomed to a friend's new name and pronoun and makes suggestions on how to deal with cis-privileged insecurities, such as using the current name when talking about events that happened before a trans*_genderqueer person's name change and asking whether it is ok to pass on the current name to other people in order to avoid unwanted outing (AK ProNa 2015:53; 56).

Also, by positioning themselves as privileged in the context of racism and ableism, the working group makes people aware that they "do speak *as trans*persons but not for other trans*persons*"[261]. Consequently, not all trans*people might agree with the suggestions in the booklet. Tudor also suggests using the prefix contra_ when fighting

261 Original: "[…] sprechen *als Trans*Personen, aber nicht für andere Trans*Personen*" (AK ProNa 2015:6 italics by ProNa, translated by EH).

against discrimination from a privileged position, since people need to be aware that they might *be* against discrimination but not necessarily always *act* against discrimination (cf. Tudor 2014).

Another chance to learn from anti-discriminatory interventions and empowerment is reading and listening to people's personal life stories. However, sharing personal experiences with discrimination is not an invitation to ask about people's initial or community names.

7.3.4 Being accountable for one's own decisions

Discriminatory naming practices consist of the denaming of hegemonic naming normalizations, such as the default perception of people with German-identified names as *white*, statisized, ableized, cis-binary-genderable. A way of deconstructing this accustomed norm is to reflect on the powerful position of privileged people in terms of decision-making. For example, the fight against discrimination is more of an option than a form of survival for privileged people (cf. chapter 1.3.2). Thus, they cannot lose privilege when deciding whether or not they want to change the accustomed default perceptions of people and personal names in general by conceptualizing them as gender-free, and as names of disableized people and of migratizable names in particular by conceptualizing them as German and Swedish names. Consequently, an ally should try to be accountable for their decisions. This includes reflecting on questions that privileged people might not be required to deal with on the grounds of their accomplishment with the hegemonic norm. Why have I kept my initial name? Why do I want to give my newborn child a conventionally gender-distinct name? Why do I memorize some names more easily and how is this 'ability' constituted by accustomed discriminatory naming practices? What efforts do I make in memorizing names? Under Swedish law, what naming traditions do I follow when I exchange my name for one that has a symbolic meaning for my family? What effects do I, also unintentionally, create when I change my name because I am tired of my initial one and want to take on something unique?

Another way of acting in an accountable manner is to abandon naming practices which, for marketing reasons, appropriate a position that a privileged person cannot speak

from.[262] In this context, it remains an open question whether privileged people's appropriation of names which are symbolic for a minority community is discriminatory in general. For example, Sarah Kirsch is the pseudonym of a gentile author who changed her name after World War II into a name that was introduced by the National Socialist regime to mark and exterminate Jews. Can the name change motivated by showing solidarity with Jews be negotiated as a way to intervene in anti-Semitic naming practices and to make presumably Jewish names intelligible as German names? Does the same apply to privileged people's assumption of first names which are negotiated as migratizable, such as Kiran and Ayşe? Are these naming practices appropriate ways to challenge hegemonic naming perceptions and to disrupt hegemonic default categorizations of people as statisized?

7.4 Questions for Further Research and Final Conclusion

In this study, I approached the initial research question of when, how and why everyday perceptions and negotiations of personal names are discriminatory from different angles. Looking back, I am very grateful to the many people who showed their interest in my research and who contributed to the differentiation of the research question, the implementation of my transdisciplinary approach, and the extension and rejection of boundaries that define primary and secondary literature, material, 'academic' and feminist, postcolonial and postmigrant knowledge productions.

However, as a consequence of this research, new question arose which, in the end, could only be touched upon briefly, partly due to my lack of knowledge and partly because they opened up a new field for investigation. As they may inspire further research, I list them here:

- The relevance of addressing people by their names has been discussed in chapter 6. Conducting further interviews and employing the qualitative research method of focus group discussions with people who experience forced name change, name silencing and anonymization would have enriched my reflection on how people experience personhood by being addressed with or without a name, and

262 Cf. case of Claus Heck described in footnote 227 in chapter 6.2.2.2.

would have provided further examples that show where the deconstruction of privilege is necessary.

- In this study, I concentrated more on the relationship between naming and _racism_genderism_migratism_ than on the relationship between naming and ableism. For example, the impact of ableism on the conceptualization of a feel for language could have been discussed more. This is not because there is less available research but instead due to my limited knowledge of carrying out research in the field. Also, more research and knowledge productions could have been included that illustrate how Afro-Germans, Roma people and Sorbs as well as disableized people have been historically discriminated against by nationalized legislation and how they have been conceptualized in the context of German citizenship and nationality. In this way, the historical continuities of discrimination against people that have not been conceptualized as the default *white*, non-migratized, cis-binary-gendered, male, ableized German could have been sketched more comprehensively.
- The question of the relationship between a feel for language and the relevance of emotions in language use might lead to an interesting investigation of the impact the emotionalization of language use has on the authenticity, nativeness and natural authorization of the language users. However, it needs to be questioned to what extent a feel for language is actually comparable to, for example, Ahmed's concept of a politics of emotions (Ahmed 2004a). Does a feel for language interpellate the same conceptualizations as emotions which are addressed by nationalist propaganda? To what extent and how are both conceptualizations comparable to each other?

On a methodological level, I also met my limits carrying out trans- and postdisciplinary research. I summarize some of them in the form of open questions which remain to be answered:

- How can knowledge on naming produced within the different research fields (disciplinary, inter-, trans- and postdisciplinary) be acknowledged in an accountable way? For example, concepts such as 'equality' that are broadly

negotiated in feminist, postcolonial, postmigrant and disability studies have only been touched upon in the context of naming but may require a broader discussion.

- Specifically with regard to developing a methodology to transgress disciplinary boundaries: How can one's accustomed ways of perceiving and authorizing knowledge as academically 'valid' be constantly challenged in a productive way that encourages to question and challenge academically and educationally canonized knowledge productions? This also concerns the choices one makes as a researcher which are determined by accustomed research conventions, by hegemonic disciplinary conventions, and by coincidence, for example, when accidentally coming across a naming example in a novel. The latter might be questionable for conventionalized research norms that regard the traceability of the corpus' composition as a necessary way to make the analysis repeatable for anyone, regardless of social and theoretical positioning.
- To what extent does trans- and postdisciplinary research meet hegemonic expectations of academic knowledge production that is defined by disciplines? I illustrate this question by help of an example. It is difficult to draw the traditional distinction between primary sources I used to conduct my research and the secondary sources I used to ground my theory, methodology and approach to research. They both support the conclusions of my analysis and contribute as material and corpus to the analysis of hegemonic discourses at the same time. For example, traditional linguistic research helped me to take into account the linguistic categories that are used in order to describe what a feel for language can entail. Research on traditional onomastics was crucial to identify the different areas in which naming decisions are made and on which grounds knowledge productions naming decisions are authorized. Simultaneously, I used these knowledge productions as examples for the historical continuity of accustomed knowledge traditions that presuppose the idea and the implicit necessity to classify languages and names as nationalized and cis-binary-gendered. Thus, against what definition of academic discourse can trans- and postdisciplinary research still be considered academic, especially against the

background of methodological constraints by traditional academic research (cf. chapter 1.2).

- How can counter-activist interventions, experiences and life stories that do not follow conventionalized academic ways of producing knowledge be more acknowledged by hegemonic academic research, also on a methodological level? Or would this make them unrecognizable as counter-activist knowledge production?[263]

With regard to societal change, counter-activist interventions in conventionalized and accustomed naming practices have been met with confusion and rejection in German and Swedish registration offices and courts. In this study, these reactions are identified as accustomed default ways of categorizing people and as an acquired feel for language that is interpellated as soon as hegemonic grammatical structures are breached.

However, these counter-activist interventions and utopian ideas did, nevertheless, initiate societal change. Until recently, German administrative regulations and court decisions have stipulated that a name needs to binary-genderable. However, this historically conveyed norm is about to be changed, thanks to the interventions of two gender non-form people (Abad 2015). The successful counter-activist interventions in institutionalized naming practices in Sweden also have the potential to inspire societal change in Germany. In Sweden, individual persons have had the right to decide the extent to which the self-chosen name is appropriate in terms of genderization since 2009. The same applies for parents and the name they assign to their child. Thus, a name that is hegemonically read as gender-contrarian to a person's juridical gender is acceptable.

With regard to the possibilities for societal change, Ja'n Sammla identifies interventions as a fight against external powers and against oppression, whereas the sharing of Utopian ideas about a reality that does not yet exist and by definition might never exist, is a fight for empowerment within a community and for a non-oppressive society (cf. Sammla 2011). While conducting this study, I was encouraged to challenge my own accustomed ways of negotiating, perceiving and memorizing names in order to carry out

263 Cf. Otoo in Kabisch 2014 for consequences of knowledge appropriation.

research in an accountable way. Whether I have succeeded must be evaluated by others. However, these challenges have confirmed not only Layne's initial quotation that naming is indeed a political act[264] but has also made me aware that change is only possible when privileged people learn to recognize their privileges and continue working to change their ways of categorizing people in general and perceiving and negotiating personal names in particular, when approaching counter-activist utopian ideas. Consequently, I conclude this study with the following quotation from the film "Wings of Desire":

"How should I live? Perhaps this is not even the question. –
How should I think?"[265]

264 Choosing, giving, and using a name are political acts […]." (Layne 2006:32)

265 Original: "Wie soll ich leben? Vielleicht ist das gar nicht die Frage. – Wie soll ich denken?" (Wenders 1987:27:35–27:44, translated by EH).

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Based on a social constructivist, pragmatic cognitive understanding of naming, the study investigates the discriminatory hegemonic presuppositions and perceptions that are interpellated with personal names in Germany and Sweden. The critical lens of Black Feminist, Postcolonial, Postmigrant, Critical Trans and Disability Studies is applied in order to deconstruct current and past hegemonic naming norms. By regarding the un/intelligibility of names as constituted by intersecting power relations, racism_genderism_ableism_migratism_classism, the dispositive model helps to identify what personal names and naming practices are made un/thinkable.

Accustoming is introduced as an analytic tool to understand how hegemonic knowledge on naming is acquired and internalized in a structuralist and essentializing way. The analysis of administrative and legislative discourses demonstrates how hegemonic naming norms have been historically and institutionally accustomed. That a personal name is not only determined by institutional but also by individual decision-making is illustrated on the example of the child's well-being, a commonly used argument for name decisions at registry offices. The feel for language as another norm to justify name discrimination is analyzed against the background of how sprachgefühl as an emotive concept interpellates nationalist images of the self and the Other. The final chapter addresses the consequences of discriminatory naming practices: the definition and denial of personhood. The study concludes with a collection of empowering interventions in discriminatory naming practices and recommendations for a contra_discriminatory anti-structuralist perception of personal names.

By employing a transdisciplinary approach, the study illustrates how disciplinary boundaries are transgressed and how different discourse areas and material that traditionally are investigated in law, history, linguistics and literature is integrated in Gender Studies research.