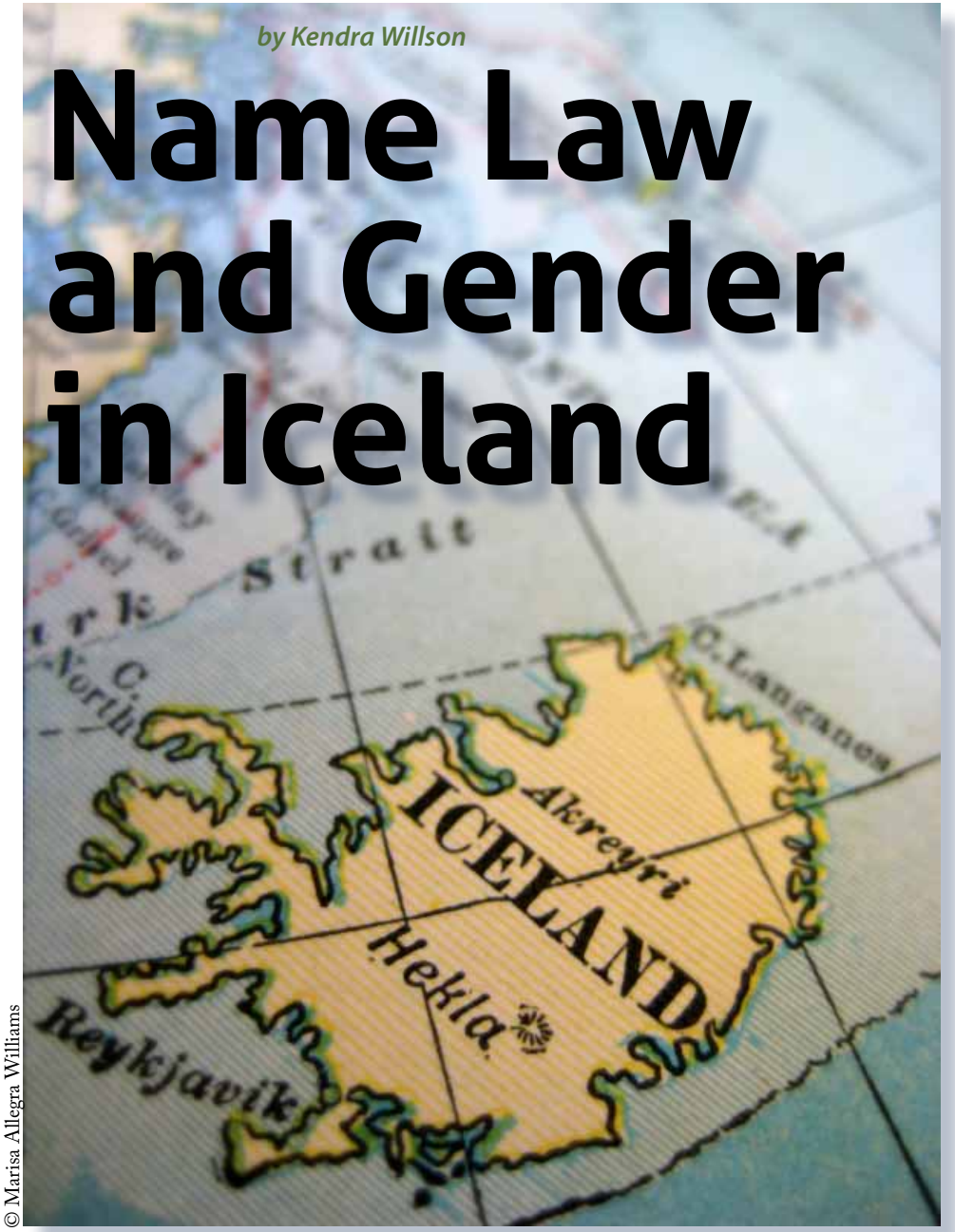
by Kendra Willson

Name Law and Gender in Iceland



A PERSON'S NAME is at once a central marker of personal identity (including gender identity), a linguistic artifact, and a label used to identify individuals at all levels of social organization. Legal monitoring of personal name choice correlates with aspects of state formation and centralization.

The Nordic countries (Denmark, Sweden, Iceland, Finland, Norway) each implemented legislation on personal names between 1828 and 1923. Each country's laws have subsequently been revised several times. In general, the original name laws in the Nordic countries assume an ethnically homogeneous population and treat names as part of the national language. Recent revisions have attempted to take into account increasing immigration and multiculturalism. Changes in family structures and attitudes (for example, women's name changes at marriage, policies regarding children of unmarried parents) are also reflected in name law revisions.

Iceland is known for an extremely successful policy of linguistic purism. The folk belief that the language has remained unchanged since the country was settled in the 9th century AD is central to Icelandic national identity. Many Icelanders are proud of the conservatism of their vocabulary and the morphological complexity of their language, with three grammatical genders, four cases, and myriad inflectional classes.

One aspect of Icelandic purism is a historically strict policy on personal names. From 1952 until 1995, foreigners who applied for Icelandic citizenship were obliged to take Icelandic names. In the early 20th century, after some debate (see Willson 2002), Iceland decided to depart from the dominant European trend of adopting fixed surnames and maintain the patronymic system; adoption of new surnames was forbidden after 1925. Only some 7 percent of contemporary Icelanders have surnames inherited in fixed forms

(Ellen Dröfn Gunnarsdóttir 2005). A person's first name remains his or her primary name; hence the telephone catalogue is organized by first name. The "last name" is in most cases a patronymic, based on the father's name with the addition of *-son* or *-dóttir*. Ólöf Garðarsdóttir, for example, is the daughter of a man named Garðar. Metronymics formed in the same way from the mother's name are legal but rare (for example, Ingunn Ásdísardóttir, whose mother is Ásdís). Defenders of the patro- (and metro-) nymic system tout its gender equity in that women do not change their names at marriage.

If parents wish to give their child a name that is not on the list of approved first names, they must submit a petition to the committee on personal names (*mannanafnanefnd*). The personal name committee is widely unpopular. Twice since its establishment in 1991 the committee has resigned en masse. An acquaintance who joined the committee after the last group resignation reports having been told, "You must love to be hated." Members of the committee emphasize the difficulty of being charged with enforcing an ambiguous and unpopular law (see Halldór Ármann Sigurðsson 1993). Popular voices object variously that the committee is failing in its gatekeeper function by permitting ugly or ridiculous names and that it is restricting human rights by denying parents the right to name their children as they wish. I believe this debate reflects uncertainty in society about the role of the family and the state in shaping citizens, as well as tension between tradition and individualism in name choice (see Ólöf Garðarsdóttir 1999).

The law states "a boy shall not be given a girl's name nor a girl a boy's name." This has been interpreted to mean that names must be unambiguous with respect to gender. In most instances, the inflectional class of the name is unambiguous with respect to gender. In the rare instances where a name has been attested both as a man's and as a woman's name, the committee considers the gender of the common noun on which the name is based (if applicable) and then the relative numbers of male and female name-bearers (*Morgunblaðið* 5 July 2002).

One case which attracted media attention concerned the name *Blær*. This name is homophonous with the masculine common noun *blær* ("breeze; nuance; tone"). It is found as a feminine personal name in the novel *Brekkukotsannáll* (*The fish can sing*) by Nobel laureate Halldór Laxness. In 1989, one woman and five men in Iceland had this name (Guðrún Kvaran and Sigurður Jónsson frá Arnarvatni 1991: 161).

The name *Blær* was registered as a masculine name in 1998. Three subsequent petitions to register it as a feminine name were therefore denied. An article appeared in a linguistic journal arguing that the name should be masculine because there was no appropriate declension class for feminine nouns of that shape (Margrét Jónsdóttir 2002). *Blær*, like other names over the years, became a "poster child" for opponents of the name policy. The one female Blær in Iceland, Blær Guðmundsdóttir, was quoted in the media saying that the name had never caused her any trouble.

Andri Árnason, then chair of the personal name committee, was interviewed in the newspaper *Morgunblaðið* (5 July 2002) explaining as follows:

> The law which specifies that names cannot be borne by both women and men was probably created with the idea in mind that is should be possible to determine from people's names whether they are male or female. As an example one might take the name Blær Hafberg; it is not possible to see from it whether the person in question is a man or a woman. It is the legislative body that makes decisions that it shall be so and the personal name committee operates accordingly.

This statement is typical in emphasizing that the committee does not set policy but simply enforces it, although feedback from the committee was influential in shaping the 1995 revision to the name law. The hypothetical example of *Blær Hafberg* ties the issue of gender-ambiguous first names to the question of surnames. The gender and declinability of surnames were areas of con-

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tention in the Icelandic surname debate of the early 20th century (Willson 2002).

Surprisingly, I have not identified in this discourse many voices questioning the general principle that names should indicate the bearer's gender. One blogger (http://begga.blog.is/blog/begga/entry/612/) presents, as a parallel to the *Blær* case, that the name *Sturla* is grammatically feminine but is a man's name (and one borne by prominent figures in early Icelandic history). This is not entirely correct; rather, the masculine name *Sturla* belongs to a declension class most members of which are feminine.

The name laws of most other Nordic countries also stipulate that first names should be unambiguous for gender. This is the case, for example, in Finland, where Finnish, the dominant language, has no grammatical gender and uses the same pronoun for "he" and "she." One could argue in both directions about the relative importance of gender-specific names in Icelandic vs. Finnish. In Icelandic, any adjective and even the way of saying "hello" will take a different form depending on the gender of the name bearer. On the one hand, the grammatical relevance of the person's gender is much greater in Icelandic than in Finnish. On the other hand, the Icelandic language will provide many redundant "clues" to the person's gender (including, in most instances, the person's patronymic),

whereas in Finnish the first name may be the only indication of the person's gender. Hence if one accepts the notion that a person's sex should be clear from textual references to the person, the information load on the name is greater in Finnish than in a language like Icelandic.

I interviewed a transgender Swede who had taken the name Mia Hedvigsdotter. Uppsala University accepted this name, but the national registry did not. Swedish law does not allow people to adopt "gender-inappropriate" names unless they have completed a full biological sex change, whereas Norwegian law simply requires a "transgender identity." The Swedish law, however, is being combated by grassroots groups. I have not yet seen signs of a debate over the principle of gender-specific names in Iceland.

In the United States, some parents view a gender-neutral name as an advantage for a daughter. Names tend to evolve from masculine to unisex to feminine (Barry and Harper 1982). The absence of such a trend in Iceland may relate to the grammatical structure of the language. A recent Bible translation which aimed to render scripture in "the language of both sexes" (*mál beggja kynja*) was attacked by linguists for distorting the language to the point of incomprehensibility (Guðrún Þórhallsdóttir 2005). The lack of interest in unisex names may also be connected to the fact that the most prevalent forms of feminism in Iceland have tended to emphasize equal rights without necessarily questioning sexual difference.

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