



Onomastics and Law Interface: contributions to the studies of Brazilian anthroponomy

Interface Onomástica e Direito: contribuições para os estudos da antroponímia brasileira

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ABSTRACT: The purpose of this article is to present the characteristics of a group of anthroponyms in order to point out some directions for studies of Brazilian anthroponomy. This article is based on theoretical assumptions of Onomastics and on the interface between this field of study and Law. The anthroponyms analyzed are civil name, social name, ballot name and parliamentary name. Data were collected from the Superior Electoral Court, the Chamber of Deputies and court decisions from tribunals. Recent Brazilian anthroponymy studies demonstrate that research on personal names relating linguistic and legal aspects is still incipient. This article provides some suggestions that could bridge such a gap by analyzing lexical or grammatical aspects of data originating from legal norms or judicial decisions.

RESUMO: O objetivo deste artigo é apresentar as características de um grupo de antropônimos com o fim de apontar alguns caminhos para estudos da antroponímia brasileira. O trabalho se baseia em pressupostos teóricos da Onomástica e na interface entre esta área e o Direito. Os antropônimos analisados são o nome civil, o nome social, o nome de urna e o nome parlamentar. Os dados utilizados foram extraídos do Tribunal Superior Eleitoral, da Câmara dos Deputados e da jurisprudência de tribunais. No histórico recente dos estudos antroponímicos no Brasil, verifica-se que são incipientes os trabalhos que buscam pesquisar os nomes de pessoa relacionando aspectos linguísticos e jurídicos. Por esse motivo, são apontadas algumas sugestões que podem suprir essa lacuna, partindo-se da análise de aspectos lexicais ou gramaticais de dados provenientes de normas legais ou de decisões judiciais.

KEYWORDS: Onomastics. Law. Brazilian Portuguese. Anthroponyms.

PALAVRAS-CHAVE: Onomástica. Direito. Português brasileiro. Antropônimos.

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1 Introduction

This article aims to present the characteristics of a set of anthroponyms and to point out some directions for studies of Brazilian anthroponymy based on the interface between Onomastics and Law, emphasizing legal rules about attribution, rectification and change of personal names. This article is based both on the assumptions of Socio-onomastics, which defines proper names as non-static, constant or stable, but variable (AINIALA, 2016), and on the relationship between proper names and law (TEUTSCH, 2016). In considering the social aspect of anthroponyms, this study is consistent with one of Guérios' proposals (1981) in which personal proper names can be studied from an etymological or social (or psycho-social) perspective – in this case, the reason why they are chosen is studied.

To achieve the research goal, four types of anthroponyms were selected. The first type is the most studied and corresponds to the civil name, which is the one recorded in the registry office. The other types are social name, ballot name, and parliamentary name. The social name is related to transgender people, and the other two are related to political personalities: candidates running for office and candidates holding office in the Legislative Branch, respectively.

To discuss and exemplify how the categories listed above contribute to interdisciplinary studies of Onomastics and Law, concrete cases collected from different sources are presented in this article. Data were collected from the Superior Electoral Court, the Chamber of Deputies, and decisions by different courts in Brazil.

Initially, this article provides a brief overview of studies of anthroponyms in Brazil. Next, the listed anthroponymic categories are analyzed in order to present and discuss examples and definitions. Later, a discussion about possible avenues for future research is presented, followed by the final remarks.

2 Studies of anthroponyms in Brazil

The interest in onomastic studies, particularly in European countries, began systematically in the 19th century (HAJDÚ, 2002), whereas in Brazil it began in the mid-20th century. Rosário Farâni Mansur Guérios, inspired by European researchers, such as Dauzat and Leite de Vasconcelos, published *Dicionário etimológico de nomes e sobrenomes* (Etymological Dictionary of Names and Surnames) in 1949 (GUÉRIOS, 1949) and Henrique Fontes published *Digressões Antroponímicas* (Anthroponymic Digressions) in 1950 (FONTES, 1950). Studying proper names in Brazil started with a focus on etymology, as happened in Europe. Guérios was a pioneer, and his work, with subsequent editions, is still quoted by authors in the area.

However, it was within the scope of postgraduate programs in Languages or Linguistics that several studies on anthroponyms appeared in the late-20th century (this is consistent with the fact that postgraduate programs in Linguistics in the country were established in the late 1960s and early 1970s). In the 1980s, with the creation of the Lexicology, Lexicography and Terminology Group of the ANPOLL (National Association of Postgraduate Studies and Research in Language and Linguistics), onomastics studies were pushed forward. However, researchers have dedicated themselves more to toponymy than to anthroponymy, following the tradition of toponymy studies proposed by Professor Maria Vicentina de Paula do Amaral Dick at the University of São Paulo (AMARAL; SEIDE, 2020).

The most recent studies on Brazilian anthroponymy focus on theoretical, sociolinguistic, historical, and morphological themes, among others (SEIDE; SAPARAS, 2020). Most of these studies analyze the anthroponymic structures that compose the civil name, as well as nicknames and hypocoristics. Data analyzed are collected from interviews and questionnaires, names registered in registry offices, phone books, literary works, etc. Other anthroponymic units found in the Brazilian legal system, albeit the object of study in other areas such as Sociology and Law, have

been little studied within Onomastics. In contrast to other countries (KREMER, 2015; WALKOWIAK, 2016), few studies have established the relationship between linguistic and legal aspects of Brazilian anthroponyms. Some of these anthroponymic categories, rarely researched in linguistic studies in Brazil, will be discussed in the next section.

Firstly, however, it is important to point out that the choice of personal proper names is subject to the social values of the linguistic community in a given period, or, as stated by Vieira (2012, p. 85), “the name and place could turn a name incompatible with social standards”¹. For several reasons, a person may be led to: 1) rectify or change the civil name, 2) have a second name in variation with the civil name. Although some individuals do it on a personal whim, Teutsch (2016, p. 563) points out that some conflicts are generally related to those names which are not in accordance with the legal system, or those considered “fancy”, or have origin in names that have to do with the role of women in society.

McClure (1981) analyzes different forms that are not officially used and states that, in some social contexts, people have a certain degree of freedom in choosing the name by which they wish to be treated. In the author’s view, since naming is a social act, the variability in naming people reflects a change in the social roles, attitudes, and context. Farkas (2012) analyzes legal regulations and official procedures for changing the family name in Hungary and emphasizes how the granting of requests for changes has been characterized by more permissive principles and practices since the mid-20th century. The same happens in other countries and is related to respect for human rights. The complexity of this subject is shown in the next section, which also delves into how it involves linguistic, social, political, and even legal issues, such as the recognition of the constitutional principle of human dignity.

¹ “o nome e o lugar podem tornar um nome incompatível com os padrões sociais” (VIEIRA, 2012, p. 85).

3 Anthroponymic categories: definitions and sampling cases

Different anthroponyms have been indicated in typology proposals for the Portuguese language (AMARAL, 2011; AMARAL; SEIDE, 2020; CARVALHINHOS, 2007). This study, as previously discussed, focuses on the civil name (or registration name) with its different internal components, and three other less studied names: the social name, the ballot name, and the parliamentary name. Each topic below will address one of these categories.

Civil names are composed of first names and one or more surnames in the Brazilian anthroponymic system. The first name can be simple (e.g., *Ana, João*), composed (e.g., *Ana Clara, João Maria*) or juxtaposed, that is, unusual combinations in the language (e.g., *Amanda Gabriele, Cristiano Adriano*). The surname, also known as *nome de família* – ‘family name’ (or *apelido*, a most traditional use and of Portuguese origin) – is generally passed through parents to children (e.g., *Silva, Santos, Pereira*). In some cases, especially (but not only) for male names, forms such as *Júnior, Filho, Neto, Sobrinho* and *Segundo*, called *agnomes*, can be added to the anthroponyms, which establishes a relationship between a person with another, often a relative. For instance, *João Maria Silva Júnior* is the son of João Maria Silva.

3.1 Civil name

The first name and the surname comprise the personal name guaranteed by law, as provided in Article 16 of the Civil Code: "Everyone has the right to a name, including the first and the last name" (BRASIL, 2002)². The right to a name is related to the universal phenomenon pointed out by Teutsch (2016) as the obligation and desire to assign a name to a newborn. Indeed, choosing a child's name, which often occurs even before birth, is a case of assigning a name to which the future bearer plays

² "Toda pessoa tem direito ao nome, nele compreendidos o prenome e o sobrenome" (BRASIL, 2002).

no role, and at first, has to use it for their entire life³.

In fact, as a rule, the Brazilian law system provides for the principle of immutability of the name.⁴ However, according to Alvim Neto, Clápis and Cambler (2019), this immutability is relative, since it is possible to rectify or modify the name in some cases. According to Vieira (2012), when establishing the principle of immutability as a rule, the legislator might have wished that the person would not often change the name on a whim or to harm others.

Act No. 6.015 / 1973, known as Public Records Act or LRP (BRASIL, 1973), provides for several possibilities for rectification or change of the civil name. As set forth in Article 57 of the LRP, the subsequent name change will be allowed in exceptional and motivated cases, after a hearing of the State Prosecution Office. The sole paragraph of Article 55 guarantees the right not to register first names that are likely to expose a person to ridicule. Article 56 maintains that the interested party, in the first year after reaching the age of civil majority, is allowed to change the name as long as it does not affect family surnames. Article 58, changed by Act No. 9.708 / 1998, also allows replacing the first name with well-known public nicknames. Such assumptions are outlined below based on examples from decisions by the Court of Justice of the State of Minas Gerais (TJMG) in appeals⁵.

In a recent appeal, the judge granted a claim to change a decision which had denied the rectification of the name *Joise*. The claimant requested the name revision to *Joice*, a requirement that was satisfied in the court's decision. According to judge Leite

³ The Brazilian anthroponymic system has its own peculiarities. However, considering the rules of naming children and the classification proposed by Pintens (2015) for Romance languages, it can be associated with the systems of other countries where it is possible to register either the father's surname, the mother's, or both.

⁴ See Schwab (2015, p. 120-121) for further details about how this principle works in the German anthroponymic system.

⁵ The Brazilian legal system includes other rules that allow changes to the civil name, such as in cases of adoption, protection of the victim or witness, or issues related to citizenship. For a more complete list, refer to Vieira (2012), who lists and discusses different reasons for changes in the elements that comprise the civil name in Brazilian Law and Comparative Law.

Praça, rapporteur of the process, “the rectification now intended merely affects the spelling and pronunciation of the name, since there is no change in the first name” (MINAS GERAIS, 2020a)⁶. The judge’s statement is based on the most frequent spelling for the name relating it to the most current pronunciation and considering the forms as variants of the same name. However, it is worth noting that both forms occur in Brazil, with the form *Joice* being more common. Data from the Demographic Census of 2010 registered 11,214 cases of women named *Joise* and 127,087 as *Joice* (INSTITUTO, 2016).

In another lawsuit, a parents’ request to register the daughter with the name *Iquelsameh* (sic) was granted. The parents claimed that the name was inspired by the German grammarian’s first name *Valentin Ickelsamers*, and that the name was not vexatious and would not cause bullying in the future (MINAS GERAIS, 2020b). Here is the syllabus:

SYLLABUS: CIVIL APPEAL – NON-LITIGIOUS PROCEEDING ACTION – BIRTH REGISTRATION – REFUSAL – FIRST NAME "IQUELSAMEH" – ORIGIN IN THE NAME OF A GERMAN WRITER – FAMILY ADMIRATION – REVERSED JUDGMENT. The name of the citizen is an attribute of the personality right, used as one of the ways to identify the person in society, bringing security to legal relationships. The explicit identification of a person through the name is one of the ways to avoid fraud and illegal acts. The birth registration of the child with the name chosen by the parents due to great admiration for the German writer is allowed, as it is not vexatious (MINAS GERAIS, 2020b).⁷

⁶ “a retificação ora pretendida altera apenas e tão somente a grafia e a pronúncia do nome, porquanto não há alteração do prenome” (MINAS GERAIS, 2020a).

⁷ “EMENTA: APELAÇÃO CÍVEL - AÇÃO DE JURISDIÇÃO VOLUNTÁRIA - REGISTRO DE NASCIMENTO - RECUSA - PRENOME "IQUELSAMEH" - ORIGEM NO NOME DE ESCRITOR ALEMÃO - ADMIRAÇÃO DA FAMÍLIA - SENTENÇA REFORMADA. O nome do indivíduo é um atributo do direito da personalidade, utilizado como uma das formas de identificá-lo na sociedade, trazendo segurança às relações jurídicas. A incorreta identificação da pessoa pelo nome é uma das formas de se evitar a ocorrência de fraudes e de atos ilegais. Permite-se o registro de nascimento da criança com o nome escolhido pelos pais em razão de grande admiração a escritor alemão, por não ser vexatório” (MINAS GERAIS, 2020b).

This is a typical situation that the Judiciary Branch had to decide whether a given name could embarrass or expose its bearer to ridicule, based on the interest of those responsible for registration. Upon reaching the age of majority, in case it is deemed to be of interest, the name bearer may file an action to change the name, as is demonstrated in the following case.

In an action of rectification of civil name, the request to change the name from *Karolyn* to *Karol* was accepted. Despite the author's alleged difficulties, embarrassments and problems with the first name, this was not the motivation for the rectification, which was accepted because it was required in the first year after reaching adulthood (MINAS GERAIS, 2020c). This is one of the most peaceful decisions of changing name, as the law is very clear to enable the interested party, in the first year after reaching the age of civilian majority, to change the first name. In this case, the plaintiff decided for a morphological simplification of the name. Again, the most common trend for the two anthroponymic forms was followed. In the database of IBGE's portal "Names in Brazil" there are 272 women named *Karolyn*, against 3,981 for *Karol*. While the incidence of *Karolyn* is restricted to South states (PR and RS) and Southeast states (SP and RJ), the occurrence of *Karol* is found in all Brazilian states, more frequently in the states of Roraima and Amazonas (INSTITUTO, 2016).

In a registry rectification action filed to change the name, the first decision by the District of Timóteo (*Comarca de Timóteo*) denied the request of replacing the first name *Jovino* with *Jô Guarani*. In the action, the author claimed to be a musician and to have achieved prestige under his artistic name. The initial decision was reversed and the substitution of the plaintiff's first name was determined (MINAS GERAIS, 2015). This is considered a clear case of anthroponymic change motivated by the existence of an artistic name.

The Brazilian legislation is more rigid when it comes to changing surnames. As these names are received from parents, it is important to maintain them for legal

security and social relations. However, alteration is allowed in some situations – for instance, to correct spelling or to include/exclude the spouse's surname. In one case, the TJMG allowed the rectification of the surname *Risa* to *Rizza* (MINAS GERAIS, 2014); in another case, the appellant changed the mother's name in birth certificate, since the parent decided to use the maiden name after divorce (MINAS GERAIS, 2010). This last change is possible since the Brazilian legal system allows a person to add the surname of the spouse with the marriage, or to exclude it in case the marriage ceases (art. 1.565, §1 art. 1,578 CC).

In relation to *agnomes*, we refer to a case of minor (under 18 years old) appellants who requested the exclusion of the name *Sobrinho* and the inclusion of the surname *Araújo* from their paternal grandfather (MINAS GERAIS, 2009). The authors claimed that the name *Sobrinho*, albeit in the father's name, had been used to distinguish the father from his brother. At the end of the decision of the appeal, the court accepted the plaintiffs' request. This case demonstrates how an *agnome*, with specific semantic content (*Sobrinho* = nephew, 'son of a brother or sister, or brother-in-law or sister-in-law'), was wrongly used as a surname, which led to legal action for anthroponymic change. In the rapporteur' words: "The exclusion of the name "Sobrinho" is also reasonable, since it was mistakenly used to associate the authors with their paternal family, and not being successful at doing so, it is ineffective to maintain it attached to the authors' name"⁸ (MINAS GERAIS, 2009).

The aforementioned actions show how choice, rectification and alteration of anthroponyms are dependent on laws or judicial decisions. As Teutsch (2016) points out, conflicts related to name changes are connected, especially in civil law systems (such as the Brazilian one), with the fact that the final decision about a new name sits

⁸ "A exclusão do nome do "Sobrinho" também é razoável uma vez que foi utilizado equivocadamente para vincular os autores à sua família paterna e, não se tendo conseguido tal intento, torna-se inócuo mantê-lo agregado ao nome dos autores" (MINAS GERAIS, 2009).

with a judicial authority – in this case, a judge. When it comes to a name that may expose the person to shame, Vieira (2012) argues that it would be unfair that, under the law, someone would be forced to use it. According to the author, one must be aware that “the law is needed to serve man and not to oppress”⁹ (VIEIRA, 2012, p. 88).

Many name changes determined in court can be the object of research for Onomastics, either because they are determined by social customs and values, as in the case of names that may expose the individual to ridicule, or because they imply a choice made by the bearer itself for different motivations from those of the parents (or their substitutes). The very contrast between granted and denied requests serve as anthroponymy-related criteria adopted by judges. In addition, data analysis regarding motivations and requests registered in the actions could reveal important sociolinguistic aspects for Brazilian anthroponymy description.

3.2 Social name

According to Article 58 of the LRP, the “first name is permanent, although it is possible to replace it by well-known public nicknames”¹⁰ (BRASIL, 1973). With respect to this possibility, the Supreme Federal Court in judging the Direct Action for Declaration of Unconstitutionality (ADI nº 4.275 / 2018), provided the following interpretation in accordance with the Constitution of the Republic and the Pact of San José: “in order to recognize transgender people, regardless of transgenitalization surgery, hormonal or pathological treatments, the right to substitute the first name and gender in the civil registry”¹¹ (SUPREMO, 2018). As a result, those who wish can change the first name and gender in the public records. This type of change often

⁹ “a lei é necessária para servir ao homem e não para oprimi-lo” (VIEIRA, 2012, p. 88).

¹⁰ “prenome será definitivo, admitindo-se, todavia, a sua substituição por apelidos públicos notórios” (BRASIL, 1973).

¹¹ “de modo a reconhecer aos transgêneros que assim o desejarem, independentemente da cirurgia de transgenitalização, ou da realização de tratamentos hormonais ou patologizantes, o direito à substituição de prenome e sexo no registro civil” (SUPREMO, 2018).

occurs to replace the first name for with so-called *social name*. Notwithstanding, the social name can coexist with the civil name and be used in certain social environments.

The social name comprises specific characteristics, such as: a) it is optional, different from the civil name, which is mandatory; b) it is addressed to transgender people; c) it does not exist alone, that is, a social name exists only after the civil name; d) it requires a unique gender identification; e) it is based on the bearer's choice; f) it is used in institutions that might regulate it and in habitual environments of the bearer (CERQUEIRA, 2015; AMARAL; SEIDE, 2020).

As an anthroponymic unit, the social name can be defined based on a federal decree. This is Decree nº 8.727, as of April 28th, 2016, issued by former President Dilma Roussef. It provides for the use of a social name and recognizes the gender identity of transvestites and transsexuals, within the scope of the direct, autarchic and foundational public administration. In this decree, social name is defined as: "the name by which the transvestite or transsexual identifies themselves and is socially recognized"¹² (BRASIL, 2016).

Before the decree, other initiatives by public agencies and entities had already recognized the use of social name as a right. In the city of Belo Horizonte, for instance, a resolution of the Municipal Education Council published in 2008 (CME / BH Resolution No. 002/2008), had already provided for "the parameters to include the social name of transvestites and transsexuals in school records"¹³ (BELO HORIZONTE, 2008, emphasis added). The resolution, based other rules, on Ordinance GM / MS 675, of March 30th, 2006, of the Ministry of Health, and on the *Programa Brasil Sem Homofobia* (Brazil without Homophobia Program), provided a definition of social name: "name by which female or male transvestites and transsexuals wish to be

¹² "designação pela qual a pessoa travesti ou transexual se identifica e é socialmente reconhecida" (BRASIL, 2016).

¹³ "sobre os parâmetros para a inclusão do nome social de travestis e transexuais nos registros escolares das escolas" (BELO HORIZONTE, 2008).

called”¹⁴ (BELO HORIZONTE, 2008).

In fact, Amaral and Oliveira (2019) point out that the use of the term *social name* first occurred in late 2000s, as a result of a set of international documents and agreements on human rights. Firstly, some rights included in international agreements began to be ensured from the mid-20th century. As a consequence, the right to use an alternative naming is guaranteed. Finally, the term arises and is used in legal norms and established as an anthroponymic category.

As an example of an alteration of first name by social name, a civil registration rectification action is quoted. The TJMG granted the appeal to replace the first name *Willian* with *Carla Márcia* in the birth registration. The applicant had not undergone a transgender surgery and proved in the records that she identified herself psychologically and socially with the female sex (MINAS GERAIS, 2018). Here is the syllabus:

SYLLABUS: CIVIL APPEAL – CIVIL REGISTRY RECTIFICATION ACTION – TRANSSEXUAL – FORENAME CHANGE – MEASURE THAT DISPENSE FROM PERFORMING TRANSGENDER SURGERY – PRINCIPLE OF HUMAN DIGNITY – RIGHT TO PERSONALITY – INDIVIDUAL THAT IDENTIFY HERSELF PSYCHOLOGICALLY AND SOCIALLY WITH THE FEMALE SEX – PROVEN SITUATION – REVERSED JUDGMENT.

- Regarding the civil name immutability as a principle of public policy, since its decisiveness involves interests of the whole society, the doctrine and decisions of Brazilian courts have manifested in the sense that the refusal of judicial authorization to rectify the first name required by an individual who has psychic sex different from their physical sex, or who has undergone transgender surgery, implies violation of the human dignity principle and the right to personality.

- Appeal provided¹⁵ (MINAS GERAIS, 2018).

¹⁴ “nome pelo qual travestis e transexuais femininos ou masculinos preferem ser chamados” (BELO HORIZONTE, 2008).

¹⁵ EMENTA: APELAÇÃO CÍVEL - AÇÃO DE RETIFICAÇÃO DE REGISTRO CIVIL - TRANSEXUAL - MUDANÇA DE PRENOME - MEDIDA QUE PRESCINDE A REALIZAÇÃO DE PROCEDIMENTO

Based on the judgment of ADI No. 4.275 / 2018, above mentioned, it is not necessary that the person had undergone transgender surgery, hormonal or pathological treatments in order to have the right to substitute the first name and gender in the civil registry. The registration of the first name alteration and the name in the birth and marriage records of a transgender was regulated by the National Council of Justice (CNJ) through Decision No. 73/2018 (CONSELHO ..., 2018).

The research of the social name recognition in normative instruments, as well as its practical application in social institutions, is an example of how a category of anthroponymy has been incorporated in administrative acts and in relationships between people. In addition, further research on motivations for choosing the social name would also reveal the criteria used by a group of individuals who wish to be called by a name other than the civil name, a will that constitutes, after all, a way to meet the constitutional principle of human dignity.

3.3 Ballot name

The candidate's registration for Brazilian elections must inform both the civil name and the name that will appear in the electronic ballot box, referred to in this work as *ballot name*. According to article 25, Resolution No. 23.609, December 18th, 2019, of the Superior Electoral Court,

CIRÚRGICO DE TRANSGENITALIZAÇÃO - PRINCÍPIO DA DIGNIDADE DA PESSOA HUMANA - DIREITO DE PERSONALIDADE - INDIVÍDUO QUE SE IDENTIFICA PSICOLÓGICAMENTE E SOCIALMENTE COM O SEXO FEMININO - SITUAÇÃO COMPROVADA - SENTENÇA REFORMADA.

- Em que pese a imutabilidade do nome civil tratar-se de princípio de ordem pública, uma vez que sua definitividade envolve interesses de toda a sociedade, a doutrina e a jurisprudência pátria tem se manifestado no sentido de que a negativa de autorização judicial à retificação do prenome requerida por sujeito que possui sexo psíquico diferente do sexo físico, ou que tenha se submetido à cirurgia de transgenitalização, implica em violação ao princípio da dignidade humana e ao direito à personalidade.
- Recurso provido (MINAS GERAIS, 2018).

the name in the electronic ballot box must have a maximum of 30 (thirty) characters, including space between names, which may be the first name, surname, short name, nickname or name by which the candidate is best known, provided it does not cast doubt on the identity, it does not cause indecent exposure, or it is not ridiculous or irreverent¹⁶ (TRIBUNAL..., 2019).

For decision of homonym cases, the Resolution of The Superior Electoral Court is based on the rules established by article 12 of Act No. 9.504 / 1997 (BRASIL, 1997). According to these rules, a candidate will have the priority for choosing a certain name if they are serving a term of office or have been in office in the last four years, or otherwise if they have run for office with the indicated name within the same term (art. 12, § 1, II). It is also a deciding factor to be identified by a given name in the political, social or professional life (art. 12, § 1, III). These facts can prevent other candidates from using the same name. If the name of a ballot box might confuse the voter, the Electoral Justice may also require the candidate to prove that they are known by the name indicated at the moment of the registration (art. 12, § 2).

As one can see, the ballot name, which comes from a political and judicial act, is a type of anthroponymy established by law, which applies to a restricted group of individuals. Out of 53 candidates elected in Minas Gerais to hold office as a federal deputy in 2018, 16 used a ballot name containing elements which are different from the civil name, as shown in Table 1¹⁷.

¹⁶ “o nome para constar da urna eletrônica terá no máximo 30 (trinta) caracteres, incluindo-se o espaço entre os nomes, podendo ser o prenome, sobrenome, cognome, nome abreviado, apelido ou nome pelo qual o candidato é mais conhecido, desde que não se estabeleça dúvida quanto a sua identidade, não atente contra o pudor e não seja ridículo ou irreverente” (TRIBUNAL..., 2019).

¹⁷ Resolution No. 23,548, as of December 18th, 2017, in force during the 2018 election, presents similar rules to those in Resolution 2019 regarding the ballot name.

Table 1 – Examples of civil names and the corresponding ballot names of federal deputies elected in the state of Minas Gerais in 2018.

| | Civil name | Ballot name |
|----|-----------------------------------|--------------------------|
| 1 | Alessandra da Silva | Alê Silva |
| 2 | Antônio Pinheiro Neto | Pinheirinho |
| 3 | Eliel Márcio do Carmo | Léo Motta |
| 4 | Emidio Alves Madeira Júnior | Emidinho Madeira |
| 5 | Frederico Borges da Costa | Fred Costa |
| 6 | Frederico de Castro Escalera | Doutor Frederico |
| 7 | Geraldo Junio do Amaral | Cabo Junio Amaral |
| 8 | João Carlos Siqueira | Padre João |
| 9 | José Silva Soares | Zé Silva |
| 10 | Jose Vitor de Resende Aguiar | Zé Vitor |
| 11 | Luis Henrique de Oliveira Resende | Luis Tibé |
| 12 | Luiz Gonzaga Ribeiro | Subtenente Gonzaga |
| 13 | Marcelo Eduardo Freitas | Delegado Marcelo Freitas |
| 14 | Marcelo Henrique Teixeira Dias | Marcelo Álvaro Antônio |
| 15 | Mário Lúcio Heringer | Dr. Mário Heringer |
| 16 | Vilson Luiz da Silva | Vilson da Fetaemg |

Source: Superior Electoral Court.

Table 1 shows cases with ballot names formed by elements of the candidate's own civil name, but also by other names, such as hypocoristics (*Alê*, *Pinheirinho*, *Léo*, *Emidinho*, *Fred*, *Zé*), nickname (*Tibé*), one of these anthroponyms together with qualitative term indicating a professional (*Delegado*, *Doutor*, *Dr.*), military (*Cabo*, *Subtenente*) or religious activity (*Padre*). Table 1 shows ballot names with patronymic names (*Marcelo Alvaro Antonio*, son of *Álvaro Antônio Teixeira Dias*; *Luis Tibé*, son of *Tibelindo Soares Resende*) or associated with the politician's professional institution (*Fetaemg* = Federation of Agricultural Workers of the State of Minas Gerais).

However, the Electoral Court also enforces limits. In the 2014 elections, the Regional Electoral Court of the Federal District judged a registration request to run for office of federal deputy under the ballot name of *Macaco Tião Rejane* and denied the use of that name¹⁸. Rapporteur's vote:

The expression *Macaco Tião Rejane* is playful and biased, unsuitable for the electoral field. Irreverence is seen as harmful to the electoral process. One cannot fight for a fair electoral process with genuine candidacies guided by the values involved, based on the real morality principle and, at the same time, be a target for laughter, directly offending the voter and the Electoral Court¹⁹ (DISTRITO FEDERAL, 2014).

Boas (2014) studied the effect of the candidates' names *doutor* ('doctor') and *pastor* ('pastor') on the voters' behavior. Based on experiments carried out before the 2012 elections, the author concluded that the term *pastor* in the ballot name tends to decrease voting intention. Protestant people react positively to that name, but non-protestants tend to reject it. On the other hand, Boas (2014) notes that the name *doutor* has a positive effect on voting intention and seems to be related to intelligence and competence stereotypes. The author's political science-based study is an important contribution to this subject. Within the Brazilian onomastic studies, few studies have described ballot names, and the results are still elementary.

¹⁸ Macaco Tião was a chimpanzee from a Zoo in the city of Rio de Janeiro, admitted as a non-official candidate for office of the city Mayor in the 1988 elections (KAZ, 2017).

¹⁹ "A expressão *Macaco Tião Rejane* revela opção jocosa e preconceituosa, incabível na seara eleitoral. A irreverência é, então, tida como danosa ao processo eleitoral. Não se pode, de um lado, pugnar por um processo eleitoral justo, com candidaturas probas, pautadas pela seriedade dos valores em jogo, dando concretude ao princípio da moralidade e, ao mesmo tempo, criar campo para chacota, e deboche, em direta afronta ao eleitor e à Justiça Eleitoral" (DISTRITO FEDERAL, 2014).

Amaral and Machado (2015), for instance, analyzed a group of anthroponyms of the city councilors in the Municipality of Ouro Preto (CMOP) and discovered a wide variety of ballot names. Among the conclusions, the authors noted that ballot names tend to maintain the names by which the candidates are known in the city of Ouro Preto, which are related to the use of hypocoristics and nicknames.

Soares (2017) investigated ballot names chosen by 3,039 military candidates for the office of state deputy over a period of 20 years (1998-2018) and observed that the use of military ranks in the ballot names emphasizes social and political aspects. The results demonstrate that until 2014 most soldiers chose not to include their ranks in ballot names, which has changed since 2018.

Santos and Rocha (2019) analyzed data from ballot names of candidates elected in the States of Minas Gerais, São Paulo and Rio de Janeiro for the office of state deputy, and identified an increase of professional and military ranks in the 2018 elections compared to 2014. The results support the authors' assumptions that the ballot name and its formation processes would work as a cognitive shortcut. Ballot names are extremely important in the electoral process, even though they are not entirely decisive in the voter's choice of the candidate.

As shown, the linguistic diversity in the ballot name formation is large and shall be studied from theoretical assumptions of Onomastics together with Law. Researching candidates' ballot names would shed more knowledge on the Brazilian anthroponymic system and eventually analyze linguistic strategies used by the candidate in order to keep or change their own identity.

3.4 Parliamentary name

The parliamentary name, as an anthroponymic category, is the name chosen by the candidate elected for a legislative office to be used in official documents of the respective legislative house. In the Chamber of Deputies, Article 3 of the Internal

Regulation (Resolution No. 17/1989) establishes that the elected candidate for the federal deputy office must provide the legislative house with a certification issued by the Electoral Courts, containing relevant information about the parliamentary name. Also, according to paragraph 1 of the same normative provision: “The parliamentary name will be composed with only two elements: a first name and the name; two names; or two first names, except when, at the discretion of the President, a misunderstanding should be avoided”²⁰ (CÂMARA, 1989).

An analysis of data available in the Chamber of Deputies website shows that, even though most parliamentarians of the current legislature (56th – 2019 to 2022) have followed the rule mentioned above, there are several names with only one element, comprised or not of the civil name, such as *Bacelar*, *Flordelis*, *JHC*, *Paulão*, *Tiririca*, *Vermelho*, *Vicentinho*, etc., and other names with more than two elements: *Professora Dorinha Seabra Rezende*, *Dr. Luiz Antonio Teixeira Jr.* In addition, different qualifications are placed before the name, whether military (*Captain*, *General*, *Sergeant*), religious (*Friar*, *Priest*, *Pastor*) or related to the profession (*Police chief*, *Dr.*, *Dra*, *Professor*, *Professor*). The example of the deputies in Table 1 shows that most of them maintain the ballot name as a parliamentary name, but there are exceptions: *Cabo Junio Amaral* does not use *Cabo* in his parliamentary name, and *Dr. Mário Heringer* leaves the qualifier *Dr.* and signs *Mário Heringer*.

²⁰ “O nome parlamentar compor-se-á, salvo quando, a juízo do Presidente, devam ser evitadas confusões, apenas de dois elementos: um prenome e o nome; dois nomes; ou dois prenomes” (CÂMARA, 1989).

Amaral and Machado (2015) investigated parliamentary names in the City Council of Ouro Preto (CMOP) and discovered that since there is no norm to regulate the selection of the names chosen by the elected councilors to the CMOP, there is a wide range of chosen forms. Some of the councilors even maintain different nicknames received before election, such as *Paquinha* <Maurício Moreira and *Kuruzu* <Wanderley Rossi Júnior (AMARAL; MACHADO, 2015, p. 64). As an example of intention in changing parliamentary name, events occurred in 2018 after the arrest of the former President Luiz Inácio Lula da Silva can be quoted. Some representatives of the *Partido dos Trabalhadores* (Workers' Party) tried to change the parliamentary name, with the inclusion of the anthroponymy *Lula*. In a tweet on April 11th, 2018, the current senator Gleisi Hoffmann published a memo addressed to the Senate Presidency requesting alteration of her parliamentary name to *Gleisi Lula Hoffmann* in the House records and Parliament panel (HOFFMANN, 2018). At the time, similar requests were issued by several parliamentarians from the same party. The action had more a political effect than an effective ability to change the names used by the politicians.

On this basis, it is believed that the analysis of parliamentary names may also indicate significant aspects of variation in Brazilian anthroponymy. Furthermore, comparison between different legislature names can reveal motivations for change, either in personal choice of each parliamentarian, or in the set of names chosen by parliamentarians over time.

4 Avenues for further research

After a brief discussion on national anthroponymic studies in section 2, and the exposition of definitions and examples of different types of anthroponyms in section 3, it is reasonable to say that: 1) Brazilian anthroponymy studies are too elementary, they became consistent in the late 20th century driven by postgraduate research and a group of researchers in the lexicon field, 2) few studies correlate Onomastics and Law.

Hence, some possible avenues are recommended to widen the scope of onomastic studies in Brazil.

Regarding the civil name, even though there are studies on Law which relate cases of name alteration and rectification, a study with a sociolinguistic focus is worth developing. The influence of social aspects, such as gender and age, can be measured by analyzing actions of civil registry rectification, which can also reveal what type of graphic or morphological changes demand more actions in courts.

Also, with respect to civil name changes, it is possible to evaluate how the hypocorization process in the Portuguese language is addressed at the courts by means of intention of changing names. The influence of certain trends and the mass media on choosing names can also be analyzed. As previously pointed out, the comparison between granted and non-granted requests could display criteria related to anthroponymy adopted in judges' decisions. It is believed that the cases of civil name change that were not discussed here (cf. note 1) could also be investigated under Socio-onomastics assumptions in interface with Law.

The issue of name modification is very clear in cases of social names, in which individuals who do not identify themselves with their biological sex choose another name to replace the registration name. To know the morphological aspects of those names, as well the study of motivations for their choice and how easy or not it is to make the change in the registry offices can demonstrate the access to a right vested recently, as a guarantee of human dignity. This knowledge should stimulate political actions which enable the effective observance of the rights.

When comparing legal rules and legal decisions over time, it is possible to analyze anthroponyms from a diachronic perspective. Regarding the ballot name, such analysis would make it possible to prove how Brazilian politicians use it, whether having used the name to collect votes, or at least, to create an image that draws the voters' attention. A study worth considering is how the reasons for choosing ballot names (whether or not it is used as a parliamentary name) can be influenced by factors such as tradition, fashion, and tributes. Hence, in addition to the documents and data provided by the judiciary branch, it is advisable to interview the bearer of the name, which was not carried out in this article due to the objectives mentioned before.

In the case of the parliamentary name, not all legislative houses have specific rules about its composition. Besides the Chamber of Deputies already mentioned, the Internal Regulations of the State Legislature of Rio Grande do Sul, for example, define that the parliamentary name must be composed of “two elements, and the Deputy, if necessary to personalize it, may use three elements”²¹, as provided in the sole paragraph of article 3 of Resolution No. 2.288 / 1991 (RIO GRANDE DO SUL, 1991). In general, there are no rules in relation to the qualifying elements before the name. The comparison between the rules of each legislative house, when they exist, and the variations in parliamentary names can contribute to noticing regional differences and to identifying the consolidation of hypocoristics, nicknames and other anthroponyms in the legislative environment. Likewise, the study of the changes from ballot name to parliamentary name may provide some clues about the political marketing strategies used for elections, as Boas (2014) investigated for the ballot names.

5 Final remarks

Although some authors defend a strict linguistic or grammatical analysis of the

²¹ “dois elementos, podendo o Deputado, se necessário para individualizá-lo, utilizar três elementos” (RIO GRANDE DO SUL, 1991).

proper name (GARY-PRIEUR, 2016; MORALA, 1986), its constitution, that is, an element both linguistic and social, makes it a cross-curricular matter of study. Along with linguistic studies accomplished in Onomastics (and its different subareas), the proper name is a study matter for Anthropology, Law, Geography, History, etc. For this reason, it is often considered an interdisciplinary study.

After a brief introduction on anthroponymic research in Brazil, this article aimed to present and discuss the characteristics of a set of anthroponyms and propose directions for future studies. The approach presented here consists of elementary suggestions that could be adopted or reformulated for research in the area. Recent projects such as the publishing of a unique journal on Onomastics (*Onomástica desde América Latina*²²) of the Western Paraná State University (UNIOESTE) and the creation of a national network of researchers (*Observatório Onomástico*²³), located at the Federal University of Minas Gerais, are some actions that can contribute to the studies development.

As research on anthroponyms in Brazil was not very fruitful in the 20th century, it is expected that it will be different in the 21st century. It is believed that in the upcoming years it will be possible to better comprehend the aspects of Brazilian anthroponymy, whether this is done through an interface with Law or with other areas of knowledge. Thus, some of the gaps in anthroponymy research background identified by Seide and Saporas (2020) will be able to be filled. Finally, it is expected that the approaches presented in this article may contribute to achieving the proposed goal.

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²² Available at: <http://131.255.84.97/index.php/onomastica/index?fbclid=IwAR3QF7KRSSp-GXUo-5oAOrKmRPrffEpbD8ubWXpWTO42eUxKHrgD23w5A4>. Accessed: 13th June 2020.

²³ Available at: <http://www.letras.ufmg.br/o-onoma>. Accessed: 13th June 2020.

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