“First Law of Address”

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Chapter 1

First Law of Address

Address is the kernel of society. People everywhere use words or phrases—names, nicknames, terms of endearment or abuse, titles, styles, curses and the like—indicating some aspect or assessment of the person to whom they are speaking. Forms of address enable social exchange. Absent address, society retreats. Civility and the social world would wither without it. Even individuality bears the mark of address, as it nurtures the persistent anxieties of identity and personality. A measure of dignity, degradation or other sense of self emerges when even the most banal honorific or humilific offered, or denied. These imprints of address register in our basic biology.\(^1\) Doubtless these broadly felt experiences contribute to the range and salience of address across societies.

Beyond its bearing on “the self” and “the social”, the two great concerns of contemporary life, address facilitates something more mundane but no less vital. Address publicly signals, to those proximal, expectations of how an encounter will unfold. As such address allows speaker, addressee and audience to coordinate their beliefs and behaviors based on commonly known announcements. This subtlety is the first law of address. Among the numerous laws relating to address considered throughout this book, this first law is unique in its scope and authority. At the same time, it escape almost all scrutiny, overlooked as mere conventions.

Most people are scarcely aware of the degree to which address steers their everyday lives. Address is largely taken for granted, rarely noticed unless spoken inappropriately or in some other unexpected way. Call them “address blunders.” Those unanticipated moments when address fails to achieve its usual and expected effects, ironically, best reveal its functions.
Address blunders by definition occur less often than success. Still, there is no shortage of failures in the corpus of common experience.

Notable failures are found in the most the ordinary circumstances. Take, for instance, an address encounter, described by Alvin Poussaint, which might have been a typical exchange then in the American South. Poussaint, however, was a stranger to the South. A black doctor from New York City who had recently moved his practice to Mississippi, Poussaint recalled leaving his office with his secretary one day when a white policeman yelled at him, “Hey, boy! Come here!” Before going further, let’s identify, precisely, the address form used in the utterance. Forms of address are often used to initiate an exchange or to get someone’s attention. Those functions were served by the policeman’s exclamation “Hey,” which proceeded his command “Come here!”.

Poussaint shot back, “I’m no boy!,” which concluded the address failure. The blunder was complete. A short moment later, however, came the fallout. Apparently caught off guard by Poussaint’s defiant response, the policeman raced at him, “inflamed,” wrote Poussaint, snorting, ‘What d’ja say, boy?’ ... Frightened, I replied, ‘Dr. Poussaint. I’m a physician.’ He angrily chuckled and hissed, ‘What’s your first name, boy?’ When I hesitated he assumed a threatening stance and clenched his fists.

A mundane failure to coordinate expectations based on address had now escalated into a serious and dangerous encounter. Poussaint felt the peril that would accompany any insistence on being addressed by his title and last name. As he withdrew, his “heart palpitat[ing],” he “muttered,” conceding, “in profound humiliation, ‘Alvin.’ ”

Poussaint’s recollection of this encounter is both poignant and detailed, but there is more still to see in that moment of address. Considered in its context, which is to say the American South in the 1960s, at the height of the civil rights movement, the address is patently revealed as a response to a real and substantial threat—the threat Poussaint posed to the policemen and his settled conceptions of order. By addressing Poussaint as boy the policeman was not merely situating himself and Poussaint within the existing, though increasingly fragile, racial hierarchy of the American South, he was also invoking a more ancient order, calling on the unquestioned deference slaves owe their masters.

Slaves and servants have throughout history answered to boy. As a generic summons for those who serve, “boy, come here,” is more deeply
rooted in slavery than in racial order. The heightened historic conflation of race and slavery in the Americas has obscured this important fact. The conflation still confounds Americans when confronted with situations wherein dominance and race intersects. We will see this confusion materialized in events discussed throughout the book. For now, the policeman’s solicitation of slave-order by invoking boy may be more easily seen by looking past America’s exceptionalism.

Addressing Slaves and Servants

Evidence of slave address can be found in the earliest written records. Mesopotamian slave contracts from the first millennium BCE “use a variety of terms to designate slaves, such as ardu (masc.), amtu (fem.), qallu (masc.), qallatu (fem.), lamutanu etc.” When these contracts make reference to specific individuals, free citizens “are usually identified in the documents both by their father’s name and by a family name,” while slaves “are most often called just by their personal name, followed by ‘slave (woman) of so-and-so’.” Administrative records maintained in temples and archives kept by elite Babylonian families also indicate that certain “servile” names predominated among slaves. These materials, however, disclose little about how slaves were addressed conversationally. The difficulty here, as Eleanor Dickey observes, is not primarily a “question of the difference between spoken and written language.” It is rather a matter of genre. Contracts and other official documents are seldom conversational. Contracts and official documents are, by design, not meant to reflect a conversational exchange but instead a conclusion that comes at the end of a conversation. One must look to writings in other genres for reflection of ordinary speech.

Searching for colloquial exchange in ancient languages is necessarily a text-based task. But not every readable textual exchange is revealing. Some texts hew more closely to common talk than others. Tragedy, for instance, with its characteristic elevated and uncommon usage, is a poor place to find ordinary speech. Comedy, on the other hand, speaks more plainly. Looking at the more likely sources for common expression, Dickey (1996) collected and reviewed nearly twelve thousand address tokens from the prose of more than two dozen authors writing between the fifth century BCE and the second century CE. She observed consistent patterns of address between and among citizens and slaves: “Free adult males addressed each other by name, whatever their age or rank, but they often addressed slaves (their own or someone else’s) as pa˘i ‘boy’ or with other terms which indicated servile status.”
More evidence that slaves were addressed as *boy* comes from republican Rome. Antiquarians have organized Roman slave-names into a number of distinct categories. In the oldest categories, “the slave is designated as puer of his master.”\(^ {11} \) Slaves were named in the early republic by appending boy to “their masters’ names; thus Marcipor from Marcus, Lucipor from Lucius, and so on [where the] por element has been explained as puer,” Latin for “boy.”\(^ {12} \) Turning to early English usage one again finds “boy” more closely associated with slaves and servants than as an address or reference to young males.

How and when “boy” entered English usage are far from settled questions. Some etymologists trace it to Old French (for instance, to “baiasse, -esse ‘woman-servant’ which has a variant boiasse”), others point to derivations from Low German, Middle Dutch and even baby talk.\(^ {13} \) The absence of consensus over the source of the English “boy” should not belie the broadly accepted view of the term’s first recorded usage. Dobson (1940) observes that *boy*’s earliest written expression (c. 1260) applied to male servants and others of servile status.\(^ {14} \) Thereafter “boy” was applied to “the lower orders of society,” suggesting “churl” as contrasted with the well-born or nobility. Churl had not yet acquired its current gloss of contempt, but was rather a more neutral description of a social level, unlike *boy*, which was already then a term of derision.

Not until the fifteenth century did the first instances of *boy* meaning “male child” arise in English. Before that time, it appears that young males were called *frumberdling* (c. 1000), *hind* (c. 1297), *swain* and *page* (c. 1300) among other addresses.\(^ {15} \) Yet even as “boy” acquired its more familiar contemporary meaning, from the 1500s through the 1800s, according to the OED, it continued to be “used (chiefly by white people) with reference to non-white slaves and (in English-speaking colonies) to non-white servants, labourers, etc.”\(^ {16} \) It was in this later period, marked by European colonization, when race and slavery fused that *boy* acquired dark-skin overtones.

European colonists in the new world adapted various practices of slavery to serve their particular environment and aims, but they did not abandon its oldest usages. In some cases, as we shall see, they abdicated prior conventions of address; in other cases they maintained familiar forms. Slave address fell into the latter category. Some suggestion of the synonymic character of “boy” and “slave” in America can be seen in Figure 1.1, which shows the frequency usage of “boy” and “slave” from a corpus of millions of digitized books, restricted to American English publications from 1800 to 2010.\(^ {17} \) The two terms appear to track each other closely until the early 1860s, after which time “slave” drops precipitously and remains low (with a minor, though revealing, bump in the mid-1960s and 1970s, during the
Figure 1.1: “boy” “slave” Google Ngram, American English, 1800-2010

American Civil Right movement), while the frequency of “boy” increases during the American Civil War and remains above the antebellum peak for the next century. The figure is perhaps too suggestive, as it no doubt captures broader shifts in register during the period, but it is hard to ignore the image given the long historical link between the terms. Throughout recorded history boy has been the spoken badge of slavery and servitude.

Boy, Presently

How does the ageless association of boy with slaves and servants bear on conventional practices in the American South of the 1960s or even today? That is to pose a pointed version of the more generally inquiry pursued here: what are the practical consequences of established patterns of address in ordinary encounters? The long answer to this question is provided in the chapters ahead. An abbreviated response is found in the shorthand labeled the “first law of address,” that is, in the capacity of address to coordinate everyday expectations, which preserves its ancient forms while at the same time guides present-day conduct. Traditional and contemporary practices are mutually perpetuated through address.

Game theorist and Nobel laureate Roger Myerson wrote that, “in any cultural tradition that has survived into the modern world we should expect to find generally accepted systems of rights and authority that provide effective focal coordination in most of the important games [of] daily life.” Equating the demands of daily life with “games” is not an effort to reduce real-world burdens to trivialities. Rather, it is a way of exposing implicit rules behind daily routines too easily taken for granted. Tacit rules associated with spoken address reflect intergenerational and broadly-shared
assumptions of entitlements and authority that determine outcomes across widespread daily interactions. Daily observed outcomes, in turn, support the continuity of these old assumptions.

Why has the subservient address *boy* survived into the modern world and what does its utterance accomplish today? A Parisian waiter may today bristle, but would not be shocked at being hailed *garçon*. No American waiter would countenance being addressed as *boy*, although some might forgive or unknowingly bow to the French translation. Modern American usage of “*boy*” is primarily a reference to young males. As a form of address, it sometimes takes a more affectionate or play form among intimates or operates as an expression of solidarity.20 Between non-intimates *boy* remains derisive. Said to adults or even adolescents, *boy* signals disrespect. It is also used to interpret the speaker’s intention regarding actions taken proximate to the spoken address.

A 2006 U.S. Supreme Court case, *Ash v. Tyson Foods*,21 illustrates these points. Two black men, Anthony Ash and John Hithon, brought the case, alleging discrimination by their employer, Tyson Foods. Ash and Hithon worked at Tyson’s poultry processing plant in Gadsden, Alabama—killing, plucking, eviscerating and deboning birds among other tedious chores before eventually becoming low-level plant superintendents. When two shift manager positions became available, they applied but were denied based on their race, they argued, after discovering the jobs went to two less experienced white employees from other Tyson plants. Two separate juries accepted their argument and ordered Tyson to pay them compensatory and punitive damages. A magistrate judge soon overturned these fleeting victories and the federal court of appeals agreed with the judge, arguing that “as a matter of law” no reasonable jury could have inferred discrimination based on the evidence presented by Ash and Hithon.

Actual juries, of course, did infer discrimination based on the evidence presented by Ash and Hithon, which included a record supporting their claims of superior qualification, in addition to corroborated testimony that the plant promotion manager had a habit of addressing them as *boy*, such as saying “Boy, you better get going,” to Ash while he was having lunch with his wife in the plant cafeteria, and calling out “Hey, boy,” to Hithon as he was walking out of a conference room. Judges on the appeals court dismissed these comments as merely “conversational” and ruled that “[w]hile the use of ‘boy’ when modified by a racial classification like ‘black’ or ‘white’ is evidence of discriminatory intent, the use of ‘boy’ alone is not[.].”22

In other words, the court argued that “white boy” or “black boy” can indicate a racially discriminatory disposition, but addressing someone
merely as *boy* could never convey such an attitude. This argument cannot be both sincere and informed. Justices of the U.S. Supreme Court wrote as if the latter was absent. In a 2006 per curiam opinion, i.e., unanimous and anonymous, the Court reversed the appellate finding, ruling that though *boy* “will not always be evidence of racial animus, it does not follow that the term, standing alone, is always benign. The speakers meaning may depend on various factors including context, inflection, tone of voice, local custom, and historical usage.”

Custom and historical usage are indeed important for grasping meaning, but that does not imply one must fully appreciate original practices and usages to effectively issue an address. [note: perhaps a quick mention of J.L. Austin’s felicity conditions here.] Tyson’s plant manager needn’t have been fully aware of *boy*’s historical meaning. He was aware enough of its social meaning, as were Ash and Hithon. In the South it has long been obvious that when a white man addresses a black man as *boy*, the usual intention and effect is to insult, humiliate and subordinate. There is nothing subtle about this address in moments of conflict and submission, backed by the threat of violence. It is not these notorious moments, but rather in ordinary and mundane instances, where the address best exerts its independent force over behavior.

Insult, humiliation and subordination are among the common and well-studied features of address and they were clearly displayed in the *Ash v. Tyson* case as well as in the encounter described by Poussaint. Recall Poussaint conceding that he was profoundly humiliated by the address encounter. The policemen also apparently sought to subordinate Poussaint and superordinate or honor himself through the address. Additionally, as it was a public encounter, presumably audible to Poussaint’s “Negro secretary” and others, the policeman’s address likely occasioned a moment of solidarity between the doctor and his secretary, intervening in the ordinary hierarchy of their professional status and roles. Furthermore, for like-minded whites, witnessing the policeman’s verbal assault would have promoted their group solidarity and privilege. His address gave them notice that irrespective of whatever titles blacks bore, they were still to be addressed as *boy* and were entitled to no special deference from whites.

Honor, humility, authority and solidarity—identified within practices of civility, etiquette and politeness—are familiar themes in the study of address. Recognizing these essential themes and practices, this book emphasizes a different function, the coordination function, of address. That address coordinates human activity, one might fairly say, is so obvious it hardly needs emphasis, much less a book. Yet it is exactly this obviousness, the ho-hum way about the workings of address, which hides its influence in
plain sight and calls for focused examination. Address coordinates by telling us (and others) who we are, how to behave and, most importantly, what to expect from others—the first law of address. These are the constitutive, regulative and correlative modes of address. Each mode exerts its own form of power, amplified when combined, as they often are, sometimes all three manifesting at once.

**Power of Address**

To illustrate these modalities, first note that address expresses and produces ideology. For instance, in addressing Poussaint as *boy*, the policeman did not simply exhibit his personal authority and privilege as a white man in the American South; he was also acting as an agent of the state and as such he was bidding Poussaint to accept his place in the scheme of things, to accept the ideology of his own subordination. Speaking with the voice of the state, the policeman made his overture perfectly clear. After demanding a first name, the only personal address he would grant the doctor, he ‘bellowed,’ recalled Poussaint:

‘Alvin, the next time I call you, you come right away, you hear? You hear?’ I hesitated. ‘You hear me, boy?’ My voice trembling with helplessness, but following my instincts of self-preservation, I murmured, ‘Yes, sir.’ Now fully satisfied that I had acquiesced to my ‘boy status,’ he dismissed me with, ‘Now, boy, go on and get out of here or the next time we’ll take you for a little ride down to the station house!’

A choice was offered. Poussaint could defer or descend into further conflict. He chose deference, addressing the policemen with a gratuitous *sir*. That was a moment of ideological recognition. Now everyone knew their places and what was expected “the next time.”

It is in these practical rituals of everyday life, observed the French political philosopher Louis Althusser (1970), that “ideology ‘acts’ or ‘functions’ in such a way that it ‘recruits’ subjects[,] or ‘transforms’ the individuals into subjects.” Althusser called this transformative process “interpellation” and, as it happens, he illustrated it with an example of a policeman addressing a pedestrian on a crowded street by calling out from behind, “hé, vous, là-bas!” (hey, you, there!). By turning around the addressee gives himself up to the state, argued Althusser, as if through “this mere one-hundred-and-eighty-degree physical conversion, he becomes a subject.” Although the
circumstance is allegorical, intended to illustrate how individuals become subjects of ideology, no nuance is required to see how this interpretation applies in an encounter where a policeman hails, “Hey, boy! Come here!” and a man acquiesces, “Yes, sir.”

Althusser’s interpellation illustrates the constitutive function of address. When addressed by the state in such manner, subjects are brought into being in a particular way. When the Queen of England says “I dub thee, Sir Elton John,” she creates or constitutes a new subject of the realm with distinct entitlements, obligations and expectations. John of course already existed [ref. Judith Butler], but in whatever form he previously and perhaps continuously remained, he became something else, instead or in addition, when the Queen ‘created him a knight.’ His exact metaphysical form is of less concern here than the pragmatic implications that follow from the address. What practical difference does an address make—politically, civilly, socially,—morally?

Some clarification may be in order. First, state actors (monarchs, police and such) are not the only ones empowered to constitute subjects through address. Commonplace thugs are turned into “made men” through mafia address rituals. Failure to appreciate the effect of this constitutive locution can lead to dire consequences. Second, formal ceremonies are not required. People constitute each other everyday with ordinary polite speech (e.g., “good day, sir”) and impolite utterances (e.g., curses and hate speech) with consequences potentially no less dire, as discussed in chapters 8 and 9. [Add other clarifiers, perhaps with reference to Austin and Searle.]

Apart from its constitutive capacity, address also serves a regulative function. Here address says less about you who your are, than how to behave. Patterns of civility and politeness are invoked by forms of address, like scripts prescribing appropriate conduct, telling or reminding people where and how they stand in society and what is expected of them. Recall the plant manager at Tyson Foods, beckoning Hithon, “Hey, boy,” or hailing Ash in the cafeteria, “Boy, you better get going.” After being publicly addressed in that manner, Ash, it seems, was left speechless. His wife was not. She retorted, “He’s not a boy. He’s a man.” Acting on his behalf she rejected the script, the call to properly comport oneself showing deference when addressed as boy.

Her retort accomplished something else too. By openly confronting the plant manager before the assembled crowd in the cafeteria, she also weakened the power of the address boy to bring about deferential behavior through coordinated action both in the moment and going forward. It is important to isolate this power, the correlative function of address, from the
former two. Even if the speech act is infelicitous (so it doesn’t constitute the subject as anticipated) and even if the behavior called forth is inappropriate (so it doesn’t properly regulate the conduct), the mere invocation of a title or address can be enough to correlate expectations and actions. Given the exigencies of everyday life, the expectations associated with the various expressions of that ideology can bring about the very actions it calls for. Importantly, this self-realizing power of address works even absent the force of the state as well as the force of habit.

Continuity & Change in Address

The principal aim of this book is to consider how address organizes our everyday lives. “We are but too apt to consider things in the state in which we find them,” wrote Edmund Burke, “without sufficiently adverting to the causes by which they have been produced, and possibly may be upheld.” Address, because it is so commonplace, may even more so evade critical engagement. I shall emphasize an often overlooked subtlety of address. Beyond its contributions to self and social understanding, address also exhibits a nearly imperceptible, almost natural, equilibrium force in society. Address exerts its own authority. And, for precisely this reason, ancient usages persist in the modern world, often unquestioned.* Continuity of address forms follow from their capacity to coordinate behavior across time and contexts. Old ways have left ruts, perhaps now shallow but still deep enough, to guide routine daily encounters.

Aristocratic address, glamorous and wicked curses along with other archaic oral-encounter rituals remain part of everyday practice. These rituals, moreover, nudge contemporary thought and behavior in exactly the same way they swayed ancestral imaginations and deportment. How is this possible? There are no slaves presently in the South, no nobility in North America, no witches staked in Salem for uttering curses. No one alive has ever heard a Phoenician or Theban slave addressed as boy. Yet when said in appropriate contexts an address may reach back with “the wind-swift motion of” thought, summoning our oldest intuitions of power and subordination. By what mechanism do such utterances recall ancient and ostensibly abandoned practices? The simple answer is that the usages have never left us, even though many of the underlying practices have been formally renounced.

Address forms associated with slaves, nobility, witches and other an-

*Mary Douglas made the same point, observing that as “[t]he human body is common to us all” it is easy to to miss that “[m]ost symbolic behavior must wok through the human body.”
cient ideal types continue to influence contemporary conduct. In some cases these forms have receded to smaller spheres of influence. An old usage of *boy* apparently still thrives in the chicken plants of Alabama and other backwaters. *Dukes, marchioness, earls, baronesses and viscounts*—including later administrative derivatives of *viscount*, i.e., *bailiff* and *provost*—are addressed as such in proper courts and circles. In these contexts the address functions much as it always has. Moreover, if left unchecked, these timeworn forms would threaten to spread and take root in other domains.

Address exerts a “power of expansion” through its focal capacity. Within the audible sphere of “address” there is an “in intrinsic tendency to expand, an endogenous imperialism constantly pushing to spread its surface and increase in extent, depth, and subtlety.” Michel Foucault made these comments, skeptically, about a description of the state’s tendency to expand. Yet there is little reason to doubt the inherent expansive force of title and address. This endogenous imperialism was well known to imperialists of the past. Recognizing the power of address, ambitious actors have long fought to harness or subvert that power for the own purposes.

Much of their efforts are recorded in laws, codes and other written records, which are the primary sources for the arguments in this text. These sources reveal an additional important fact about titles and address conventions. As much as they aide and are aided by equilibrium behavior, the continuity of these conventions is hardly a forgone conclusion. Not all conventional titles and address successfully resist change. Conscious and concerted effort may shift prior meanings and functions. Toward that end, no better example may be found than the American disavowal of titles of nobility. Formalized at the founding of the United States, the repudiation of noble titles and address had long been observed in everyday colonial conduct.

English subjects in colonial America were well aware of the “ancient opinions and rules of life” that, according to Edmund Burke, “harmonized the different shades of life” and public order under the monarchy. Yet, “habituated as they were to monarchial hierarchy and desirous of stability and continuity, most were” as Gordon Wood wrote, “not disposed to perceive, much less to understand, the structural shifts taking place in their society.” In the colonies they lived among a relatively level and itinerant population, loosely and increasingly disconnected from an already weak local

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1. It was no coincidence that these “old manners and opinions” were associated with political order. “These public affections, combined with manners,” observed Edmund Burke, operate “always as aids to law.” He argued that “[t]here ought to be a system of manners in every nation, which a well-formed mind would be disposed to relish. To make us love our country, our country ought to be lovely.”
aristocracy. Etiquette and customs tied to aristocratic order had little practical significance in the day to day lives of most colonists (except perhaps in Virginia and isolated pockets in other colonies).

Common people more and more looked pass, not to, colonial aristocrats, who lacked the influence and resources of their counterparts in England. “There were no dukes, no marquesses, no court, and nothing like the fabulous wealth of the English nobility.” Noble status mattered little, not only on the frontier as Arthur Schlesinger stressed, but even in colonial centers of commerce. Social and economic order eventually detached completely from the old aristocracy. Political independence soon followed, but would it last? No one knew and many feared, with good reasons, that it would not.

When the swirling social and economic forces settle down, would the old regime or perhaps a new aristocracy establish itself? Would elites and common citizens alike seek order in familiar forms of political power and obedience? Authors of the new democratic federalist enterprise immediately attended to the matter of the titles and address that supported the old monarchial order. “Nothing need be said to illustrate the importance of the prohibition of titles of nobility,” wrote Alexander Hamilton in The Federalist Papers No. 84, “This may truly be denominated the corner-stone of republican government; for so long as they are excluded, there can never be serious danger that the government will be any other than that of the people.” In both federal and state Constitutions, as well as in common practice, Americans ratified their rejection of noble titles and address along with the political order these forms sponsored. They were not, of course, the only ones to do so.

In France, around the same time, titles of nobility were also abolished following the French Revolution. “Is it, then, any wonder that titles should fall in France?” asked Thomas Paine, the most vocal critic aristocratic titles in both the American and French revolutions, “Is it not a greater wonder that they should be kept up anywhere?” As much as he appreciated the disruptive force of contesting established titles, even Paine may not have fully grasped the structural undercurrents driving changes in noble forms in France and the United States. Within a couple decades Napoleon Bonaparte reinstituted titles of nobility. Styles derived from these titles are now embraced by the masses in France, where public address has, as James Whitman put it, “leveled up,” while in the U.S. there remains a practice of civil, political and social exchange that may be fairly called crude, but is in no manner coincidental to the national constitution.

The second part of the book, State and Society, elaborates on the
role of ‘polite’ address in structuring everyday political, civil and social exchanges. Part III, *Sacred and Profane Address*, moves beyond merely polite addresses—turning to swearing, cursing, hate speech and the like—and how these forms contribute to interactions and social structure. The reminder of this Part presents some preliminary and basic theoretical constructs of address theory and game theory that will be used throughout. By combining these theoretical approaches, it may be possible to explain phenomena neither alone could. While address forms have been the focus of literally thousands of anthropological, sociological and linguistic analyses, there has been few legal and game-theoretic analyses of address.

**Organization of Book**

[More description of book’s organization and forthcoming chapters: While address forms have been the focus of literally thousands of anthropological, sociological and linguistic analyses, there has been few legal and game-theoretic analyses of address. Part of the reason for the deficiency is that it is easy to overlook the law, especially in a political regime proclaiming free and unrestricted speech as fundamental tenants. Yet while most Americans have a right to say most of what they want, that is not the same as saying that American law and the State do not have an interest in the regulation of how we address each other (see esp. chapters 4, 5 and 6 on Political, Civil and Social Address). Law often participates by supporting custom, and legal officials themselves enact and adopt various address forms in furtherance of their own objectives (as emphasized in Chapter 3, Violence and Address). ...]

**Summary**

Address sets things in motion. In ancient Greece “the use of address forms at the beginning of a conversation seems to have been obligatory,” observes Dickey (1997), “even if the speaker did not know the addressee’s name; in those circumstances an address was formed from the addressee’s most obvious distinguishing feature, such as ángele ‘messenger’ or xéne ‘foreigner’.” Address at the beginning of a conversation or at the start of an encounter can indicate the roles that the parties are supposed to play in that conversation or encounter, as well as provide a “script” for conduct, particularly in highly ritualized exchanges, such as religious or diplomatic ceremonies. Outside of these stylized settings, modern address appears largely unstructured. “All the pleasing illusions, which made power gentle and obedience
liberal,” Burke observed, registering an enlightenment fear, “are to be dissolved by this new conquering empire of light and reason.” It has not all dissolved. Learned Hand insightfully saw, “as so often happens, archaic ideas continue to serve [functional], though novel, purposes.” Address now largely functions by coordinating expectations and strategies. Which isn’t to say that old meanings associated with particular address forms are gone. Quite the opposite. By being conscripted into equilibrium behavior, the equilibrium transfers and preserves meaning that might otherwise be lost over time and place. This distinctive feature of address is highlighted in the chapters ahead, not as the only function of address, but as an important one.
2. address theory

Address is here treated as a verbal reference to persons or parties being spoken to, setting aside written and other physical means of reference. Narrowly defined, admittedly, address then is a linguist marker made by speakers regarding their collocutors. Conventional ways of voicing this reference are called forms of address. There are many forms. First names are common, in full (e.g., Elizabeth, Leonard, Charles) and in diminutive forms (Liz, Lea, Charlie). Last names alone are occasionally said as an address, but more often polite speakers use titles plus last names (Ms. Stanton, Dr. McCoy, Prof. Kingsfield) or just titles (Ma’am, Mister, Sir). Generic names (Betty, Mac, Jack) are sometimes invoked when personal names are unknown, as are common descriptors (lady, doc, boss), which are not necessarily descriptively accurate. Kinship terms reflecting actual familial relationships (mother, son, uncle) or fictive family bonds (sister, brother, pops) are widely voiced in some communities and situations of heightened intimacy or trust. Closely related are life-stage terms (girl, baby, old-man) used without any fealty to age or biology, and more general terms of endearment (honey, buddy, friend) as well as nicknames (queen bee, bones, chuck). At the other end of the spectrum are terms of scorn or ridicule (ballbuster, fag, son-of-a-bitch), occasionally appropriated as endearments between familiars or signs of respect in some contexts. Although terms of endearment and scorn may be highly creative, and are in some sense most effective when inventive, the focus here is on the banal forms that have broadly understood meanings.

Forms of address are issued for varied and plural reasons. Through address parties routinely establish or acknowledge relationships, indicate status or circumstance, create or close distance between speaker and addressee or audience, and articulate rights and obligations, including who is expected to defer to whom. Address indicating deference is most evident in nonreciprocal and asymmetrical forms, where interlocutors exchange dis-
similar addresses. A doorman may greet a visitor or resident with “good evening, Sir,” and receive in response a first name or nickname address, or only a nod, if that. Patients address their physicians as Dr. plus last name, college students call their teachers Prof. plus last name, and employees call their employers Mr. or Ms. plus last name, while patients, students and employees are often addressed without title, by first name or other. Fidelity to traditional role and status distinctions largely accounts for these differences in address. Tradition, however, seems to be giving way to more reciprocal and symmetrical forms.

Nowadays professors and graduate students exchange first names, as do employers and their employees, who tend to echo the address they receive from coworkers and supervisors, resulting in a great deal of address symmetry at the workplace. At home telemarketers call and, without asking, use first names from the first occasion of address. Receptionists, repairmen, shopclerks, and agents of common carriers and public accommodation will give as good as they get, but not more. No sphere seems unaffected by the weight of our language leveling down, bearing down on traditional forms. Traditions are under siege today, yet, in America, this is hardly a modern phenomenon.

### Addressing Masters and Mistresses

In mid-August, 2015, before the fall term commenced, Stephen Davis, a professor at Yale and head of one its residential colleges, Pierson College, asked students, faculty and staff to no longer address him as master, the title and address long-reserved for college heads at Oxford and Cambridge universities and more recently at Princeton, Harvard and Yale in their efforts to emulate the so-called “Oxbridge” tradition. Citing “deeply problematic” racial and gender conventions invoked by the title master, Davis invited those who would address him formally to instead use doctor, professor or simply head of college. He shared his rationale in an email to the college community.

I think there should be no context in our society or in our university in which an African-American student, professor or staff member — or any person, for that matter — should be asked to call anyone ‘master’[]. And there should be no context where male-gendered titles should be normalized as markers of authority.
Davis’s email struck a chord in a campus conversation, reaching fever pitch (and that would become much sharper still) concerning race, speech and the propriety of naming a college, in the 1930s, in honor of John C. Calhoun, a century earlier the foremost advocate of slavery in the U.S. Congress. Davis’s interpretation “of the title is more literal ... than mine,” said Jonathan Holloway, Yale College Dean and former master of Calhoun College.33 Another master, Nicholas Christakis, head of Silliman College, said he could not “think of a better title than master.”34 Professor and former Dean of Yale Law School, Anthony Kronman, was more pointed, calling Davis’s disavowal of the title “ill-considered,” “self-serving,” “thoughtless,” “puerile,” “an act of insufferable arrogance, unbecoming the dignity of one who is supposed to exemplify the spirit of open mindedness that is the lifeblood of Yale College.”35 A chord was stuck.

To Davis’s distractors, his decision was a reflection the watering-down of thought, the coddling demands for political correctness, in speech and conduct, an “enervating spirit of all-too-ready offense that has deformed our culture” and “that increasingly views all traditions with suspicion and erases them whenever it can.”36

European visitors to the colonies and early republic complained about the appalling failure of Virginians, Carolinians and New Englanders to recognize titles and proper address. The traveling musician William Priest wrote, after his visit to New York City in the mid-1790s, “If you want to hire a maid servant in this city, she will not allow you the title of master, or herself to be called servant.” It wasn’t the anonymity or pace of citylife that encouraged the impertinence, Priest concluded, so much as the character of the nation: “a republic is not the place to find good servants.” The country was, of course, full with able servants, not to mention an embarrassment of slaves. There was no shortage of labor in the servant class. Priest was pointing to ideology, not economic structure.

Even in a republic, wrote Alexis de Tocqueville, “there is still a [220] class of menials and a class of masters,” but in America “these classes are not always composed of the same individuals, still less of the same families; and those who command are not more secure of perpetuity that those who obey.” During his tour of America in 1831, Tocqueville saw a fluid country where “[a]t any moment, a servant may become a master, and he aspires to rise to that condition[.]” Hence, they recoil at being addressed as servant, as if it was an accusation. Among free citizens in America, only serendipity and perhaps a contract bound master and servant—no fidelity to role, position or status connected them—and their address reflected a republican equality. “Such is the charm of these democratic manners,” Tocqueville fawned, that even the partisans of aristocracy are attracted to it.” [239]
Not everyone was so charmed by the manners of Americans. Take Frances Trollope, an early and effective critic of American manners, who in 1827 left England with her family for the western frontier of the United States. Trollope detested the “extraordinary familiarity” of Americans, which she experienced as a kind of “violent intimacy.” Servants presented a particular challenge for her, she wrote: “The greatest difficulty in organizing a family establishment in Ohio, is getting servants, or, as it is there called, ‘getting help,’ for it is more than a petty treason to the republic to call a free citizen a servant.” Trollope’s disparagement of American manners and sensitivity was no doubt extreme, but her assessment of their thin-skinned reaction to servile address was widely shared.

Domestics in the early United States displayed an unjustified arrogance, protested Charles William Janson (1807), recalling an occasion when he asked a maid, “Is your master at home?” and received the sharp reply “I have no master ... I am no servant; none but negers are servants.” Popular American convention held that only slaves had masters, an oddly restrictive usage at the time, which confounded foreign travelers. Foreign visitors found the familiar address between social ranks confounding. “Among the white men in America,” lamented Richard Parkinson, in 1805, “they are all Mr. and Sir; so that in conversation you cannot discover which is the master or which is the man.” Today, of course, master is unspeakable in America, where everybody wants to be the man, or so-called. Now neither master nor man answers to mister.

[Add discussion of Restatement (Third) of Agency Law and return to Yale controversy. Describe complexity of race at Pierson College, including the mostly poor black cooks, cleaners, janitors, grounds keepers and other servants from New Haven’s underclass who are called upon to address the College heads as masters too (its not just a cute exchange between privileged faculty and students). Also discuss Pierson College’s peculiar history: “Until 1960, Pierson’s unofficial mascot was quite literally a slave. The college’s weekly publication was aptly titled ‘The Pierson Slave.’ A ‘Bring a Slave’ party was hosted onsite. Lower Court was referred to as ‘the Slave Quarters’ until” it was renamed following black student protests in 1980. Close with the unfortunately thin read of history and context by Christakis, Kronman and others; exactly who is (dis)honoring the spirit of open mindedness that is the lifeblood of Yale College, exactly who is (dis)honoring the “true” American tradition [where “none but negers” have masters] in favor of the English acceptance of master without the correlate of slave. It is a phenomenon going back to early colonial times, and is grounded in notions of liberty and what it means to be American. It also has a lot to do with slavery, but is much is less about race than most people suppose. It is
general in application (not restricted to hyper-sensitive black kids, at least not in an obvious way), yet subtlety is lost in the thin and visceral reaction against the Yale undergrads and Davis.]

Next turn to gender and *mistress*. Emphasize its origins, abbreviated *Mrs.*, which was historically silent on a woman’s marital status. Discuss how the demand to signal marital status through address, especially under the common law doctrine of coverture, pushed married women’s separate identity further to the periphery until they were simply addressed, for instance, as *Mrs.*. *John Smith*. Suffragettes contesting the disappearance of women’s identity in everyday exchanges sought to confound the coordination of expectations that would follow from *Mrs.* or *Miss.*, by introducing the maritally neutral address form, *Ms.*, harkening back to the original usage of *mistress*, which first and foremost meant “a woman having control or authority” (OED) almost the opposite of the prevailing “whore” connotation today, although it is not so far from the bondage dominance sado-masochism application, which is yet still sexual. Discuss how this bivalent quality of *mistress*, as authority figure and sexual object (bivalence is a common feature of many female-gendered addresses—e.g., *lady, honey*—wherein the same word can often be used to disparage or elevate) probably influenced women heads of Yale Colleges, to select *master* instead of *mistress* as their title of address, and thereby normalize the male form as Davis pointed out. Like at Oxford and Cambridge, when the heads of Colleges at Yale where first endowed, there were no women in those positions to worry about. At women’s colleges it was a different story, which deserves at least a quick mention, along with the moment of going co-ed]

**Forms and Features of American Address**

Note the inversion from the past. If before the problem was that Americans were all misters, or its equivalent, making it difficult to recognize distinctions, the trouble today is that none of them will claim the title, making it difficult to recognize distinctions. “If Woodrow Wilson were in politics today, he would probably have to submit to ‘Woody’—if not ‘Willie’,” quipped Morton Cronin in his 1958 essay *The Tyranny of Democratic Manners*. No doubt Cronin had in mind then U.S. president Dwight D. Eisenhower, popularly known as Ike. But presidential diminutives were common before Eisenhower and, for that matter, before Woodrow Wilson’s Administration. At the turn of the nineteenth century, Harry Thurston Peck observed, “Americans almost universally drop the ‘Mr.’ in speaking of a person ... they mention any one and every one, from the President down, by his last name
only or by a nickname[.]

It is important here to distinguish between reference and address. During the late 1800s and early 1900s, no one objected, Peck clarified, “to giving anyone the title ‘Mr.,’ at least in speaking to him,” which is to say, when addressing him. But when referring to someone, especially to superiors, Americans have always been grudgingly parsimonious with the title, Mr. “The stable-boy, the laborer, the clerk, the employé of every grade will almost invariably be heard describing his employer and his employers friends by their last names.” By denying them in absentia the verbal deference they demand in-person, the subordinate seemed, wrote Peck, to be soothing and elevating his spirit, as if “refreshing himself,” he stressed, “by an assertion in private of his own equality.” By mid-century things had changed. There was no longer any need to go behind the bosss back, according to Cronin, to freely suppressed the hierarch’s title.

Freely engaging in a behavior does not mean it is costless. Without forms of address to acknowledge a superior’s status, Cronin warned, subordinates cultivate more servile habits, like grinning too much and too often, fidgeting, giggling, wiggling and engaging all manner of unseemly self-deprecatory contortions. American professional etiquette, it appeared to him, had replaced spoken deference with signs of physical subordination and obedience. Workers now had to obsequiously nod or bow, however slightly, to display the deference that our egalitarian pretense made unutterable. “It should be just the opposite,” urged Cronin, “the system of etiquette ought to furnish him with formal gestures of respect for his superiors and let his informal self work out its own salvation. It should be easier to render the boss what is the bosss without throwing in ones soul too.”

This account recalls, in some respects, Parkinson’s eighteenth century stories “told of the servant in America wanting to eat and drink in the dining-room with their masters.” There is one big difference though. Whereas in 1798 servant and master may have addressed each other as Mr., by 1958 a new kind of informal symmetry had evolved, where the American worker “greets the boss by his first name, sits down in his presence, wears the same kind of clothes the boss wears, avoids the use of sir, and ostensibly comports himself in general as if he and the boss were as equal as two farmers.”[12] This at least was Cronin’s casual impression of the state of things in mid-century America.

At the same time, 1958, Roger Brown and Marguerite Ford were undertaking their now famous empirical study of American address, which among other sources surveyed the address preferences and practices of businessmen from various regions of the country. Their findings tell a more
nuanced story. The businessmen surveyed did acknowledge that they were mostly on a first name basis with their professional acquaintances. A similar pattern was observed at a Boston drafting firm, where Brown and Ford recorded direct observations. A majority of addresses they observed did involved mutual first name exchanges. Only about 20 percent of addresses at the drafting firm were nonreciprocal, with the organizational superiors receiving title plus last name 9 times out of 10. It is unclear, however, how often and under which circumstances subordinates addressed their superiors by their first names. Nonetheless, there is little doubt that superiors in the workplace were still significantly addressed as Mr. in the mid-twentieth century. And so it remains (or so it seems) at the turn of the most recent century.

In 2002 Thomas Murray reported results from a replication of Brown and Ford’s study. Murray looked at more than 9,000 dyadic address tokens from a number of sources, including fictitious encounters from then-popular television programs, survey responses and observations of actual address encounters in an accounting firm in Kansas City, Missouri. While finding some evidence of informal first name address, Murray’s results also display a pattern of continuing nonreciprocal address in workplace encounters. In addition to age deference, the table below distinguishes among three relational categories where titles plus last name is traditionally expected for superiors. These categories are (i) relations of direct and enduring subordination, such as between a supervisor and subordinate, (ii) relations of direct but temporary subordination, such as between a customer and waiter or other service provider and (iii) relations exhibiting “enduring difference of occupational status that does not involve direct subordination (e.g., United States senators have higher status than fireman).”

Although Murray emphasizes the use of first name address by subordinates, more often than not superiors in his data are addressed more formally. In relationships characterized by direct and enduring subordination, for instance, superiors are addressed by first name only 28 percent of the time while they address their subordinates as such 100 percent of the time. Hence, presumably, superiors are addressed by title or title plus last name 72 percent of the time. In relations of direct but temporary subordination and those of indirect but enduring occupational differences, subordinates use first names in only 38 percent and 18 percent of the cases, respectively. Again, this suggests that superiors are addressed with titles or title plus last names more often than not.

The upshot of this interpretation is not to deny the salient of informal address among Americans. Empirical studies are not needed to confirm the continued existence of that “familiarity of address,” as Trollope put it, in
Table 1.1: Percent of First Name Address in Asymmetric Status Encounters

<table>
<thead>
<tr>
<th>By Relative Age of Speaker/Addressee&lt;sup&gt;a&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>child → adult</td>
</tr>
<tr>
<td>adult → child</td>
</tr>
<tr>
<td>adult → older adult</td>
</tr>
<tr>
<td>older adult → adult</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>By Relative Occupational Status of Speaker/Addressee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Speaker Addressee</td>
</tr>
<tr>
<td>Direct and enduring subordination</td>
</tr>
<tr>
<td>Direct but temporary subordination</td>
</tr>
<tr>
<td>Enduring differences of occupational status</td>
</tr>
</tbody>
</table>

<sup>a</sup>The speaker/addressee relationship in each category is indicated with a right facing arrow, thus: Speaker → Addressee. And the designation older adult refers to an adult 15 or more years older than the speaker/addressee. [Source: Murray (2002), Table 2, P. 51.]

1832, which is “universal throughout all ranks in the United States.” Pick up a newspaper or the telephone the next time a marketer interrupts your dinner. Confirmation of the practice is easily found in everyday encounters. Yet, however commonplace first name address may be, titles and polite address has always been and will remain inextricably conventional because of what they accomplish. The threat to formal address stressed by Cronin was illusory. The boss gets her due when it is required or requested. If anything, the threat is not to formality but to intimacy. We no longer have the privilege of inviting someone to address us informally or intimately, *tutoyer*, because the stranger presumes that much. Yet, when formality is needed, Americans like everyone else are able to invoke it. The reason for this is spelled out below, but first it will be useful to consider forms address beyond names and titles.

**Nominal and Pronominal Address**

Titles, names and other nouns of address are the primary interests of this book. These are the words we call each other. Less central here, but also important, are addresses that manifest in other parts of speech. A parent issuing the order, “Bobby, you apologize to your sister and go directly to bed!” addresses the child not only with *Bobby*, but also with the pronoun
you. Noun and pronoun addresses are also present when the policeman says to Dr. Poussaint, “Alvin, the next time I call you, you come right away, you hear?” In many languages, verbs too reflect address. For example, the command “come right away!” in French may take the form “venez tout de suite!” or “veins tout de suite!” depending on whether the speaker chooses to conjugate the verb venir (to come) to refer to the addressee more or less formally. French allows the speaker to also choose a more or less formal form of the second-person singular pronoun (i.e., you), using either tu or vous. These two forms, said to derive from the Latin tu and vos, also exist in other romance languages (for example, Italian allows tu or Lei, Spanish tú or usted). Similar distinctions are observed in non-romance languages throughout Europe (e.g., German speaker use du and Sie) and other parts of the world, where more than two options can often be found.

Colloquial speech in Early Modern English also once maintained this distinction in second-person singular pronoun. Addressees were at one time referred to either with thou or you, the former being less formal and even considered insulting in certain contexts. Shakespeare’s Twelfth Night illustrates the point when Sir Toby Belch advices Andrew Aguecheek how to incite an adversary to duel: “thou’st him some thrice, it shall not be amiss.” Now except for liturgical or ritualistic speech in some religious communities, the or prayer, the informal form has disappeared from colloquial address, leaving only one second-person singular pronoun option for English speakers, you.

A substantial and growing body of research has detailed the distinctions of pronouns of address. While this work may appear irrelevant to the concerns of contemporary English speech, it stands to offer insights applicable to the use of titles and other nominal address forms, as will be clear shortly. Early writings on pronominal address date back at least to the eighteenth century, but it was the mid-twentieth research by Roger Brown and his collaborators, Albert Gilman and Marguerite Ford, that sparked modern interest on the topic. Brown and his colleagues conjectured that the selection of the second-person singular pronoun in France and several other European countries was determined along one of two dimensions, representing either a power relation or solidarity between speaker and addressee.

Along the power dimension, higher status persons were addressed with the V form (i.e., vos, vous, Lei, Sie, etc.) rather than the more informal T form (tu, du). According to Brown and Gilman, this pattern began with the deferential address reserved for the Roman emperors in the late fourth century and was subsequently appropriated by the nobility and later the bourgeoisie. A firm linear order from top on down was secured by the medieval period, visible both in practice and doctrine. God addressed angels
with \( T \) and received \( V \) in return, angels addressed men with \( T \) and received \( V \) in return, men of higher orders addressed those of lower orders with \( T \) and received \( V \), and animals were addressed with \( T \). Along the solidarity dimension, a dual address system evolved, where elites exchanged \( V \) with each other while commoners used \( T \) amongst themselves. An equilibrium persisted along these lines, Brown and Gilman argued, until it was perturbed in the late nineteenth century by the spread of democratic and egalitarian occurring in a context of increasing social mobility across Europe. The asymmetric power dimension of pronominal address gave way to widespread solidarity address norms. Yet, they observed, power and status had not disappeared entirely from forms of address. “A French lady and her maid exchange [vous] nowadays but the maid will say Madame and the lady ‘Yvonne’.”

The persistence of power and status in addresses using titles and personal names raised a puzzle for Brown and his collaborators. “The puzzle is the survival of a status norm in titles and names in the face of its suppression for pronouns. Why,” he asked, “should the coding of differential status in pronouns be intolerable today when it is not intolerable in other forms of address?” Brown suggests an answer, which one senses he himself finds less than compelling. He locates the difference in the almost mandatory use of pronouns in ordinary speech. Pronouns are employed so frequently in common discourse, Brown argues, it would be difficult for people to talk to each other without making their statuses constantly salient under the traditional pronominal power rule. Titles and names, however, are less necessary parts of everyday speech, so most conversations can be had without constant status reminders.

The distinction lies in what linguists refer to as bound and free forms of address. Names and other nouns of address tend to be free while pronouns and verbs are more likely bound. To see this, recall the command, “Alvin, the next time I call you, you come right away, you hear?” Here Alvin is a free form of address, meaning it may be moved or removed with limited affect to the sentence syntax. All of the following are essentially equivalent to the original command: (1) “The next time I call you, Alvin, you come right away, you hear?”; (2) “The next time I call you, you come right away, Alvin, you hear?”; (3) “The next time I call you, you come right away, you hear, Alvin?”; (4) “The next time I call you, you come right away, you hear?” On the other hand, the pronoun, you, in its various deployments, is considered more integrated or bound in the sentence structure. Yet it is clear that you can also take free form or be moved or removed without loss of meaning. Consider, for instance, “You!, the next time I call, come right away, hear?” The address You is unnecessary in the previous sentence, and if is used to
get the addressee attention then “Hey” would have worked just as well.

Free and bound forms of address in are not determined by categorical bright-line rules. They fall along a scale. “It seems to be primarily a question of the degree of linguistic compulsion,” Brown and Gilman argue. “In face-to-face address we can usually avoid the use of any name or title but not so easily the use of a pronoun. Even if the pronoun can be avoided, it will be implicitly in the inflection of the verb [in many languages].” Now, because names and titles can often be avoided entirely, when they occur they stand to be more informative, they tend to serve more purposeful ends, precisely because they are invoked when they needn’t be. It is not simply that status-coding by title and name is “more tolerable because less compulsory,” as Brown and Gilman say, as if this coding was simply something we put up with, like annoying little vestiges of dead and dying old-world deference norms in an increasingly democratic and egalitarian world. The social world is comprised of many spheres, not all of which exhibit or aspire toward egalitarian ideals. Nor could they, without sacrificing competing values of efficiency, stability, and order that modern egalitarians all take for granted.

Persistence and Focal Power of Address

While titles and names are clearly optional and sometimes avoided, it is equally clear that they remain regular parts of speech across numerous domains. The question, then, remains: why has the status norm in title and naming practices survived in these domains? They survive not as feeble remnants of the past, but because they serve a present purpose. All archaic rituals that seem to resist strong modern contrary tendencies, are likely to possess embedded structures of rights, privileges, duties, and obligations, which facilitate social exchange and coordination by their capacity to make these structures focal and commonly known. Titles, names and other nouns of address serve these functions by signaling roles, statuses, beliefs and expectations concerning personal and contextual features of daily interactions. When spoken through address these forms direct parties toward equilibrium outcomes while avoiding behaviors that are likely to lead to unintended conflict and violence.

At the same time, and unlike pronouns, titles and name address can be narrowly tailored. Pronouns do not locate status deference within particular domains or encounters, [it is hard to go back and forth between $T$ and $V$] where titles do most of there work. College teachers are called Professor in the classroom, physicians are called Doctor in the examining or operating room, judges are called Your Honor in the courtroom. Simi-
lar patters are observed in boardrooms and war rooms, as well as on shop floors, sports fields and battlefields. Titles and address establish expectations within encounters and domains where situational deference is likely to serve coordination.

Titles are focal devices that guide behavior as the situation calls for it. A study of address between among Marines officers during the Vietnam War, for instance, reported significant variation in the use of titles among personnel “not near the current action but [occasionally] under fire” (i.e., where “incoming rounds are the exception rather than the rule”). Titles and address adjusted during times when coordinated action was most pressing: “for the period of crisis only, that is, while the rounds were coming in, the shortest addressed forms were used, generally titles between all ranks.” Military titles facilitate coordination especially when it needed—when troops are battling—just titles serve teachers when teaching, physician when examining or operating on a patient and judges when presiding at court.

Titles are also invoked, of course, although less often, for the teacher outside of the classroom but still on the campus, the physician outside of the examination or operating room but still in the hospital and the judge outside of her courtroom but still in the courthouse. As teacher, physician and judge move further from their spheres of dominance—say, to the supermarket—the formal authority of their titles recedes. Those official titles are less likely to help resolve coordination problems at the supermarket checkout line, at the children’s playground or at a traffic jam caused by a fender bender on some rural backroad. Though lacking formal authority at these remote sites, the teacher, physician and judge may exert an informal authority through their titles.

Imagine a dispute that developed in the checkout line, provoking the judge to announce her title, or if someone falls to the ground, encouraging the physician to say “I’m a Doctor,” telling others to step out of her way so she can get to the fallen customer. It is not simply that the judge may be more competent at resolving checkout line disputes or that the physician may be best suited to help someone who has fallen to the ground; others, in fact, may be better situated to intervene. Yet by announcing their titles, judge and doctor invoke their status, making it salient and focal, thereby facilitating effective coordination of all the people milling about the situation that has developed in the line or supermarket aisle. When the titles of the judge or doctor are announced, their spheres of influence are expanded.

An imperialism of titles threatens constant expansion. It needn’t be a self-consciously ambitious announcement by the titleholder. Third-parties or associated structure or features of the environment (a name tag, a lab
coat or other) are often enlisted in the expansion of title influence. (We will see that there is a close relationship between dress and address.) When a student, clerk or patient recognizes his teacher, judge or physician and calls out Professor, Your Honor or Doctor that signals to observers that the addressee may be accustomed to and expecting of deference, and knows that the observers may be forming this expectation. Deference is more likely to follow among all those who now have common knowledge of the address, including the addressee (even by those of unknown, but greater status than the teacher, judge and doctor). In this way, the use of titles and address may expand one’s domain of influence in ways that are otherwise not merited or legitimate. This insight is expanded upon in the chapter on political address, which considers titles and address in a richer institutional context and dynamic framework. To lay the groundwork for that more nuanced discussion, the next section depart from a simple static context, stripped of institutional vagaries.

Framework and Unit of Analysis

[discuss situational determinism; partial equilibria and the totality of social encounters; single-exit frameworks; critique of determinist ‘linguistik-system’; psychologically anonymous agents and other and assumptions; review of politeness theory and close with general discussion of game theory: seeing interactions (social, political, civil, public) as games gets us asking the most basic questions about mundane exchanges, like what are the rules, from where do they come, can they change and if so how so, who can play with whom, who wins and how? choice: institutions as rules of the game, or institutions as the equilibrium?]
3. addressing conflict

Every encounter of persons has the potential to escalate to conflict. Whenever and wherever people gather there is always a threat assault, wrote Erving Goffman, “each person becomes a potential victim or aggressor in the potential occurrence of violent interpersonal actions, such a physical or sexual assault, blocking of the way, and so forth.” Beyond physical interference, parties to an encounter are also “in a position to accost or to be accosted by others for the purpose of initiating a state of talk—... they can command and plead with each other, insult or compliment each other, inform and misinform each other.” To defuse the dangers of any ordinary encounter, rules of engagement, including forms of address and other speech conventions like modulating tone and volume of voices, have evolved to deal with “the problem of maintaining orderly activity internal to the encounter.” Maintaining orderly activity, however, should not be confused with avoiding dominance and subordination within encounters. Dominance is entirely consistent with avoiding direct conflict and violence so long as others present at the situation appreciate their subordinate roles. Situational subordination, moreover, is often the best response when one expects to face a dominant counterparty.

Hawks and Doves

These points are well illustrated by the so-called hawk-dove game. The hawk-dove game is a general representation of situations where individuals (or players) choose from two actions—one more aggressive (hawk) and one less aggressive (dove). Real world examples are easy to find. Imagine two drivers approaching an intersection where one or both might acquiesce to the other or accelerate through; or take two parties (spouses or business agents) negotiating from positions of conciliation or conflict; or a couple of steadfast pedestrians walking directly into each other on a sidewalk unless one steps aside. A two-person version of this game is depicted in Figure I, where the numbers in each box represent the payoffs to the players (Player I’s payoff
followed by Player II’s) for the various strategy combinations. Hence, the payoff to each player when both are aggressive (hawk, hawk) is -2, which is the worse outcome for the players. When they are both less aggressive (dove, dove) each gets a payoff of 1—a good outcome, although not the best outcome a player can achieve when the other player plays dove. That is, when Player I plays dove (the bottom row of payoffs apply) Player II gets a higher payoff (i.e., 2) from playing hawk instead of dove. And, should Player II in fact choose to play hawk, Player I can do no better than to play dove (securing a payoff of 0 rather than -2 by playing hawk too). Player I choosing dove and Player II choosing hawk is a Nash Equilibrium: neither player has incentive to change strategy given the other player’s strategy. By symmetry, Player I choosing hawk and Player II choosing dove is also Nash Equilibrium. From a shared welfare perspective, it doesn’t matter who plays hawk and who dove so long as both don’t play hawk. But from an individual player’s perspective this is the key question. Who shall play hawk and who dove? Nothing in the game provides any clue to this question and failure to resolve it may lead to the mutually undesired outcome where both play hawk.

\[ \begin{array}{c|cc}
\text{Player I} & \text{hawk} & \text{dove} \\
\hline
\text{hawk} & -2, -2 & 2, 0 \\
\text{dove} & 0, 2 & 1, 1 \\
\end{array} \]

Yet perhaps it is not so dire. People don’t usually commit themselves unbendingly to an initial decision that turns out to be bad for everyone. Rarely do two approaching pedestrians purposefully walk into each other on sidewalks. Though they sometimes do when both refuse to reconsider their course of action. More often after observing that the other player has also chosen to play hawk, each player decides whether to stay with the initial decision or change to dove. Their interaction is dynamic and each moment that the players simultaneously determine their actions can be thought of as a distinct game where every instance of hawk-hawk conflict imposes some inconvenience or costs on the players. We have all witnessed someone, perhaps even ourselves, walk in the on-coming path of another person and stop just before colliding, and then attempt another route (or not) just to have another near collision because the other person also adjusted (or not),
until one or the other (and sometimes very occasionally both) stood still, encouraging or challenging the other person to go around. This dynamic interaction has an equilibrium, similar to that of the one-shot game, where it is expected that Player I will choose dove and Player II will choose hawk following any number of previous hawk-hawk near misses. There is also an equivalent equilibrium where in the next moment Player I is expected to choose hawk and Player II to choose dove irrespective of their prior interactions. As with the one-shot game, an expectation that either player will play hawk supports an equilibrium where the other plays dove, just as an expectation that one will play dove supports an equilibrium where the other plays hawk. The dynamic game is a little more complicated and perhaps a lot more realistic, but there is still nothing in the game that resolves the indeterminacy of who is going to play hawk and who should play dove for their part of the equilibrium.

Correlating Behaviors on Social Distinctions

One way to resolve the indeterminacy of the games equilibria is to take cues from outside of the game. External cues can assign the role of hawk to one player and dove to the other. For example, players might correlate their behaviors based on some observed event, like rainfall, such that when it is raining Player I plays hawk, while Player II takes that role when it is not raining. Road rules can operate along these lines, encouraging one driver to be more or less aggressive with respect to another following some mutually observed weather or road condition. More generally, game theorists have developed randomized correlated strategies (using a coin flip, for instance, to assigns hawk to Player I and dove to Player II if “heads” and the reverse if “tails”) to resolve indeterminacy in coordination games like Hawk-Dove.

There is, however, no reason for the assignments to be strictly random, even if they are arbitrary. The key feature is that the players have shared expectations about who will do what in the interaction between them. An infinite number of things can bring about these expectations. For example, when two players face off, the bigger one or the surlier one may be expected to play hawk. Sex differences might also determine assignment, where tradition may establish an expectation that males play hawk in coed encounters. Any physical difference, including skin color, may be enlisted to correlate behavior toward certain equilibrium outcomes. A common history between the players might, for instance, predispose lighter skin persons to play the dominant hawk when facing someone darker, or vice versa.42
Social distinctions, even more than physical ones, play an essential part in resolving hawk-dove interactions in society. Social distinctions, of course, are often associated with physical differences. Appearance, demeanor, dress, audible speech and accent, apparent age and so on, all contribute to social status. Still, by isolating purely physical differences, like sex and skin color, from socially determined differences, like gender and race, a broad array of social distinctions can be seen to coordinate much of everyday behavior. When two individuals agree on their relative social status or rank, for example, that shared belief will often determine which one of the two is “entitled” to the hawk role and who must be satisfied with dove.

Persons assigned to play dove based on their status may not like it and might even resist it, but they can do no better in the immediate instance than to follow their assignment. Importantly, it is not fear of sanction or retribution that leads the player assigned dove to comply. Compliance follows from the reasonable expectation that the other player will play hawk, and given that belief there is nothing to be gained from deviation. It is in this way that fulfilling the roles assigned by one’s social categories facilitates coordination and avoids conflict.

Roles, Scripts and Strategies

Merely because it is useful, in some sense, to conform to the expectations of one’s social role, does not mean that those expectations will be or should be followed. When and whether to follow the dictates of one’s role are deeply normative questions, whereas the Hawk-Dove game offers only a descriptive account. It is simply a heuristic for considering a stylized form of coordination. Several points are worth noting about the game as thus far described. First, the outcome of the dove-dove strategy combination may be socially preferred to the hawk-dove ones. The summed payoffs are the same for all these outcomes (i.e., 2), but they are shared equally when both players choose dove and perfectly unequally when one chooses hawk and the other dove. Even if there was some way to costlessly tax and redistribute the gains of the one playing hawk so that both players end up with an equal post-tax payoff, or some manner of alternating play so that the payoffs are equal on average, there may still be societal value in having both players choose the same strategy, the less aggressive one, or in denying to any player the more aggressive strategy.

In addition to serving some larger societal purpose, discouraging aggressive play may also be jointly better for the two players. Imagine, for example, that the payoffs for the dove-dove strategy combination were changed
from 1 to 1.5, while keeping everything else the same. There would be no change in the pure strategy equilibria of the game, where one player chooses *hawk* and the other *dove*. But now that *dove-dove* strategy combination creates a summed payoff of 3, which is greater than what is produced by any other strategy combination. In this case, society may have a strong incentive to discourage playing *hawk* with legal or social sanctions.

On the other hand, the payoff for each player when both play *dove* could also be changed from 1 to 0, without affecting the pure strategy equilibria. Now the *hawk-dove* outcome leads to the greatest joint payoff. A society, in this case, may wish to encourage hierarchy; or perhaps not. Broader societal norms of egalitarian engagement may trump efficiency gains from certain *hawk-dove* exchanges. One can say that such considerations are strictly outside of the game and ought to be discarded, as they have nothing to do with what is optimally determined within the game. But, of course, looking outside of the simple game structure is precisely what must be done to assign actions to players in games with the multiple equilibria. It seems somewhat artificial to say that parties look beyond the game in forming expectations about who will play *hawk* and who will play *dove*, but take no other cues from society.

At the same time, social expectations do not dictate individual behavior. Prescribed norms of behavior are necessarily incomplete. Typically, they only suggest behaviors that should be, or are generally, taken in certain contexts. There remains unspecified contingency in all social interactions, which make the relationship between role and behavior indeterministic. Social roles, moreover, in many contexts offer no unique prescription because individuals occupy multiple roles. *Mother, citizen, lawyer, spouse, employer, daughter, activist, teacher* are social roles that a single person may simultaneously occupy. Situational indeterminism cannot be resolved by prescribed conduct when multiple roles offer differing and conflicting prescriptions.

Additionally, it may be unclear what conduct is called for with any given role or status. Dominant individuals sometimes choose *dove* despite their higher status. This observation raises a fundamental question. What does it mean to play *dove*? Any particular hawk-dove exchange must be considered in light of broader structured interactions that define the individuals’ social context. At any moment, choosing the less aggressive strategy can be an indication of a player’s dominance—a dominance so evident the player can afford to be generous. Playing *dove* may also create status for a player, in the way that ritual offerings function in traditional gift economies. These rituals are observed in market economies too, of course. Thorstein Veblen described them in the behavior of the gentlemen who enlisted both friends and competitors to demonstrate pecuniary prowess by offering “valuable
presents and expensive feasts and entertainments.” Whether gift rituals like potlatch and expensive feast originated in religious or redistributive aims (such as, allowing a subordinate to acquire the better outcome in some particular instance), there is little doubt that these practices endow the giver with honor and status.

Furthermore, an individual’s behavior is also importantly determined by his or her personality. Some people are simply hawkish and their behaviors are determined as much by individual temperament as they are by social role. Others have a preference for dove-like conduct, conciliation and sharing being prized by them more so than personal accumulation of material gains. [expand: mention how role interacts with personality development and vice versa; the vagaries of personality are taken for granted as I assume a psychologically anonymous actor for the most part...]

All of the above notwithstanding, there are useful lessons to be taken from the simple Hawk-Dove game. The potential for conflict in certain encounters are often addressed by observable social distinctions. Social distinctions create shared expectations of appropriate behavior, which parties may use to coordinate their actions. When they act in accordance with shared prior expectations, individuals tend to avoid conflict and they preserve the status quo. Titles and social roles serve this function exceptionally well, although they are not the only means of establishing social distinction in encounters.

Dress, demeanor and even consumption, in everyday and ceremonial forms, all indicate social distinctions that can be enlisted to correlate strategies, as well as spatial distance and gestures, like handshakes, nods and winks. Yet among all these conventions, titles and address represent a particularly universal and effective means of relating people and coordinating expectations. More fluid than dress, more flexible than demeanor, more plentiful than all else consumable, so ubiquitous are address forms they are often seen as arbitrary or purely ceremonial. In fact titles and address serve the important social function of facilitating Hawk-Dove interactions among other coordination activities.

A final lesson to be drawn from the discussion of roles in Hawk-Dove encounters concerns the distinction between scripts and correlated strategies. Scripts provide independent self-focused instructions for action. Correlated strategies are dependent and outward looking. Parties look to the actual existing context, not to the one imagined by the script. An analogy may clarify. “All the world’s a stage,” wrote Shakespeare, “And all the men and women merely players.” Actors in a Shakespearian play may proceed adequately by following the script—their lines and stage directions.
Scripts in the real world, however, tend to be ambiguous, vague and incomplete, forcing players on the world’s stage to improvise based cues not in the script.

To be sure, not all scripts in the social world are so indefinite. Some social roles come with highly articulated scripts (i.e., strictly prescribed conduct) especially when partnered with particular counterpart roles, like parent interactionally partnered child. When paired in such interactions role-occupants tend to follow well-known scripts. These role-pair scripts tell individuals what to do—how to behave—in their interactions with each other. If everyone follows her script and if the scripts are “written” to avoid conflict, then coordination is assured, even absent any regard for the expectation of others. The clearer the script the better. “It is relatively easy to decide who is dominant,” observed sociologist Roger Gould, in context where “the people in them occupy roles for with there is an explicit terminology. Children and parents, workers and employers, slaves and masters typically have a vocabulary for the way they relate to each other.”

The more explicit the terminology and the distinctions of rank, the less likely violence and conflict will result, continued Gould, as “only one person can plausibly lay claim to preeminent status, at least if the rules are followed.” Yet it is often not sufficient, or necessary, to rely on a belief that the rules will be followed. When, in particular, the terminology of role is unclear or the distinctions of rank are ambiguous, it would be silly to leave one’s face buried in the pages of a script. Parties, instead, look to counterparties and contexts for cues of how they expect to be treated and received in the interaction. Titles and address provide essential clues. Titles, in the broad sense of encompassing social labels, relate members of society to each other—doctor to patient, citizen to police officer, customer to clerk and so on.

**Regulating Role-Sets**

Beyond these dyads, parties are often subsumed within role-sets that further regulate their behavior. A role-set should not be confused with the “multiple roles” that a single person might occupy at any time, such as mother, lawyer, niece, employee, veteran, daughter, citizen and on. These roles (i.e., a status or social position) “social statuses,” come with norms that prescribe various, and often conflicting, demands on an individual occupying them. A young associate at a law firm, who is a parent to a young child, will often face great difficulty balancing competing social expectations of those two roles alone, particularly but not only when the parent is a mother. Adding
more roles only makes the balancing more challenging, but it is important to see this challenge, ultimately, as a personal one. It is a question of how an individual chooses allocates her time, attention and recourses across the multiple roles she occupies. Role-sets face a different problem, one that is more interpersonal than personal, because role-sets characterize associated roles, simultaneously occupied by different persons. Each role or social status has complementary roles or statuses.

For example, mother is associated with son and daughter as well as with father, while lawyer is generally in interactional role-relationships with client, partner, secretary, clerk, judge, opposing counsel, bailiff, and so on. Someone who is a lawyer, of course, will interact with people in other roles too, such as a babysitter, parent, neighbor, doorman and surgeon, but typically, hopefully, not in her role or status as lawyer. In her role or status as lawyer, the essential interpersonal problem is, as Merton put it, “identifying the social mechanisms which serve to articulate the expectations of those in the role-set so that the occupant of a status is confronted with less conflict than would obtain if these mechanisms were not at work.” In organizational settings, address is often the central mechanism that articulates expectations in order to mitigate conflict.

Conflict within role-sets is inevitable. Occupants of connected roles or statuses develop different interests and values, not only due to inherent operational conflict between some roles, such as between prosecutor and defendant, but also, and significantly, as a result of the very processes of social differentiation that lead particular individuals to occupy distinct roles within the set. Moreover, “to the extent that members of the role-set themselves hold substantially differing statuses, they will tend to have differing expectations (moral and actuarial) of the conduct appropriate for the status occupant.” Add to this a greater frequency and intensity of interactions within many role-sets and the likelihood conflict becomes increasingly certain.

Merton proposed a number of mechanisms that work to counteract the structural tendency toward conflict within the role-set. Some mechanisms are based on the relative importance, power and authority of the roles in the set (e.g., a judge’s evident supremacy over the courtroom bailiff reduces potential for conflict not only within the judge-bailiff dyad, but also in the judge-jury and lawyer-bailiff dyads among others). Additional mechanisms contain conflict by limiting the observability or verifiability of dyadic demands and exchanges within the larger role-set. Take, for example, the dispensation afforded a lawyer to speak the judge in chambers away from jurors and other audience, or the rule allowing privileged and confidential information between lawyer and client. More extreme responses might even
Forms of address serve to articulate and maintain expectations within functional role-sets. Address literally verbalizes expectations across role-relationships. Its centrality is evident in military contexts. Proper address is the first lesson for cadets at West Point, where initiates, like Klinker, must perfectly dispatch the basic declaration—“Sir, New Cadet Klinker reporting to the Cadet in the Red Sash for the first time as ordered, sir”—before beginning their course of study; common recruits in basic training, as well as their drill sergeants, must also master strict rules of address: drill sergeants are to be addressed as such (not sir) and “recruits must be referred to as ‘private,’ ‘soldier,’ or ‘warrior,’ or by last name.” Conflict reduction is especially important in organizations dedicated to rational violence.

Separating senseless violence from the purposeful sort is the first task in the efficient organization of violence. Next is to eliminate or reduce the senseless and to refine purposeful aggression. Address fulfills a key function at this stage. Think about address practices in organizations that typically engage in violence. Military and mafia address may first come to mind. Members of these organizations are trained and habituated to carry out brutal acts, and the way they address each other and their victims undoubtedly facilitates their efficient operation. Yet, the success of address regulating premeditated violence is best evidenced not by professional killers, but by the way address enlists ordinary people to participate in extraordinary violence.

Controlled Violence of Courts

Consider the exchange below, from the courtroom of Judge Elie L. Holton, where an attorney, M.C. Pritchard, questioned George Street in a manner the opposing counsel, Millard Farmer, found objectionable. “Q.,” indicates a question from Pritchard to Street.

Q. When did this take place, George?

Mr. Farmer: Your Honor, may I object to I don’t mean to harass Mr. Pritchard too awful much, but we will refer to our client George Street by his first name, because that’s an affectionate way that we feel about him. And, we’ve known him a
period of time. But, we would insist that when he is referred to by the prosecutors that he be referred to as Mr. . . .

Mr. Pritchard: In other words, . . .

The Court: I will not direct you to do that.

Q. Do you have any objection to me calling you George?

Mr. Farmer: Yes, sir, Your Honor, I object to . . .

The Court: Objection overruled. You may ask the question.

Mr. Farmer: Your Honor, ...

The Court: The objection is overruled. The objection is noted in the record.

Q. George, when did Mr. Strickland . . .

Mr. Farmer: Your Honor, I object again to him calling my client George. ... He is not his friend. He is trying to have him electrocuted.

“Not even the facade of civility, where it exists, can obscure the violence of a death sentence.” Farmer would not allow Pritchard’s seemingly friendly address to concealed the violence he sought levy on Street, himself a convicted murderer. Both Street and Pritchard were acquainted with killing, but their distinct means and approach illustrate the difference between senseless and purposeful violence. Context explains the basic difference (setting aside any personal dispositions toward violence, about which the record reveals no useful comparative information). Whereas Street acted within a social context seeking to inhibit killings, Pritchard occupied a role within an institutional setting designed to overcome this inhibition. Individuals opposed to capital punishment, for instance, are prohibited from sitting as jurors in the non-sentencing (“the guilt”) phase of capital trials, rendering so-called ‘death-qualified’ juries, which exhibit strong biases toward conviction and execution. Death qualification is an obvious mechanism for limiting conflict among jurors and other courtroom participants, which further facilitates the institutional administration of violence. Forms of address may be a less obvious but no less important mechanism that serves the same purpose. Some background on the case may clarify the point.

In the courtroom exchange above, reproduced in a 1981 Federal Court of Appeals case, Street was being questioned by Pritchard in the second sentencing phase following his conviction for a murder, which occurred on October 14, 1974. That morning Street’s common-law wife, Ruby, was raced to the local emergency room. She was pregnant and had gone into labor. They lacked health insurance. Hospital staff told Street that Ruby would not
be transferred from the emergency room into the hospital without adequate assurance of payment for her expenses. He then left the hospital, hailed a taxi, and directed the driver to several homes, where he unsuccessfully sought money from various friends and family members. At the last stop, which turned out to be a deserted home, Street and the cabbie, M. B. “Red” Herrin, argued over the mounting taxi fare.

At the deserted home the police later found a trail of blood running from the front yard through the abandoned house into the backyard and over to an old well. Bloodstains curled around the well’s curved wall and disappeared into the water. Reaching over the well wall, the police chief used a pike pole to assess the bottom, but the water was too deep. Then, secured by a rope, the chief himself was lowered into the dark water, where he continued to stir the pike pole until he hooked something. A right shoe first surfaced, still laced to the foot of a man floating upside down in the well. It was Herrin. His bloated body stretched at the seams of more than a dozen knife cuts. An autopsy identified 14 recent stabs and slashes to his torso and body. The coroner reported “[t]he cause of death was multiple deep knife wounds and drowning, the latter possibly being the terminal event.” It is difficult to imagine a more horrible death—bleeding, drowning, completely submerged upside-down in a dark narrow wellshaft.

Street killed Herrin, in self-defense, he claimed. Words of address were no doubt exchanged between them. Their address in all likelihood escalated, rather than eased, the conflict between them, which was messy, bloody, passionate and senseless. Killing a man over a $38 cab fare could hardly be the product of a sensible or rational plan. Later chapters will discuss how address contributes to this kind of ‘senseless’ ‘irrational’ violence. For now the focus is how address controls anticipated planful violence, which exists in its most refined form when the State kills Citizens. Itself unable to take life,
the State must enlist numerous individuals, in various roles, to do its killing. Nor do judges themselves ever kill defendants, or executioners themselves. To execute a convicted defendant, within the U.S. constitutional order, requires a vast “system of roles,” as Robert Cover has observed, wherein “the social cooperation of many others, who in their roles as lawyers, police, jailers, wardens, and magistrates perform the deeds which judicial words authorize.” Oddly enough, the system of roles seems to enlist even the obliging participation of the defendant, whose “world is threatened. But he sits, usually quietly, as if engaged in a civil discourse.” All these actors know and keep their roles in no small part with the aide of forms of address.

Address contributes greatly to the maintenance of violence in our legal order. It recalls and reinforces the hierarchy of authority required execute commands, which ordinary individuals (lawyers, jurors and members of the courtroom audience among others) might otherwise eschew. To illustrate, let’s return to the case at hand. At his initial trial, Street’s self-defense claim was rejected by jurors. They convicted him of murder and sentenced him to death. The United States Supreme Court vacated the death sentence on technical grounds, remanding the case for rehearing on the sentencing aspect. It was at this rehearing where Pritchard kept calling Street by his first name, leading Farmer to object with the scathing remark that Pritchard is not Street’s friend; “He is trying to have him electrocuted.” As Judge Holton responded to the objection, the exchange continued in revealing form.

The Court: Objection overruled.

Q. George, when did . . .

Mr. Farmer: Your Honor, I object to him referring to our client . . .

Mr. Pritchard: . . .

Mr. Farmer: . . . by any name . . .

The Court: Don’t get up . . .

Mr. Farmer: . . . at all.

The Court: Have a seat. Mr. Sheriff?

Sheriff: Yes, sir.

The Court: Sit this gentleman down by the name of Mr. Farmer. Don’t make that objection again. I will let you have it as a continuing objection throughout the trial.

Mr. Farmer: May we be heard?

The Court: No, sir.

Mr. Farmer: May we put up evidence?

The Court: No, sir.

Mr. Farmer: Your Honor, may we argue this motion?

The Court: No, sir. It’s already been argued all the Court is going to hear it.

Mr. Farmer: Your Honor, may I . . .

The Court: No, sir.

Mr. Farmer: May I have time to prepare a motion?

The Court: No, sir.

Mr. Farmer: Your Honor, may I prepare a motion?

The Court: No, sir.

Mr. Farmer: May I make an offer of proof?

The Court: No, sir.

Mr. Farmer: May I confer with my client?

The Court: Not at this point, no sir.

Mr. Farmer: May I advise . . .

The Court: Your client is on the stand just like . . .

Mr. Farmer: . . . my client regarding his rights?

The Court: . . . Don’t interrupt the Court. Your client is on the stand. You put him on the stand just like any other witness. He will be treated just like any other witness.

Mr. Farmer: Your Honor, I . . .

The Court: No better or no worse.

Mr. Farmer: I didn’t put him on the stand to have him discriminated against.

As the conflict between them escalates, note the heightened civility (which is not to say politeness) in Holton’s expressions, addressing Farmer as *sir*. 
repeatedly and referring to him as a *gentleman* and as *Mr. Farmer*, even as he orders the sheriff (toward whom he also uses the title *Mr.* before the office) to restrain him. Likewise Farmer maintains an appropriate deference, while being confrontational. Their civil exchange might have continue further, but for what came next:

**The Court:** Overruled. Now, don’t make that objection again. You have a continuing objection. I mean about the calling him by the name of George.

**Mr. Farmer:** *Your Honor*, do you object to me calling you Elie?

A line was now crossed. Farmer begins with *Your Honor* but ends with a reference to the judge’s first name, Elie. It was an obvious challenge. Holton responds not by saying how dare you ask *me* that question, but by directing Farmer’s comment to the institution. In his response, Holton shifted Farmer address away from himself, as an individual or even as a judge, toward the Court, *the law*, and in doing so enlisted another set of coercive mechanisms.

**The Court:** *Mr. Farmer*, do not ask the Court any such question as that. That is a direct confront of the Court of its authority. If you do that again I will consider it as a contempt of this Court.

**Mr. Farmer:** What, *Your Honor*, may I ask *the Court*. I want to inquire . . .

**The Court:** *Mr. Farmer*, this Court finds your continual interruption of the Court, your refusal to allow us to continue with examination of this witness to be in contempt of the Court. This Court so finds you in contempt of Court. It is the judgment of the Court that you are in contempt of Court. It’s the judgment of the Court that you be sentenced to the common jail of this county for a period of 24 hours. *Mr. Sheriff?*

Eight days later Farmer received a second contempt judgement after accusing Holton of participating in and covering up efforts to discriminate against his client:

**The Court:** All right, *Mr. Farmer*, the statement that the Court wants to cover it up is a direct contempt of this Court,
knowingly made by you. I have repeatedly warned you about this. Again you have sought to make that statement. The Court finds you in contempt of Court, sir, again. The Court sentences you to 3 days in the county jail, ser. . . .

Mr. Farmer: _Your Honor_, may I be . . .

The Court: . . . service to begin at the termination of this case. That’s all.

Mr. Farmer: _Your Honor_, may I be heard on this?

The Court: No, _sir_.

Mr. Farmer: _Your Honor_, may I have counsel to represent me and present evidence on this issue?

The Court: No, _sir_.

Mr. Farmer: _Your Honor_, may I for the purpose of here forward understand what can be my role in representing Mr. Street as far as bringing out the reason that I feel that he is being denied a fair trial. I don’t understand, _Your Honor_?

The Court: You’ll have to exercise your discretion and your knowledge as an attorney.

Mr. Farmer: _Your Honor_, . . .

The Court: That’s all.

Mr. Farmer: _Your Honor_, may I . . .

The Court: No, _sir_, we’re through with that discussion. All right, call the next juror, _Mr. Clerk_.

[This section has gone on too long, I think. The exchange is striking, however, and makes the point I want to stress in this chapter. Lawyers and judges along with “most people most of the time go about their business of social life, without encountering extreme conflict in their role-sets as the normal, rather than the exceptional, state of affairs.”61 Titles and address do much to bring about and maintain this state of affairs.]

Summary

Titles and associated address do more than honor their holders. Often the status norm of titles indicates who, if anyone, is to be master of a situation and who is to be subservient. Yet, titles are not the only way to determine situational dominance. Why, then, distinguish them here from other focal
coordination devices? One reason is the degree to which titles allow for complexity in relating and coordinating people. Consider, as an alternative, proximity to or possession of physical property, such as clothing, a crown, land or some other object. Possession is an excellent cue of one’s dominance over property and one’s perceived rights and status with respect to others as signified through that property. In this way possession of property serves a central coordination function by making clear certain expectations of behavior and discouraging wasteful conflict. Property, however, as elaborated in the next chapter, can have constraining, as well as exacerbating, effects on expectations in interactions. Moreover, possession does not easily distinguish among various relations and contingent claims. One’s asserted dominance over property sends the same signal to all manner of those who observe it (with only a limited number variations typically observed; indeed the limited forms of possession is thought an essential aspect of property rights).

Titles, on the other hand, allow for rights and obligations that vary significantly across categories of individuals, which provides for more nuanced interactions. A hierarchy of \( n \) titles allows for \( n(n + 1)/2 \) unique two-party combinations of titleholders. Just 6 titles (e.g., on a hospital ward—attendant, nurse, resident, doctor, surgeon, and chief—or at a baseball game—ball boy, captain, coach, manager, umpire and fan, called sir or maam) will generate 21 distinct pairings, 15 of which hierarchically nonequivalent. But having more titles comes at a price. Simple possession of property is readily observable with broad social significance, like skin color in many cultures, making it an obvious candidate for focal coordination. A large number of titles, however, require much shared knowledge among parties (such as that observed in the military and other hierarchical organizations) or expert interpreters (such as oracles, guilds, arbitrators and lawyers) of the words’ meaning. Relying on experts would be, in most situations, very inefficient. Knowledge of titles and their rank among ordinary participants, however, is what advantages them as focal devices. “It is the great convenience of a hierarchical society,” as Gordon Woods wrote, “that this sort of knowledge is easy to come by and widely diffused.”
Notes


3Friederike Braun, Terms of Address: Problems of Patterns and Usage in Various Languages and Cultures (Berlin: Mouton de Gruyter, 1988), 7.


5Id., 22.

6“Certain types of name were restricted to slaves and seem not to have been borne by free persons living in Babylon.” Id., 22. See also, Rivkah Harris, ‘Notes on the Slave Names of Old Babylonian Sippar,” Journal of Cuneiform Studies 29, no. 1 (Jan. 1977): 46-51.


8Depositions, trial transcripts and other legal records of conversational exchanges are, of course, obvious exceptions.

9Aristotle acknowledged as much, in Poetics, by challenging critics who “ridiculed the tragedians for using phrases which no one would employ in ordinary speech” without appreciating that “[it] is precisely because such phrases are not part of the current idiom that they give distinction to” tragic style. Dickey, “Forms of Address,” 259. See also, Aristotle, Poetics (Part XXII), Translation by S.H. Butcher. “Aristotle says that the goal of tragic language is a dignity and elevation gained by the use of rare and unfamiliar words; that is, by the avoidance of pure conversational language (Poetics 1458a).” [Dickey, get pincite]


11“Dr. Lambertz mentions in this work (page 6) that Roman slave-names fall into three classes: (1) the oldest ones, in which the slave is designated as puer of his master.” F. F. Bruce, “Latin Participles as Slave-Names,” Glotta, 25. Bd., 1./2. H. (1936), pp. 42-50, at 43. Cf. Linda C. Reilly, “The Naming of Slaves in Greece,” The Ancient World, 1, no. 3 (1978):111-113, at 112-113 (contesting the claim that slave names, at least in ancient Greece, represented any distinct category). There is a consensus that names of slave and free citizens in the ancient world overlapped significantly; any debate is merely about the degree of overlap.

12Clive Cheesman, “Names in —Por and Slave Naming in Republican Rome,” Classical Quarterly 59, no. 2 (2009): 511-531, at 511. See also Stefan Brink, who writes “Roman slaves originally had no name of their own. They took their master’s praenomen (the first the usual three names) in the genitive with the suffix por (or puer), e.g., Marcipor,
Publipor, Quintipor. X goes on to note that [t]he suffix puer was later replaced by servus, thus a slaves name could be Aphrodisius Ploti Gai servus,” Stefan Brink, “Names and Naming,” in The Historical Encyclopedia of World Slavery, ed. Junius P. Rodriguez (1997), 455. As Cheesman notes, the —por element results from puer by “undergoing syncope and passing from an—o—to a consonantal stem in the third declension.” Id.


14Dobson, “The Etymology and Meaning of boy.”

15Males transitioning between boyhood and manhood were referred to as young man (c. 1122) and lad (c. 1500), along with the less common stripling (c. 1398), springal(d) (c. 1450), gorrel (c. 1530) and hobbledehoy (c. 1540), OED, Online.

16Ibid.


18In the United States slaves were certainly addressed as boy, a term that seems to have taken on greater salience in the years following the civil war. When slave lost much of its content and utility following the American Civil War and the Thirteenth Amendment to the U.S. Constitution, there was an synonym, boy, politically and otherwise more correct, that could still be applied in its place.


20Even contemporary usage of endearment (“he’s my boy” largely equivalent to “my man,” just as “my nigger” among black Americans; “good ole boy” among Southern whites: cite Urban dictionary.) At(t)boy; male affectionate usage Anatoly Liberman p. 209.


23126 S.Ct. 1195 (2006). It would be another five years, in 2011, before the United States Court of Appeals for the Eleventh Circuit, on its fifth review of the case, would allowed the jury verdict for compensation (no punitive damages) of Hithon to stand. The appeals court dismissed Ash’s claim.

24That meaning was common knowledge throughout the South long before Martin Luther King Jr., in his Letter from a Birmingham Jail, famously described the pervasive practice of blacks being addressed as boy “(however old you are).” Gunnar Myrdal (1944) observed the same twenty years earlier, in An American Dilemma, as had others.
before him.


32 Kidd v. Thomas A. Edison, Inc, 239 F. 405 D.C.N.Y. (1917, Judge Learned Hand). In this sense, as Jeffrey Alexander writes, “[t]he old-fashioned rituals that marked simpler organizational forms have largely disappeared, but ritual-like processes most decidedly remain.”


37 Murray’s discussion is not clear here, hence the presumption.


39 *Id.*


41 Both players choosing dove is not an equilibrium outcome because one can do better by playing hawk when the opponent chooses dove. Similarly, both players choosing hawk is not a stable outcome since neither player would maintain strategy hawk if convinced the other player was also choosing that strategy. In equilibrium one player plays hawk and the other plays dove. There is also a third equilibrium to this game where each player randomizes between hawk and dove in a manner that makes the other players randomized play a best response.


43 Goffman, Turner (19xx). Scripts are necessarily incomplete because of bounded rationality (Simon 1954) and indescribability of events yet realized (Maskin and Tirole, 1999). Even the most detailed dramatic script leaves gaps. All scripts are merely “sketched out
beforehand.” (1989:55). Behind every actor’s social and theatrical performance lies the already established skein of collective representations that compose culture—the universe of basic narratives and codes and the cookbook of rhetorical configurations from which every performance draws. In the theatrical performance, the actor strives to realize ‘individual character,’ as Turner (1982:94) put it, but he or she can do so only by taking ‘partly for granted the culturally defined roles supposedly played by the character: father, businessman, friend, lover, fiancé, trade union leader, farmer, poet” (Turner, 94)... The ability to understand the most elementary contours of a performance depends on the audience knowing already, without thinking about it, the categories within which actors behave. In a complex social order, this knowledge is always a matter of degree.”


45William Shakespeare, As You Like It, Act 2, Scene 7.

46Roger V. Gould, Collision of Wills (2003), 44.

47Roger V. Gould, Collision of Wills (2003), 44.

48Robert Merton (1957) introduced the idea of a role-set.

49 [114]. “[U]nlike the problems centered upon the notion of multiple roles, this one [the role-set] is concerned with social arrangements integrating the expectations of those in the role-set; it is not primarily concerned with the familiar problem of how the occupants of a status [role] manage to cope with the many, and sometimes conflicting, demands made of them.” Id. [114]

50Merton, 122.

51 For example, restraining orders; removing a disruptive or explosive role-pair; sequestering witnesses or juror, limiting lines of questions, exercising power of criminal contempt

52Merton, 121. The structural arrangement of tripartite address, where one addresses a second party on behalf of a third, partitions off some role-subsets for a variety of reasons, including limiting conflict. We will return to tripartite address in chapter 7 in the context of swearing.

53 “Doubtless, these are only some of the mechanisms which serve to articulate the expectations of those in the role-set.” (Merton at 121) Address is a most effective response to “the general problem of identifying the social mechanisms which serve to articulate the expectations of those in the role-set so that the occupant of a status is confronted with less conflict than would obtain if these mechanisms were not at work.” [114]


55Farmer v. Holton, 146 Ga.App. 102, 1978 (emphasis is added for non-pronoun addresses)..


57Cite Ellsworth study. Robert Cover helpful observes that “for most of us, evolutionary, psychological, cultural and moral considerations inhibit the infliction of pain on other
people. Of course, these constraints are neither absolute nor universal. Additionally, in almost all people social cues may overcome or suppress the revulsion to violence under certain circumstances. These limitations do not deny the force of inhibitions against violence. Indeed, both together create the conditions without which law would either be unnecessary or impossible. Were the inhibition against violence perfect, law would be unnecessary; were it not capable of being overcome through social signals, law would not be possible.” Cover, “Violence and the Word, 1613


59 Id. at 1607. “It is, of course, grotesque to assume that the civil facade is ‘voluntary except in the sense that it represents the defendant’s autonomous recognition of the overwhelming array of violence ranged against him, and of the hopelessness of resistance or outcry. Id.

60 “It is crucial to note here that if the warden should cease paying relatively automatic heed to the pieces of paper which flow in from the judges according to these arbitrary and sometimes rigid hierarchical rules and principles, the judges would lose their capacity to do violence. They would be left with only the opportunity to persuade the warden and his men to do violence. Conversely, the warden and his men would lose their capacity to shift to the judge primary moral responsibility for the violence which [1626] they themselves carry out.” Cover, 1626-1627

61 Merton [114]