by a differential description against one or more taxa. How will it be possible in such cases to establish the circumscription the author had in mind, for this is what we need to find out in order to establish whether there were earlier names that “ought to have been adopted under the rules”.

The number of superfluous names, especially of big genera, is much bigger than is supposed. In mycology nobody has seriously bothered about applying Art. 63: it would lead to a dismal slaughter of many (generic) names in current use.

One of the strongest arguments against retaining superfluous names is the amount of time, irritation, and discussions that is now wasted on them: it would definitely enslave the meek taxonomist who would become the handmaiden of the Code instead of the reverse. Those less servile will no doubt eventually turn away from the Code in disgust.

In my considered opinion it is undeniable that up till now usage has ignored to a very large extent the prescriptions of the Code in regard to *illegitimate names and has treated later homonyms as illegitimate (normal illegitimacy) and the superfluous names of Art. 63 as ‘available’. It is high time that this practice is made legal again.

**Proposals.**

(90) Already moved in the preceding paper (Donk, 1963b), viz. an amended definition of “a legitimate name”, in Art. 6.

(91) Delete Art. 7, Note 4, second paragraph.

(92) Change Art. 63 to read: “A legitimate name must be rejected as incorrect when it is nomenclaturally superfluous, i.e. if it was applied to a taxon for which an earlier legitimate name is available (see Art. 11).”

Delete the Note.

Correct the text of and the Examples in accordance with the proposed new wording.

(93) Delete Art. 72.

(94) Revise Arts. 66 and 67 in accordance with the above.

**References**


---

**ON THE STATUS OF LATER HOMONYMS**

**M. A. Donk (The Hague) * **

Originally it was ruled that a later homonym was not to be rejected when the corresponding earlier homonym was not available for one reason or another. Moreover, current usage did not exclude a rejected homonym from all priority considerations: the names could be taken up in altered circumstances, for instance, a specific epithet when the species was transferred to a different genus where the earlier homonym was no obstacle for its use. When at Brussels (1910) the principle of still-born names was introduced such later homonyms as were ‘to be rejected’ became completely ruled out from

---

* Rijkshebarium, Leiden.
any priority consideration: they were not only killed but could not be revived in any circumstances except as a new name (combination). At Cambridge (1930) the still-born names were rechristened 'illegitimate' as far as they were validly published. In addition, it was ruled that a later homonym was always to be rejected if the earlier homonym was validly published, even if the earlier name was illegitimate itself or if legitimate was considered a synonym (incorrect).

In a previous paper (“The riddle of the sphinx”, 1963a) I have shown that the present Code admits two kinds of illegitimacy. First, as defined in Art. 6, where 'illegitimate' is an antonym of 'legitimate' (normal illegitimacy), and, secondly, in an anachronistic sense of which the attributes are revealed at the other end of the Code in Art. 72 (special illegitimacy). When the Code specifically uses the term 'illegitimate' it has usually this second sense in mind. In another paper (“On superfluous names”, 1963c) I have also pointed out that the names considered illegitimate under Art. 72 have a hybrid status due to a confused past: they combine the status of validly published names with that of not validly published names, plus something all their own: they can only be taken up as new names for new taxa in recombinations that must not be treated as recombinations because the original author's citation must be dropped.

Example 1.—This is taken from Art. 72 (Montreal Code). — “The name Talinum polyandrum Hook. . . is illegitimate, being a later homonym of T. polyandrum Ruiz & Pav. . . .; when Bentham transferred T. polyandrum Hook. to Calandrina, he called it Calandrina polyandra . . . 1863. The epithet polyandra in this combination is to be treated as new, dating from 1863, and the binomial should be written Calandrina polyandra Bent., not C. polyandra (Hook.) Bent.”

This is a whimsical prescription which heaps inconsistency upon inconsistency. Elsewhere the Code expressly recommends the use of the author's citation even of a not validly published name in combination with that of the author who first validly published the name. In the above example, Talinum polyandrum Hook. is no less than a validly published name and yet we are forbidden to combine its author with that of the one who merely altered its position. In this way all information which is supposed to be implied by an author's citation is spirited away. In a presumably large percentage of cases the 'new' name came into being by a mere reference to the rejected name (lacking an accompanying description or protologue containing pertinent information). In any case, deliberately leaving out the original author is actually misleading for it gives the false impression that the 'new' name is not a mere anisonym.

It seems that we are faced here with some kind of primitive magical thinking: a still-born name, like a still-born child, cannot be revived unless by a miracle. And since the Code is supposed not to divulge divine powers, the actual revival of a name must be kept secret and no miracle will have happened.

Or is the 'new' name to be treated as a new name of a new taxon? This would not seem to be the case: what the Note implies is, rather, that the date of 'priorability' of the epithet has to be taken as having been moved up. What is really wanted (if the Note is to be retained in the future) is not the complete loss of the original author's citation but a device to combine it with the later author's citation, similar to 'ex', or '[ ]', or '( )'.

In still another paper (“On the nomenclatural status of names”, 1963b) I distinguished between various kinds of illegitimacy, viz.:

(i) Normal illegitimacy, the illegitimacy as defined in Art. 6. It would prevail in the Code if Art. 72 had not existed. A further distinction was made:

(a) Full illegitimacy. For instance, names based on monstrosities become automatically fully illegitimate because of the very reason that decides their illegitimacy (Art. 70).
(b) Restricted illegitimacy: legitimacy is blocked only in respect to certain other names. For instance, names of Fungi imperfecti (nomina anamorphosium) are illegitimate only in respect to the names given to the corresponding perfect states.

(ii) Special illegitimacy is imposed by Art. 72. The result is full illegitimacy except that a name can be revived, although only as a completely new name (not homonymous with it). See the above Example. In the case of names based on monstruosities (normal, full illegitimacy) it does not matter whether Art. 72 applies to them or not: one cannot think of a constellation of circumstances by which such a name can possibly become qualified to be taken into consideration for purposes of priority, viz. might become legitimate.

Later homonyms are of two main kinds. They may be either new names for new taxa (primary names; see Examples 2 and 5) or new names for old taxa, viz. isonyms (secondary names; see Examples 3 and 4). Moreover, both primary and secondary later names that are homonyms may be either unitary (generic names, family names, and the like) or bi- to multinomial, viz. combinations (specific and infraspecific names and names of subdivisions of genera). It will be useful to distinguish between three categories based on these distinctions and to see what will be the consequences if Art. 72 is deleted. (Deletion would mean in any case that later homonyms automatically acquire normal illegitimacy.)

**Unitary, primary, names that are later homonyms.**—Deletion of Art. 72 would mean that as before these homonyms would completely drop out of circulation once and for all, only their 'recombinations' would remain recombinations. Thus the only difference would be that the original author's citation (between brackets) is to be restored—a memorable gain.

**Example 2.**—*Acia* P. Karst. (1879) is a later homonym of *Acia* Schreb. (1791). Under Art. 72 the author's citation of its isonym *Odontia* sect. *Acia* (1928) is ostensibly 'Killerm.'; if the article is deleted it would become 'P. Karst.) Killerm.', which is a more precise notation and in closer agreement with the rest of the Code.

**Secondary names that are later homonyms** (exclusive of primary combinations).—There would be no differences if Art. 72 were deleted.

**Example 3.**—When *Polyporus* trib. *Merisma* Fr. (1821) was raised to generic rank by Gillet, he retained the subdivissional epithet as a generic name: *Merisma* (Fr.) Gillet (1878). The latter is a homonym of *Merisma* Pers. per S. F. Gray (1821).

**Example 4.**—When *Polyporus fuscus* Lév. was transferred to the genus *Cyclomyces* Kunze ex Fr. the recombination *Cyclomyces fuscus* (Lév.) Pat. (1900) came into being. The latter name is a later homonym of *Cyclomyces fuscus* Kunze ex Fr. (1830).

**Bi- to multiverbal, primary names that are later homonyms** (inclusive of primary combinations).—Under Art. 72 these names are completely wiped out except as validly published names, and when needed a later and legitimate name must be found to take its place, or if such a name does not exist, a new name must be made. Deletion of the article would still keep the later homonym illegitimate, but only in respect to the earlier homonym; the epithet would remain available (legitimate) in different circumstances, viz. if the position of its taxon is altered (transfer to a different taxon).

**Example 5.**—The name *Polyporus berkeleyi* Fr. (1851) is illegitimate on account of *Polyporus berkeleyi* Mont. (1847). Under Art. 72 the name is completely ruled out for purposes of priority and the new combinations *Grifola berkeleyi* (Fr.) Murrill (1904) and *Bondarzewia berkeleyi* (Fr.) Bond. & Sing. (1941) are to be regarded as new names, *Grifola berkeleyi* Murrill (1904) and *Bondarzewia berkeleyi* Bond. & Sing. (1941) respectively. In these later forms the epithets
became available for further use, but in the meantime the taxon received other names, the earliest legitimate one of which will have to be taken up. This would be (as far as I can judge) *Polyporus subgiganteus* Berk. & C. apud Berk. (1872). When the taxon is transferred to another genus (for instance, *Bondarzewia* Sing.) its specific name must be derived from this later synonym. (The recombination is not yet made.)

Deletion of Art. 72 would not alter the illegitimacy of *Polyporus berkeleyi* Fr. in respect to its earlier homonym: in the genus *Polyporus* the name is not available; in this genus the correct name would still be *Polyporus subgiganteus* Berk. & C. apud Berk. However, upon transfer to other genera (*Grifola* S. F. Gray; *Bondarzewia* Sing.) there would appear to be no obstacles for its use in either of them. *Grifola berkeleyi* (Fr.) Murrill and *Bondarzewia berkeleyi* (Fr.) Bond. & Sing. would be correct names, the former to authors who want to place the species in *Grifola*, the latter if *Bondarzewia* is preferred.

I want to apologize for the terminology introduced above for distinguishing between the various categories of later homonyms. They were necessary to demonstrate that the categories are real and that they differ in 'behaviour'.

**Discussion.**—In previous papers the anachronistic character of the illegitimacy imposed on certain names by Art. 72 has been more fully discussed (1963a-c). In one of these papers (1963c) it is proposed to delete Art. 72 and to bring the superfluous names of Art. 63 into line with other legitimate synonyms, hence to make them legitimate in the sense of Art. 6. It should be left to the priority rule to sort out the correct names from the incorrect ones.

Deletion of Art. 72 would also affect the status of later homonyms. These would thus acquire normal illegitimacy in the sense of Art. 6. As discussed above this change of status would have rather far-reaching effects on only one class of later homonyms (viz. those that are primary combinations). Other classes of later homonyms (unitary-primary and secondary names) would not change their status at all or at least not in any significant respect: 'primary' homonyms in the form of combinations would remain illegitimate vis-à-vis the earlier homonyms, but will have to be taken into account for purposes of priority when this obstacle of the earlier homonym does not prevent their use. To many taxonomists this would be a gain because the homonymy rule would then conform to what is perhaps still the most popular form of current usage.

**Proposals.**

(93) A proposal made in a previous paper (Donk, 1963c: 329) is here repeated: Delete Art. 72.

(94a) Add the following to Art. 64: Note. A later homonym is illegitimate only in respect to the corresponding earlier homonym.

**References**