The Correct Spelling of Euphorbia monteiri Hook.f. and the Operation of Art. 73.10, I.C.B.N. 1978
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treated as homonyms if they have the same epithet and are not based on the same type.'" Brummitt et al. have rightly pointed out that when a "rankless" epithet is assignable to a generic name (and apparently all can be so assigned), it can usually be determined whether the rank intended by the publishing author was between genus and species, or infraspecific. If such general assignment is possible, then those "rankless" epithets may act as earlier homonyms for later infrageneric or infraspecific epithets.

It is, however, unfortunate that the authors of the above proposal overlooked those many instances in which a precise rank was not assigned to what are apparently suprageneric taxa. For the names of such taxa, Article 35 remains as unworkable as ever. As discussed above, a taxon below the rank of genus must be recognizable as being of either infrageneric or infraspecific rank before its name may exercise priority over later homonyms. However, in the case of any suprageneric name, the precise rank of the taxon in question must be known before priority can be applied (Article 11).

Unlike names of taxa below the rank of genus, suprageneric names cannot have priority for purposes of homonymy. Indeed, homonyms are not possible above the rank of genus. Names of families, subfamilies, tribes, and subtribes must be based on legitimate generic names (Articles 18.1 and 19.1). The only instance in which "homonyms" could exist is if, for example, two identically spelled tribal names were based on two homonymous generic names. However, one of those two generic homonyms would have to be a later homonym of the other and therefore illegitimate; consequently, the tribal name based on that illegitimate generic homonym would itself not be validly published. Thus, identically spelled and validly published tribal names must be based on the same type genus. The point of the above discussion is that the valid publication of "rankless" names for purposes of homonymy (which seems to be the primary purpose of Article 35.2 of the Leningrad Code) has application only below the rank of genus.

For "rankless" suprageneric names, it appears that the best procedure is to follow the Wood-Spongberg suggestion discussed previously, namely that such names be considered validly published from the date of rank assignment. The following proposal is therefore designed to complement Article 35 by providing procedures left wanting in the Leningrad Code.

Proposal (39). Article 35.2: Change the first sentence to read "A new combination published before 1 Jan. 1953 without a clear indication of rank . . . ."

Add the following paragraph: "New names published before 1 Jan. 1953 for taxa with an intended rank evidently higher than genus, but the exact rank not given, are not validly published. Valid publication of such names, provided that all other requirements for valid publication have been fulfilled, is accomplished by the first author to assign a definite rank (see Art. 45.1). Such names have priority from the time of rank assignment and are attributed solely to the rank-assigning author.'"

Add the following example: "Under the family Asclepiadaceae, Reichenbach (Handb. Nat. Pflanzensyst. 208. 1837) published the name Stapelieae, based on the genus Stapelia L., for a taxon of unspecified rank above genus. Reichenbach's name has no priority over Endlicher's (Gen. Pl. 595. 1838) tribe Pergulariae, based on the genus Pergularia L. and including Stapelia L. The date of publication for the tribal name Stapelieae Bentham is 1868 (Fl. Austral. 4: 325); for the subtribal name Stapeliinae G. Don the date is 1838 (Gen. Hist. Dichl. Pl. 4: 106)."

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There appears to be some uncertainty regarding the correct spelling of the epithet in Euphorbia monteiri Hook.f., Bot. Mag. 21: t. 5534. 1865; 'monteiri' appears to have been used consistently by all authors until the change to 'monteiri' was advocated by White, Dyer, and Sloane (1941: 267) "because it embodies an incorrect spelling of the name of the collector'.
However, some subsequent uses of this spelling seem most likely to be based on a misapplication of Rec. 73c of I.C.B.N. of 1966, 1972, and 1978, relating to the formation of specific epithets from personal names: e.g., Jacobsen (1970: 196), Jablonski (1973c: 160), and Nordenstam (1974: 23); while the original spelling has been used by Wild (1965: 77), Leach (1968: 134), Jablonski (1973a: 343, 1973b: 392, and 1973c: 160), and Jacobsen (1974: 223).

It is obvious from the protologue that "monteiri" does not arise from a mis-spelling of Monteiro, but that it is the genitive of Hooker’s intentional latinisation of Monteiro to Monteirus. Consequently, it seems that the mandatory provisions of Art. 73.1 ("The original spelling . . . . . . is to be retained except for the correction of typographic or orthographic errors") and of Art. 73.7 ("When changes made in orthography by earlier authors . . . . are intentional latinisations they are to be preserved") must be applied, and the original spelling "monteiri" accordingly retained.

Confirmative of this view are the examples of latinised names and the appropriate declensions given in Stearn, Botanical Latin, ed. 2: 72, 1973; e.g., Caesalpinus (Cesalpio), Gesnerus (Gesner), etc. The examples of retention of original spellings listed under Art. 73.7 are also relevant; the omission of the terminal "o" of Monteiro being no less an orthographical change involved in an intentional latinisation than any of the other changes or omissions cited. It should be noted that Art. 73.10 covers the wrong use of terminations (e.g. -ii for ia) in the present context "monteiri" is not wrong—it is the genitive of Hooker’s intentional latinisation.

Most of the clauses of Art. 73 deal with matters of detail but 73.1, 3, and 7 are concerned more with principles, the general intent of which is to preserve the original spelling except where this can be shown to be definitely incorrect and, even then, in terms of clause 73.3, corrections are subject to considerable reservations.

It seems conclusive, therefore, from the foregoing that in accordance with the mandatory clause 73.7 the correct spelling for the name of this taxon is *Euphorbia monteiri*, as originally used by its author.

That confusion does exist is evident from the examples given above, particularly in the use by Jacobsen of both spellings and more especially in the listing of both on the same page as different entities by Jablonski.

There seems little doubt that at least some of the present uncertainty stems from the application of Art. 73.10 and the associated Rec. 73C and whether or not this should (must?) override the provisions of Art. 73.1 and Art. 73.7 when it is in conflict with these.

In order therefore to clarify the operation of Art. 73.10 in relation to Art. 73.1 and 73.7 it is proposed:

Proposal (40). If it is intended that the provisions of Art. 73.1 and 73.7 should take precedence over Art. 73.10 when in conflict with the latter, Art. 73.10 should be amended by the addition of the words: "unless this would conflict with the provisions of Art. 73.1 and Art. 73.7"

Alternatively:

Proposal (41). That if it is intended that Art. 73.10 should override Art. 73.1 or 74.7 when in conflict with either of these, Art. 73.10 should be amended by the addition of the words: "the provisions of Art. 73.1 and 73.7 notwithstanding".

References


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[Editorial note: A parallel example *Arisaema loureiri* (from Loureiro), was cited by Nicolson (Taxon 23: 558. 1974) as an irregular but acceptable latinization.]