and an indication that a minimum number of copies of each issue (simultaneously produced) will be
distributed to the general public or to botanical institutions. (It may be useful if the General Committee
were provided with a list of libraries which regularly receive copies.)

The publication of separate publications, such as books and independently published monographs,
pose special problems. They have not been specifically excluded from the above proposal, but if they
were to be included by the General Committee, it is suggested that they would have to be subject to
the same regulations as the periodicals and would need to be registered before publication. It may be
simpler for such publications to be made ineligible for registration. Then, in order to effectively publish
under the Code authors would have to extract at least nomenclaturally relevant material to be published
in one of the approved publications.

Acknowledgments

We are grateful to Hansjoerg Eichler for urging us to formulate these proposals (instead of just
talking about them). His considerable nomenclatural experience and guidance has assisted us greatly
in the preparation of this note.

Literature Cited

Weresub, L. K. and J. McNeill. 1980. Effective publication under the Code of Botanical Nomen-

Proposed by: R. J. Hnatiuk, Bureau of Flora and Fauna, G.P.O. Box 1383, Canberra, A.C.T. 2601,
Australia and J. G. West, Australian National Herbarium, CSIRO, G.P.O. Box 1600, Canberra, A.C.T.
2601, Australia.

(230) Proposal to amend Art. 29.1 by adding the italicized words so that the first sentence begins
"Publication of any action affecting nomenclature is effected . . . ."

The proposed amendment attempts to spell out what, obviously, the majority of taxonomists
consider self-evident. At the Sydney Congress, a similar proposal from the floor was not accepted,
although it was pointed out that this kind of amendment would fill a real gap in the Code (for discussion,
see Englera 2: 68–69. 1982).

Effective publication is a basic prerequisite of valid publication. Further, everybody obviously agrees
that, in order to be acceptable (priorable), nomenclatural actions such as selection between names of
equal priority (Arts. 57.2 and 64.4), or between alternative orthographic variants (Art. 75.2), must be
effectively published. The only difference of opinion might concern the selection of lectotypes and
neotypes; indeed, occasional examples in the literature show that, in the absence of an explicit rule,
some botanists have automatically adopted (and thus "validated") lectotype designations previously
written on herbarium specimens by another author who never published them in print. I feel, however,
that it would be contrary to the spirit of the Code to consider unpublished (frequently undated) type
designations binding. Typification determines the application of names and cannot be fixed by infor-
mation that has not been effectively published.

There are several alternative ways available in writing in this requirement in Art. 29 (see l.c.) or
elsewhere in the Code; the amendment proposed here is one of the briefest.

Proposed by: Pekka Isoviu, Botanical Museum, University of Helsinki, Unioninkatu 44, SF-00170
Helsinki, Finland.

(231)-(242) Proposals to improve the Code.

The following proposals are suggested as a result of my own work with the Code or of observations
made by students who have challenged me with apparent contradictions or inconsistencies.
(231) Proposal to delete the word regnum at beginning of the list of “subordinate ranks,”—or delete the word “subordinate” in Art. 4.1.

Comment: Regnum is subordinate to no rank, being the highest possible rank.

(232) Proposal to replace the present text in Art. 8.1 with the following:

8.1. The author who first designates a lectotype or a neotype must be followed, but his choice is superseded when it is shown that any one or more of the following conditions exist: (a) the holotype or, in the case of a neotype, any of the original material is rediscovered; (b) the choice is in serious conflict with the protologue* and another element is available which is not in conflict with the protologue; (c) the choice was based on a largely mechanical method of selection and another element is available which is in better accord with the protologue; (d) the choice is contrary to Art. 9.2.

Comment: The Editorial Committee also should make clear in the example why the later choice supersedes the earlier one. The proposed revision is intended only to state more clearly what I believe is the intention of the present text, especially as amended at Seattle (1969), and to list the conditions in a way visually more clear. Quite possibly the Committee on Lectotypification will offer an even better proposal, but I place the above before the Section and the Editorial Committee. One primary problem is the definition of “supersede,” which generally (but not always) implies replacement with something superior, to “force out of use as inferior,” as some dictionaries state it. This has been made more clear in (c) above. And the opening text of the proposal makes more clear that a lectotypification stands until it is superseded; it is not rejected merely because it might be superseded but only when a better choice has been identified under the stated criteria. Condition (c) has evolved since its addition at Seattle to accommodate certain circumstances when conflict with the protologue is not “serious”; it should be obvious that a lectotypification made by a “mechanical method” may prove to be the best, in which case it cannot be superseded.

(233) Proposal to add “or gender” at the end of first sentence in Art. 14.10.

Comment: Use of conservation to stabilize, when desirable, the gender of a name should be explicitly authorized here. Spelling may (as in Cortinarius) or may not be involved.

(234) Proposal to insert “Latin” to read “improper Latin termination,” at the end of the first clause in Art. 17.3.

Comment: This circumstance is implied in Art. 32.5, which cites Art. 17. (Compare Art. 18.4 and 19.6; and note that Art. 17.3 applies only to names of orders or suborders of the “second category” of Art. 17.1, i.e. those based on generic names. Any question of priority, which is not obligatory at these ranks, is irrelevant, for 17.3 deals only with the form of the name.)

(235) Proposal to delete Art. 29.2.

Comment: This statement has long been a puzzle to me and conveys the dangerous implication that offer for sale of printed matter that does exist necessarily constitutes effective publication. Art. 29.1 declares that publication is effected only by distribution of printed matter. Surely we do not mean to imply in the unnecessary Art. 29.2 that mere offer for sale from a stock of existing publications is effective publication—even to suggest the most drastic kind of case) if the entire stock is lost by fire or other disaster before any copies are in fact distributed! Any matter that does not exist is assuredly not effectively published, no matter how much we may struggle with a definition of printed matter. The report of the Committee on Effective Publication may cover this point, but to be certain of its consideration it is presented here.

(236) Proposal to add “or nomen novum” at the end of the last sentence in Art. 33.2.

Comment: This addition would parallel the first line of the Article. Admitting the incredible breadth with which “bibliographic errors” have been interpreted, and even if that scope is narrowed, it
nevertheless is desirable to have the same option for correction of error apply for nom. nov. as for
comb. nov.

(237) Proposal to insert “[invalid]” after “name” in each paragraph of Rec. 50A.

Comment: Art. 6.6 declares that the word “name” in the Code means, unless otherwise indicated, a name that has been validly published. The “names” in Rec. 50A are not validly published (likewise Rec. 23B.1(i) and Rec. 34A.1!). Perhaps Sec. 2 (Arts. 32–45) of the Code can be taken as “otherwise indicating” the status of “names” in Rec. 50A (and elsewhere) but it would be better to be explicit here and not risk any interpretation similar to the one prior to 1981 which considered autonyms to be validly published because the Editorial Committee had carelessly referred to them as “names”! The Editorial Committee might further consider replacing the parenthetical reference in Rec. 50A.2 with a more clear “Note 1. For use of ex with validly published names, see Rec. 46E.1.”

(238) Proposal to add at the end of Ex. 7 of Art. 57.3: “if ssp. lecokii is not treated as distinct”; or, in the preceding line, insert “single” before “subspecies.”

Comment: At least this much should be done to make clear that Art. 57.3 becomes operational only if one makes a taxonomic judgment to merge the taxa to which both the autonym and the name(s) that established it apply. One is certainly at liberty to recognize both spp. sibiricum and ssp. lecokii whether or not they are included in H. sphondylium.

(239) Proposal to delete “ruled as” in the first sentence of Art. 69; begin the second sentence, “A request for a ruling on such a name may be submitted to the General Committee and a name rejected by ruling, or its basionym . . . .”

Comment: Art. 69 or its equivalent has been with us for a very long time as a necessary escape for some very difficult situations, but it is a source of controversy at the Nomenclature Section of every Congress. Significant progress was made at Leningrad (1975) by stating the Article on the basis of the type method. A list was also mandated in 1975. I am not happy with the idea of a list, but it was sustained at Sydney, and in the above proposal I do not raise that issue, but only try imperfectly to reflect what has happened in the 10 years since Leningrad: very few names that have been rejected previously under Art. 69 have been proposed for listing. I must therefore conclude either (1) that such names (e.g. Betula alba, Trifolium agrarium, T. procumbens, Ulmus campestris, Cerasium vulgarum, Drosera longifolia—to take a few examples from Flora Europaea) are now to be resurrected; or (2) that Art. 69 is being interpreted in practice (and ought therefore to state more clearly) that a formal ruling is optional. The proposed wording is intended to state that rejecting a name that meets the terms of the Article is allowed, and that in cases of doubt (or desire for a formal ruling)—just as for confusingly similar names provided for in the footnote to Art. 64.2—a submission may be made to the General Committee for ultimate binding decision by a Congress. I am not personally disposed toward “rulings” and “binding decisions,” and would not object if this proposal were amended to delete the second sentence (and Art. 69.2) completely. Either way, a major change from existing wording—but apparently not from existing practice—is proposed.

(240) Proposal to insert “adjectival” before “epithet” in Art. 73.8.

Comment: Rec. 73G deals with compounding forms in both names and epithets. Art. 73.8 makes obligatory the correction only of epithets not conforming to the recommendation. (Names may of course ordinarily be dealt with by conservation.) If, for example, an old generic name, and therefore a noun, is used as an epithet, Art. 73.8 does not make clear whether it is to be corrected. Andromeda polifolia L. (Sp. Pl. 393) is a case in point. Polifolia should not, I believe, be corrected to polifolia in this name when used as an epithet. (The case of Kalmia polifolia is less clear, but the proposal would, I think, make it easier to treat this use of the identical epithet also as a noun.)

(241) Proposal to the Editorial Committee to bring the wording of T.3 into closer agreement with Art. 9.2.
Comment: The declaration that a lectotype may be chosen only when there is no holotype seems not to be in accord with Art. 9.2, which provides for selection of a lectotype when the holotype is extant but mixed.

(242) Proposal to add the following after (e) to T. 4: “When a combination at the rank of subdivision of a genus has been published prior to lectotypification of the generic name, the lectotype should be selected from the subdivision that was designated as nomenclaturally typical, if that is apparent.”

Comment: If the “residue method” of lectotypification survives the Committee on Lectotypification, this provision should be added to the Code to make explicit the operation of this method when the residue is established at a level of subdivision of a genus. Example: Publication of Carex sect. Eucarex by Cosson and Germain (Fl. Paris ed. 2, 744. 1861) effectively excluded species not in that section from the options for lectotypification of the generic name. Mackenzie (in Britton and Brown, Ill. Fl. N. U.S. ed. 2, I: 352. 1913) gave C. pulicaris L. as type, even though he recognized the main groups “Vignea” and “Eucarex” and C. pulicaris does not fall in the latter. Green (in Hitchcock and Green, Nomencl. Prop. Brit. Bot. 187. 1929) selected C. hirta L. as the type and this lectotypification is within Eucarex. (Vuilleminier and Wood, Jour. Arnold Arb. 50: 272 (1969), applied similar reasoning in Cacalia, lectotypifying it by one of the species retained by de Candolle in Eucacalia. See also Mich. Bot. 11: 32. 1972.)

Proposed by: Edward G. Voss, Herbarium, North University Bldg., University of Michigan, Ann Arbor, MI 48109, U.S.A.

(243)-(245) Proposals to amend the Code on superfluous names with notes on the status of Phegopteris.

Summary

It is proposed to make a clear distinction between nomenclaturally superfluous names, which are homotypic with a legitimate name and thus illegitimate, and names which are taxonomically superfluous when published, but not illegitimate, becoming correct as soon as the heterotypic synonym is excluded from the taxon concerned. To accomplish this, a slight modification of Art. 7.11 and an amendment of Arts. 63.1 and 63.3 are proposed. At the same time possible conflicts between Arts. 7.9 or 10.4 and 63.3 are eliminated. A clarification of Art. 6.4 is suggested, defining the words “according to this Code”.

Phegopteris (Presl) Fée is a legitimate name, which did not need a lectotypification, because it was typified already when published, through application of Art. 22.4.

In the Code the phrase “nomenclaturally superfluous” is used in a way which causes confusion. On the one side, there is the use in Art. 63.1, where it is defined as a qualification for a name of a taxon which includes the type of another name which ought to have been adopted (or whose epithet ought to have been adopted). Such superfluous names are said to be illegitimate. The same meaning of “nomenclaturally superfluous” can be found in the first part of Art. 7.11, up to and including the word “rules”.

On the other hand the phrase is used in Art. 63.3, concerning names which are not illegitimate, but only incorrect when published; later on these names can become correct. The term “superfluous” is also used in the second part of Art. 7.11, now without the word “nomenclaturally” preceding it.

The inconsistent use of the term “nomenclaturally superfluous” was challenged earlier already, by Jacobs, Tryon and Morton (see Morton, 1969: 84, 92, 93). Jacobs noted it in the context of a proposal for a radical change of Art. 63, which was justly rejected in Seattle. Tryon as well as Morton noted we should make a distinction between “nomenclaturally superfluous” and “taxonomically superfluous”; in analogy to the concepts of “nomenclatural synonym” and “taxonomic synonym”, concerning illegitimate names and names which are not illegitimate, but incorrect only. Their corresponding proposals, however, only touched Arts. 7.11, 63.1 and 63.2, not 63.3 (then Art. 63, second Note).

In the present Code there is a conflict between Arts. 7.11 and 63.1. Moreover, the application of Art. 63.3 poses problems. The proposals below intend to solve the problems by making a clear distinction between nomenclaturally superfluous and taxonomically superfluous names.