(93) Proposal to Limit the Retroactivity of Article 8.3
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(93) Amend Art. 8.3 by adding, at the beginning: "On or after 1 Jan. 1990".

This would bring Art. 8.3 into date alignment with Art. 8.4, the very similar Art. 37.4, and Art. 37.5, all of which concern typification.

It is considered that the retroactive application of Art. 8.3 is bound to be extremely disruptive. It seems that its effects have been considered mainly in relation to the generic typifications of Britton & Brown (1913) and those of Hitchcock & Green (1929), the latter concerned with Linnaean generic names. The effect when all generic names and the far greater number of specific names, as well as infrageneric and infraspecific names, are included is virtually impossible to estimate. When such basic principles are involved, unforeseen interactions are almost beyond prediction. It seems certain, however, that it would be bound to lead, not only to considerable uncertainty and instability but also probably to numerous name changes and/or proposals for conservation with concomitant loss of valuable time plus the expense of any necessary publication.

We are fully in agreement with the "tightening" of lectotypification procedures for the future but consider that Art. 8.3, if of virtually unlimited retroactivity, would be potentially destructive rather than constructive and would certainly lead to a considerable amount of unproductive bibliographic research by already harassed taxonomists.

If this proposal is accepted, Art. 8 Ex. 2 would have to be deleted and the typification of Stapelia in Ex. 3 would have to be reversed. Due to the limitation date of Art. 8.3, its restrictive conditions would no longer apply to the typification of Stapelia and Haworth's implicit typification of Stapelia would be restored.

Literature cited


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