Proposal to Amend Art. 46.6 to Avoid "Anonymous" as Author of a Name

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Add a sentence at the end of Art. 46.6, “In cases where there is no internal evidence of authorship, external evidence may be used to determine authorship”; and an example:

“Ex. 22bis. Authorship of the names, such as Oenothera macrocarpa, in the work known as “Cat. Pl. Upper Louisiana. 1813”, a catalogue of plants available from the Fraser Brothers Nursery, in which no authorship appears anywhere in the document, should be attributed to Thomas Nuttall based on external evidence (cf. Stafleu & Cowan in Regnum Veg. 105: 785. 1981).”

Art. 46.6, introduced in the Tokyo Code, is intended to stabilise attribution of authors of plant names by allowing only evidence presented internally in a publication. An inadvertent result of this new criterion is the situation where names published in a few historical works that have no direct authorship listed anywhere in their pages must be attributed to “anonymous”, even though external evidence clearly demonstrates who was the actual author. We use as an example A catalogue of new and interesting plants collected in Upper Louisiana, of 1813, which is well known to N. American botanists as the source of several widely used names universally attributed to Thomas Nuttall.

In 1813, John and James Fraser, London nurserymen, circulated this as a catalogue of plants grown from materials provided to them by Thomas Nuttall at the conclusion of his historic exploration of the Louisiana Territory and western United States. Because Nuttall’s name was not printed in this publication, the situation regarding authorship of its binomials was the subject of several papers, beginning with Greene’s reprint of the Catalogue (in Pittonia 2: 114-119. 1890) and attribution of names therein to Nuttall. Shinners (in Rhodora 57: 290-293. 1955; and 58: 281-289. 1956) argued that these names were not validly published, but others (Cronquist & al. in Rhodora 58: 23-24. 1956; Cronquist in Rhodora 59: 100. 1957) accepted Greene’s arguments. Reveal (in Rhodora 70: 25-54. 1968) published a detailed analysis of the history and names in the Catalogue. Since that time, and even earlier, botanists have almost universally accepted the Catalogue as containing names published validly by Nuttall. There has been universal rejection of the notion that John and James Fraser should be considered authors of the publication and it is not explicitly cited as having been written by them, but merely that the plants advertised were available through their nursery.

According to Reveal’s analysis, the 89 entries contained in the work consist of 2 identified only by generic name, 15 under names published previously by other authors, 51 of nomina nuda, and 3 under later homonyms. The remaining names of 2 new combinations, 1 new variety, and 15 new species were accepted as validly published by Reveal. Of these, the two combinations, the one varietal, and two of the

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species names have been treated as synonyms of earlier names by botanists, and their invalidation would not affect current nomenclature. However, most of the other 13 species names validated in the Catalogue have been widely accepted by authors of floras and taxonomic revisions. They include the following, identified here by their entry number in the Catalogue: (6) Astragalus crassicarpus, (22) Cactus viviparum [= Coryphantha vivipara (Nutt.) Britton & A. Br.], (28) Dracocephalum cuspidatum, (30) Dalea enneandra, (34) Eriogonum flavum, (41) Hyssopus anethiodorus [= Agastache anethiodorus (Nutt.) Britton], (51) Malva coccinea [Sphaeralcea coccinea (Nutt.) Rydb.], (53) Oenothera caespitosa, (56) O. macrocarpa, (64) Penstemon grandiflorus, (75) Rudbeckia columnifera [= Ratibida columnifera (Nutt.) Wooton & Standl.], and (89) Yucca glauca. Only D. cuspidatum and H. anethiodorus have not been accepted by all authors; the remaining eleven epithets have been used in virtually all recent floras and monographs that include these taxa.

If the names in the Frasers' Catalogue were attributed to "anonymous", these widely distributed species would become unfamiliar and problematic. A search of Index kewensis (CD-ROM edition, 1997) revealed only 19 "Anon*" names. Of these 19, most are not validly published and the rest are obscure. They are essentially atypical cases involving such situations as correction of errors in previously published articles without authorship (errata slip) or unsigned publication of meeting activities wherein a plant is described. In fact, there was only one name involving an anonymous publication that was accepted by a recent author, viz. the new combination Disocactus ×violaceus made by Barthlott (in Bradleya 9: 81-92.1991) and based on the obscure name Phyllocactus ×violaceus F. Sm. & T. Sm. ex Anon. (in Gard. Chron. 1869: 665, 666. 1869). And in this case at least there was an ascribed authorship for the name (to the cactus growers who developed the plant) even if the paper overall was anonymous. Thus, none of these are like the case of the Frasers' Catalogue. If there were other similar cases, scholarship likewise would have been applied to them long ago and authorship would have been attributed (incorrectly under the present wording of the Code) to a specific author, based on external evidence. The destabilisation of nomenclature for the wide-ranging and widely accepted new taxa first described in the Frasers' Catalogue is clearly to be avoided. What we propose here would allow external evidence to be used when there is no other alternative and still leave intact the original intention of the revised Art. 46.6. We prefer the option of amending Art. 46.6 to allow for coverage of this and other potentially anonymous publications to the alternative of individually conserving each of the baker's dozen names in question.

One additional problem raised by "anonymous" authorship of names is that Art. 34.1 requires a name to be accepted by the author of a publication in order to be validly published therein. This clearly creates a question of interpretation, and might be construed to invalidate such names. Making the change proposed here to Art. 46.6 would allow virtually all names to have authors.

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