Two Proposals concerning Illustrations as Types
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(83-84) Two proposals concerning illustrations as types

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(83) In Art. 9.9, transfer the second sentence to the end of the paragraph, and reword the present third to fifth sentences to read:

“In the choice of a lectotype, an isotype must be chosen if such exists. If no isotype exists, the lectotype must be chosen from among the original material. If no original material is extant, a neotype may be selected.”

The Code is obscure, involved, and confusing in its wording concerning when illustrations may be types. In Art. 9.1 there is a clear statement that a holotype may be an illustration. In Art. 9.2 it says that a lectotype may be an illustration, but a phrase “in conformity with Art. 9.9” is included. In Art. 9.9 we are told that “If no isotype exists the lectotype must be chosen from among the syntypes”. But according to Art. 9.4 “A syntype is any one or more specimens cited in the protologue”; note that illustrations cannot be syntypes, and that elements not actually cited cannot be syntypes.

So when can illustrations be taken as lectotypes? There seem to be two possible situations. Firstly, if there was originally a holotype but it is now lost or destroyed and there are no isotypes, and an illustration exists in the original material (see footnote on p. 11 of the Code for definition of original material, in which only clause (a) is relevant here). Secondly, if there was neither holotype nor syntype specimens in the protologue, but an illustration exists in the original material. The latter is most likely to happen when the protologue included a bare description and nothing else.

As shown by Forman (in Kew Bull. 52: 513-534. 1997) in a paper on typification of Roxburgh’s names, cases do exist where an author has relied very heavily on an illustration rather than a specimen to which he may refer. Linnaeus often relied on illustrations. The exclusion of illustrations from consideration as lectotypes when specimens are cited may therefore be excessively restrictive. We here propose an amendment to Art. 9.9 which should overcome this restriction, substituting “original material” for “syntypes” and simplifying the wording a little.

(84) Delete Art. 8.3.

In Art. 9.2, defining “lectotype”, there is after the word “illustration” a reference also to Art. 8.3. This paragraph is, in our opinion, merely superfluous and confusing. It reads “If it is impossible to preserve a specimen as the type of a name of a species or infraspecific taxon of non-fossil plants, or if such a name is without a type specimen, the type may be an illustration”. Its inclusion in the Code goes all the way back to when the type method was first introduced, when it appeared in Art. 18 of the 1935 Cambridge Code. It was apparently intended merely as guidance for users in the early days of types to explain what to do in difficult circumstances, reading “When permanent preservation of a specimen or preparation is impossible, the application of the name of a species or subdivision of a species is determined by means of the original description or figure”. The word “type” was not used, and there was no intention here to introduce any ruling on when a figure could or could not be a type. In the first post-war (Stockholm) Code of 1952, this sentence was transformed

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into Art. 21 Note 1, rephrased to read "... the type may be a figure and/or description", and a new Note 2 was introduced reading "For a species without a type specimen, the type may be a description or figure". In the 1956 (Paris) Code these two notes were combined as a single Note under Art. 10 reading "For plants of which it is impossible to preserve a type specimen, or for a species without a type specimen, the type may be a description or figure". In the Montreal 1961, Edinburgh 1966 and Seattle 1972 Codes this became Art. 9 Note 1, but again with a subtle change of wording: "If it is impossible to preserve a specimen as the type of a name of a species or infraspecific taxon of recent plants, or if such a name is without a type specimen, the type may be a description or figure". This was essentially still merely advisory, telling people what they can do in difficult situations. In the 1978 Leningrad Code, however, it was no longer a Note but a full paragraph as Art. 9.3, as it was also in the 1983 Sydney version. In the 1988 Berlin Code the rather nonsensical provision that a type could be a description was removed, but the rule remained as Art. 9.3. The change of number to Art. 8.3 in the Tokyo Code was not accompanied by any change of wording.

What does this paragraph mean now as a full paragraph in an article rather than just an advisory note? The sentence should not be interpreted as saying that a type may be an illustration only in the circumstances stated. Such an interpretation has, however, often been made, as for example by Smith & Wyk in an interesting discussion of these problems (in Taxon 44: 217-219. 1995). The word "only" does not appear in this paragraph. It is clear from the history of the sentence given above that this was not the intention of the wording; and Art. 9.1 and 9.2 allow illustrations to be types in wider circumstances, Art. 9.1 making no reference at all to Art. 8.3 and 9.2 not specifying "but" or any other qualification before mention of Art. 8.3. The first provision "If it is impossible to preserve a specimen..." is so vague and is capable of such a wide range of interpretations that it is more or less useless. And since Art. 9.1 and 9.2 allow any illustration to be a type anyway, it serves no purpose. The second part "or if such a name is without a type specimen" only applies in those cases in which, as we have noted above, an illustration can already be used as a lectotype, and so again serves no useful purpose. Since at the moment this historical relic from the introduction of the type method, which is anomalously persisting in our present Code, causes confusion to those who try to understand its significance, we propose its deletion.