

Conserving *Acacia* Mill. with a conserved type: What happened in Melbourne?

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Abstract We here document what happened in Melbourne, Australia, in July 2011, regarding the confirmation of the inclusion of *Acacia* Mill. with *A. penninervis* as its conserved type in the *Vienna Code*. The procedures followed by the Nomenclature Section of the XVIII International Botanical Congress (IBC) are outlined and briefly described as far as they pertain to *Acacia*. The 2005 outcome of the controversial proposal to retypify *Acacia* Mill. from an African to an Australian type was confirmed by the Nomenclature Section following the ratification of the 2006, Vienna, *International Code of Botanical Nomenclature* (ICBN or *Code*) including the entry for *Acacia*. This, and other, decisions of the Nomenclature Section were in turn ratified by the final closing plenary session of the IBC held on 30 July 2011. The now-effective *Code* (incidentally in the future the *International Code of Nomenclature for algae, fungi, and plants*) emanating from the XVIII IBC, will therefore include *Acacia*, with a conserved type, in the Appendix dealing with “Nomina generica conservanda et rejicienda”. If the traditional classification system is followed that applies the name *Acacia* in a broad sense to an assemblage of legume species comprising a number of subgenera, this decision holds no implications at generic rank. However, should the alternative classification which segregates a broadly defined *Acacia* into a number of genera be followed, then the name *Acacia* would apply in a strict sense to the mainly Australian wattles (formerly *Acacia* subg. *Phyllodineae*, now *Acacia* subg. *Acacia*).

Keywords *Acacia* Mill.; International Botanical Congress; *International Code of Botanical Nomenclature*; *International Code of Nomenclature for algae, fungi, and plants*; Melbourne; Nomenclature Section

■ INTRODUCTION

Without any fear of contradiction it would be accurate to state that the retypification of *Acacia* Mill. with a conserved type has been one of the most controversial issues that ever came before a Nomenclature Section of an International Botanical Congress (IBC) (see Moore & al., 2011 and Thiele & al., 2011 and references in those papers). In the months preceding the Nomenclature Section of the XVIII IBC that was held at the University of Melbourne, Australia, from 18 to 22 July 2011, it was argued by a large group of affected individuals that treating the proposal to retypify *Acacia* Mill. with a conserved type as approved, was based on controversial meeting procedures. This raised the concern of a large group of plant taxonomists and other stakeholders who found this unacceptable (Moore, 2007, 2008; Moore & al., 2010), and the decision, which resulted in the inclusion of the name *Acacia* in the Vienna, 2006, *International Code of Botanical Nomenclature* (ICBN or *Code*) (McNeill & al., 2006) with a conserved type, was widely criticised. Plant taxonomists, nomenclaturists, and other interested and affected parties were therefore eager to see how the matter was going to be dealt with in Melbourne. The Congress organizers, in association with the Bureau of Nomenclature, established that no-one might attend the Nomenclature Section who

was not registered for at least one full day’s membership of the Congress. There had not previously been any formal restriction on attendance at the Nomenclature Section (only the converse, that any member of the Congress might attend the Nomenclature Section), and certainly at the 2005 Vienna Congress at least one person had been permitted to register without being a member of the Congress (J. McNeill, pers. comm.). However, for as long as there have been Nomenclature Sections meeting separately from the main Congress, a practice begun in Stockholm in 1950, Nomenclature Section attendance has generally involved registration for the full IBC, not for one day only; early circulars distributed to announce the Melbourne Nomenclature Section and IBC were phrased accordingly. We here document what happened in Melbourne regarding the confirmation of the inclusion of *Acacia* Mill. with a conserved type in the 2012 *International Code of Nomenclature for algae, fungi, and plants*, the new name of the *International Code of Botanical Nomenclature*.

■ WHAT HAPPENED IN MELBOURNE?

Among other decisions taken during the first session of day one, the Nomenclature Section firstly voted by a large majority to accept that a 60% majority would be required to

reject a recommendation to conserve or reject names so proposed by the General Committee. The rationale for this 60% “supermajority” requirement to *reject* a recommendation from the General Committee was the special status that the *Code* gives to General Committee recommendations (Art. 14.14) so that their rejection might be looked at as analogous to reversing a previous decision for which it is not uncommon to require such a supermajority. However, it should be noted that the implications of this is that the Section can approve a matter with only 40% in favour, and therefore effectively be dictated to by a minority (Smith & al., 2006).

In order that it may carry out its business of considering amendments to the *Code*, each Nomenclature Section has to approve the *Code* prepared by the Editorial Committee appointed by the previous Congress as the basis for its deliberations. In this regard the Section was asked to ratify the *Vienna Code* as reflecting the decisions of the 2005 Vienna Congress, and as the basis for the discussions that would take place for the duration of the Nomenclature Section. [J. McNeill: “This Section must ratify it [the *Vienna Code*] as reflecting the decisions of the 2005 Vienna Congress. I move that we ratify the *Vienna Code*.”] Emphasis was placed on the normally routine issue of accepting the *Vienna Code*, because many nomenclaturists were of the opinion that *Acacia* should not have been included in the *Code*, given the controversy that shrouded the vote on its inclusion in 2006 in the Appendix dealing with “*Nomina generica conservanda et rejicienda*”.

Following relatively brief discussion (15 minutes), a vote was called for from the floor, which was agreed to by the Section through a show of hands. A card vote then took place on the matter. The Nomenclature Section accepted the *Vienna Code* as printed with a 68.4% majority (31.6% against). A total of 545 individual and institutional votes were cast, with 247 institutional and 126 individuals (total 373 votes) supporting the acceptance of the printed *Vienna Code*, as opposed to 136 institutional and 36 individual votes (172 in total) against it. This acceptance was a critical step for those opposed to the retypification of *Acacia* as it would have been preferable to use the *Vienna Code*, excluding this retypification, as the basis of the Melbourne discussions. It bears noting that an analysis of the geographical breakdown of the voting membership of the Section, even if it is assumed that all Australian individuals and institutions voted in favour of accepting the *Vienna Code*, and discounting these votes, the *Vienna Code* would still have been accepted by a substantial majority (J. McNeill, pers. comm.). The voting pattern therefore shows that even if some individuals from Australia did take advantage of a one-day Congress membership to attend and vote at the Nomenclature Section, in order to vote on *Acacia*, this did not affect the outcome of this card vote.

Following this vote that supported the use of the *Vienna Code* as printed with more than a 2/3-majority, about 40 minutes were allowed for deliberations on how to deal with the formally published proposals (Brummitt, 2010; Turland, 2011) on *Acacia* that could be placed before the Section later in the week.

On Thursday 21 July 2011, at 13:30 and until 14:30, the *Acacia* debate was continued. Article 51 Proposal A (Brummitt,

2010) was heavily defeated in the preliminary mail vote on published proposals (83% ‘No’ vote). However, five seconders—not four, as the proposer was not present in Melbourne—supported its discussion. Adoption of the Brummitt proposal would allow species in the genera *Vachellia* Wight & Arn. and *Racosperma* Mart. to be called *Acacia*, but using the convention *Acacia* (*Vachellia*) or *Acacia* (*Racosperma*), with the second genus name given in parenthesis. A number of difficulties that would result if the proposal were to be accepted were pointed out from the floor. Essentially, up to three genera would have had to be called *Acacia* simultaneously, a very non-traditional approach for which no-one in the Nomenclature Section expressed support. The matter was put to a vote and was again overwhelmingly defeated through a show of hands. The Turland (2011) proposal on *Acacia* was then opened for debate after a four-person seconded proposal from the floor that it be discussed. Implementation of this proposal would mean that the name *Acacia* would be used only for the genus in a broad sense, i.e., for species from its entire distribution range. When more narrowly defined genera were recognized, the names *Protoacacia* Mill. (called *Acacia* up to 2005, and *Vachellia* since then) and *Austroacacia* Mill. (called *Racosperma* up to 2005, and *Acacia* since then) would be used, treated as having been simultaneously published with *Acacia* by Miller in 1754. New combinations in *Austroacacia* and *Protoacacia* (or a variant such as *Acanthacacia*, as was accepted as a friendly amendment) would not be required, as before 1 January 2011 such combinations would be treated as having been automatically established. In debate it was suggested from the floor that this approach is a very complicated alternative that would essentially result in no species being called *Acacia*. The proposal was defeated through a card vote (in favour: 169 votes = 29.91%; against: 396 votes = 70.09%; total number of votes cast: 565, i.e., 20 more than on day one when the acceptance of the *Vienna Code* as printed was decided).

■ CONCLUSION

The Section noted and accepted the outcome of the first card vote that took place on day one of the Nomenclature Section, i.e., to accept the *Vienna Code* as the basis for its deliberations, as well as the rejection of both alternative proposals on *Acacia* later that week. Very few representatives from the African and South American continents, and the Indian Peninsula—regions that are affected by the retypification—were present at the Melbourne Nomenclature Section, and they therefore had little chance of influencing the discussions and decisions that affected *Acacia* (see Smith & al., 2010, 2011, on who amends the *Code*). All indications are that the *Acacia* controversy, which has lasted for the past more than six years, will continue as a large part of the botanical community and other stakeholders remain unsatisfied with the present situation (Moore & al. 2011).

Plant nomenclature progresses every six years at Nomenclature Sections of International Botanical Congresses through published proposals and the acceptance or rejection

of the Reports of Standing Committees, to amend and improve the *Code* applicable at that time, the Melbourne one being no exception. Further proposals to amend the *Code*, including to have the name *Acacia* retypified with its original type, the African *A. scorpioides* (L.) W. Wight (= *A. nilotica* Karst.), and therefore its retypification with *Acacia penninervis* Sieber ex DC. removed from future editions, will likely be made and voted on before and at the next Congress, in 2017 in China. Until then it is our view that those who have to refer to any taxon of this group do so following the classification that recognises *Acacia* s.l. This means that all names of *Acacia* taxa from its entire distribution range will continue to be called *Acacia*.

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