

## (276–287) Proposals concerning the validation and author citation of names published with more than one potential descriptive statement

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A recent proposal to reject *Festuca pannonica* (Danihelka & al. in Taxon 58: 295–296. 2009) initiated a debate on the problem of how names published with more than one descriptive statement either included in or referred to in the protologue are to be validated and how the author citation of such names should be handled.

### I. Validation by reference to a descriptive statement only if no descriptive statement is included in the protologue (276–280)

Although not stated in the *Code* there would appear to be general agreement among botanists that only when there is no descriptive matter available in the protologue, should it be possible to validate a name by a descriptive statement only referred to in the protologue. The proposals presented below would bring the *Code* into line with common practice

#### (276) In Art. 7.7 insert “solely” after “published”, so that the first sentence reads:

“7.7. A name validly published solely by reference to a previously and effectively published description or diagnosis (Art. 32.1(d)) is to be typified by an element selected from the context of the validating description or diagnosis, unless the validating author has definitely designated a different type (but see Art. 10.2).”

#### (277) Amend Art. 32.1 clause (d) to read as follows (new text in bold):

“(d) be accompanied by a description or diagnosis **or if none is provided in the protologue**, by a reference to a previously and effectively published description or diagnosis (except as provided in Art. 42.3, 44.1, and H.9);”

#### (278) Amend Art. 46.2 so that it reads as follows (new text in bold):

“46.2. A name of a new taxon must be attributed to the author or authors to whom **both the name was ascribed and when the validating description or diagnosis were also ascribed to, or unequivocally associated with that author or authors in that work**, even when authorship of the publication is different.”

When a name is validated by reference to a previously and effectively published description or diagnosis, it is unlikely that the descriptive statement would actually be ascribed to an author, though it is usually very clear who was responsible for writing it. Article 46.2 states “A name of a new taxon must be attributed to the author or authors to whom both the name and the validating description or diagnosis were ascribed, even when authorship of the publication is different” and Ex. 9 states that in the protologue of *Baloghia pininsularis*, McPherson & Tirel ascribe the validating description to Guillaumin. McPherson & Tirel, do not even mention a description let alone ascribed it to anybody, but by citing the place of publication

of “*Baloghia pininsularis*”, in Mém. Mus. Natl. Hist. Nat., Ser. B, Bot. 8: 260 (1962), they provide a full and direct reference to a Latin description unequivocally associated with Guillaumin. Under a strict application of the wording of Art. 46.2 as McPherson & Tirel did not ascribe the validating description to Guillaumin, the name should be attributed to them as Guillaumin ex McPherson & Tirel. However, as Guillaumin provided both the name and the description it would seem logical to attribute the name to him as presented in the example.

#### (279) If Prop. 278 is accepted reword Art. 46 Ex. 9 so that it reads as follows (new text in bold):

“Ex. 9. The appropriate author citation for *Baloghia pininsularis* (see Art. 37 Ex. 3) is Guillaumin, and not McPherson & Tirel, because **both the name and validating description were ascribed to Guillaumin in the protologue: in the protologue the name was ascribed to Guillaumin and a full and direct reference was given to a Latin description unequivocally associated with Guillaumin.**”

#### (280) If Prop. 278 is accepted add a new example to Art. 46 following Ex. 9:

“Ex. 9bis. “*Pancheria humboldtiana*” was published by Guillaumin (in Mém. Mus. Natl. Hist. Nat., Ser. B, Bot. 15: 47. 1964) but as he failed to indicate a type the name was not validly published. Validation was effected by Hopkins & Bradford (in *Adansonia* 31: 119. 2009) where they designated “*Baumann-Bodenheim 15515* (P! P00143076)” as the holotype, and attributed the name to Guillaumin and by citing “*Pancheria humboldtiana* Guillaumin, *Mémoires du Muséum national d’Histoire naturelle*, sér. B, botanique 15: 47 (1964), nom. inval.”, provided a full and direct reference to a validating description that can be unequivocally associated with Guillaumin. The name must therefore be attributed to Guillaumin and not to Guillaumin ex H.C. Hopkins & J. Bradford as given by Hopkins and Bradford.”

### II. Validation when there is more than one descriptive statement included in the protologue (281–287)

There would appear to be no agreement, however, on which descriptive statement should fulfil the requirement of Art. 32.1 for a “description or diagnosis” in a case like *Festuca pannonica* (in Host, Icon. Descr. Gram. Austriac. 4: 36, t. 62. 1809) where the name and a descriptive statement are ascribed to one author, in this case Wulfen, but the publishing author, Host, also provided a descriptive statement. Some maintain that as Wulfen provided the name his descriptive statement must validate the name and the name must be attributed to Wulfen [in Host]. Others have believed that the descriptive statement of the publishing author must be accepted as the validating one and so the name must be given as Wulfen ex Host. Others, however, were of the opinion that one was free to choose either Wulfen’s or Host’s descriptive statement as the validating statement, and that author citation following Art. 46 depended on which descriptive statement

was chosen to validate the name. Under this scenario either Wulfen or Wulfen ex Host would be possible.

The *Code* provides no explicit advice on this matter but some guidance is given in Art. 46.2 Ex. 10:

“The original description of the new species *Verrucaria aethiobola* Wahlenb. (in Acharius, Methodus, Suppl.: 17. 1803) is ascribed by Acharius to “Wahlenb. Msc.”, and the name itself is ascribed to “Wahlenb.” (not in the text of the Supplement but in the index to the Methodus, p. 392). The name is therefore appropriately cited as *V. aethiobola* Wahlenb., better not as *V. aethiobola* “Wahlenb. in Acharius” (unless followed by a bibliographic citation of the place of publication), and certainly not as *V. aethiobola* “Wahlenb. ex Ach.”

This example was added to the *Code* as a way of resolving a long-standing dispute over the correct author citation of names published in Acharius’s work (Hawksworth, pers. comm.). Unfortunately the reason for the difference of opinion is not stated in the example. However, once one becomes aware that Acharius also provided a descriptive statement one realizes that the example is stating that the validating descriptive statement must be that of the author who also provided the name.

Since there seem to be such diverse points of view on this matter two sets of proposals are presented here. The first set of proposals (281–282) would make obvious what is assumed by many and implicit in Art. 46 Ex. 10 that is if the author of the name also provides a descriptive statement it is that statement that must fulfil the requirement of Art. 32.1 for a validating description or diagnosis. This has the advantage of simplicity but at the same time would not always allow the element that best supports current use of a name to be designated as the lectotype. Under the second set of proposals (283–287) it would be possible to choose either descriptive statement as the validating description or diagnosis. This would allow more flexibility in the choice of lectotype, but it also requires a number of other changes to the *Code* which may be seen, by some, as making the *Code* unnecessarily complicated.

*Ila. Proposals to make it evident that if the author of a name also provides a descriptive statement that statement is the validating description or diagnosis (281–282)*

**(281) Add a new paragraph after Art. 32.1:**

“32.1*bis*. When more than one descriptive statement, not all by the same author or authors, are included in the protologue, but both the name and one of those descriptive statements are ascribed to the same author or authors only that descriptive statement can fulfil the requirement of Art. 32.1 for a description or diagnosis, otherwise the validating description or diagnosis must be a descriptive statement of the publishing author.”

Proposal 281 above would ensure that the *Code* explicitly states what many believe to be current practice, that is, if the name and a descriptive statement are ascribed in the protologue to the same author or authors that descriptive statement must validate the name.

**(282) If Proposal 281 is accepted amend Art. 46 Ex. 10 as follows (new text in bold):**

“Ex. 10. The original description of the new species **In the protologue of *Verrucaria aethiobola* Wahlenb.** (in Acharius, Methodus, Suppl.: 17. 1803) is ascribed by Acharius to “Wahlenb. Msc.”, and the name itself is ascribed to “Wahlenb.” (not in the text of the Supplement but in the index to the Methodus, p. 392). **There is a description ascribed by Acharius to “Wahlenb. Msc.”, and another authored by Acharius himself. As Wahlenberg provided the name his is the**

**validating description (Art. 32.1*bis*) and so the name is therefore appropriately cited as *V. aethiobola* Wahlenb., better not as *V. aethiobola* “Wahlenb. in Acharius” (unless followed by a bibliographic citation of the place of publication), and certainly not as *V. aethiobola* “Wahlenb. ex Ach.””**

The amendment suggested to Proposal 282 is necessary to make it clear that the name *V. aethiobola* must be attributed to Wahlenberg because he provided both the name and the validating description.

*Ilb. Alternatively establish that when more than one descriptive statement is included in the protologue, the validating statement need not be that of the author that provided the name (283–287)*

**(283) Add a new paragraph after Art. 32.1 (283 is an alternative to 281):**

“32.1*bis*. When more than one descriptive statement, not all by the same author or authors, are included in the protologue, any one of these descriptive statements can fulfil the requirement of Art. 32.1 for a description or diagnosis.”

**(284) If Proposal 283 is accepted, replace “description or diagnosis” with “descriptive matter” in the footnote to Rec. 8A.4 defining protologue.**

**(285) If Proposal 283 is accepted, amend Art. 9 Note 2 so that it reads as follows (new text in bold):**

“Note 2. For the purposes of this *Code*, the original material comprises: (a) those specimens and illustrations (both unpublished and published either prior to or together with the protologue) upon which it can be shown that the ~~description or diagnosis validating the name~~ **descriptive matter of the protologue** was based; (b) the holotype and those specimens which, even if not seen by **any of the author(s) of the description or diagnosis validating the name descriptive matter of the protologue**, were indicated as types (syntypes or paratypes) of the name at its valid publication; and (c) the isotypes or isosyntypes of the name irrespective of whether such specimens were seen by either the author(s) of the ~~validating description or diagnosis~~ **descriptive matter of the protologue**, or the author(s) of the name (but see also Art. 7.7, second sentence, and 7.8).”

Making the above changes to the definitions of protologue and original material would establish that when there is more than one descriptive statement included in the protologue all are part of the protologue and that the original material is a sum of the material on which each of the descriptive statements were based and would remain so even after first lectotypification.

**(286) If Proposal 283 is accepted, amend the first sentence of Art. 46.2 to read as follows (new text in bold):**

“46.2. A name of a new taxon must be attributed to the author or authors to whom both the name ~~and the validating description or diagnosis were ascribed~~, **was ascribed when at least part of the descriptive matter available to validate the name was also ascribed to or unequivocally associated with that author or those authors in the work**, even when authorship of the publication is different.”

**(287) If Proposals 283 and 286 are accepted, amend Art. 46 Ex. 10 to read as follows (new text in bold):**

“Ex. 10. The original description of the new species **In the protologue of *Verrucaria aethiobola*** (in Acharius, Methodus, Suppl.: 17. 1803), is ascribed by Acharius to “Wahlenb. Msc.”, and the name

itself is ascribed to “Wahlenb.” (not in the text of the Supplement but in the index to the Methodus, p. 392). **There is also a description ascribed by Acharius to “Wahlenb. Msc.”, and another description authored by Acharius himself. As the name and part of the descriptive matter are ascribed to Wahlenberg,** the name is therefore appropriately cited as *V. aethiobola* Wahlenb., better not as *V. aethiobola* “Wahlenb. in Acharius” (unless followed by a bibliographic citation of the place of publication), and certainly not as *V. aethiobola* “Wahlenb. ex Ach.””

The advantage of Proposal 283 over 281 is that it gives greater flexibility in lectotype designation but it also means that author citation depends on choice of validating description. For example in the case of *Verrucaria aethiobola* if one chooses Wahlenberg’s description as the validating description then the author citation is Wahlenberg [in Acharius] but if Acharius’ description is chosen to validate the name then the author citation is Wahlenberg ex Acharius. This is clearly unsatisfactory. Proposal 286 would establish that regardless of choice of lectotype author citation would always be Wahlenberg [in Acharius].

## (288–289) Two conditional proposals

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Proposal 117 (Hawksworth & al. in *Taxon* 59: 661. 2010), if accepted, would add a new Article to the *Code*, to be placed following Art. 37. To preserve the numbering of subsequent Articles, especially Art. 45 onwards, one of the existing Articles would then have to be eliminated, by moving its contents into an existing Article. The authors of Proposal 117 suggest combining Art. 38 and 39, which is indeed an option. However, if some rearrangement is necessary within Art. 38 to 44, there is a more appealing candidate for elimination, namely Art. 41. This (Art. 41) mostly duplicates Art. 32.1(d), but includes restrictions on the ranges of ranks of taxa to which a previously and effectively published description or diagnosis may belong when a name is validly published by a reference to such description or diagnosis. In effect, Art. 41 further refines Art. 32.1(d) (see Englera 2: 82. 1982), roughly comparable to Art. 32.5, which also refines Art. 32.1(d). Thus, reducing Art. 41 to its essence and moving it into Art. 32 (to accompany Art. 32.5) would make the organization of the *Code* more logical. This would utilize the need to make room for a new Article as an opportunity rather than view it as a problem.

**(288) If Prop. 117 is accepted, condense Art. 41.1, 41.2 and the first half of Art. 41.3 into a single paragraph, to be placed in Art. 32, preceding Art. 32.5 or following Art. 32.6:**

“32.4bis. For the purpose of valid publication of a name, reference to a previously and effectively published description or diagnosis is

restricted as follows: (a) for a name of a family or subdivision of a family, the earlier description or diagnosis must be that of a family or subdivision of a family; (b) for a name of a genus or subdivision of a genus, the earlier description or diagnosis must be that of a genus or subdivision of a genus; and (c) for a name of a species or infraspecific taxon, the earlier description or diagnosis must be that of a species or infraspecific taxon (but see Art. [Prop. 289]).”

Also, move the relevant Examples from Art. 41 to Art. 32. If desired, the two Notes in Art. 41 could be moved to follow Art. 32.1 (rather than the newly rephrased provision, as they concern exceptions to the requirement for an accompanying description or diagnosis, rather than to a reference to one).

**(289) If Prop. 117 is accepted, move the second half of Art. 41.3 to Art. 42, rephrasing accordingly:**

“42.1bis. A name of a species may be validly published by a reference to a genus, if the following conditions obtain: (a) the name of the genus was previously and validly published simultaneously with its description or diagnosis and (b) neither the author of the name of the genus nor the author of the name of the species indicates that more than one species belongs to the genus in question.”

In its scope, Art. 41.3(c) is fairly similar to Art. 42, in that it also deals with monotypic genera. The rephrasing is modelled on Art. 42.1, but retaining the essential wording of Art. 41.3. Also, move Art. 41 Ex. 4 to follow the provision in its new placement.

## (290) A proposal on illustrations with analysis

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The concerns expressed by Braga & Joffily (in *Taxon* 58: 665–666. 2009) over the wording of the *Code* (McNeill & al. in *Regnum Veg.* 146. 2006) concerning illustrations with analysis are supported. However, as an alternative to the proposals made by them to improve the wording and change somewhat the thrust of the rule, the following simplified rewording is proposed for consideration.

**(290) Delete Art. 42.3 and 42.4 and replace Art. 44.1 and 44.2 by:**

“44.1. Prior to 1 January 1908, for a name of a species or infraspecific taxon of vascular plants to be validly published, an illustration with analysis is acceptable in place of a written description or diagnosis (Art. 32.1(d)) or in place of a descriptio generico-specifica