

(Art. 42). For the purposes of this Article, an analysis is a figure or group of figures separate from the main illustration (though often on the same page or plate), with or without a separate caption, illustrating part or parts of the plant in greater detail or magnification than in the main illustration.”

“44.2. Prior to 1 January 1908, for a name of a species or

infraspecific taxon of non-vascular plants to be validly published, any illustration (with or without an analysis) is acceptable in place of a written description or diagnosis (Art. 32.1(d)) or in place of a *descriptio generico-specifica* (Art. 42).”

Put appropriate cross references under Art. 32.1(d) and 42.1.

(291) A proposal to amend the wording of Article 48.1 and insert a new Article 48.2

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It is not clear what is meant in Art. 48.1 by “original type”, a term usually used in connection with the name of a genus, but clearly the equivalent for the name of a species must be holotype. But “original type” is often considered to have been excluded if for example in the case of a generic name all the elements eligible as types have been excluded or in the case of a species name if all the syntypes have been excluded. The proposal presented below would clarify this.

(291) Delete “original” in the first line of Art. 48.1 and add a new Art. 48.2:

“48.2. For the purpose of Art. 48.1, exclusion of a type means exclusion of (a) the holotype under Art. 9.1 or the original type under Art. 10 or all syntypes under Art. 9.4 or all elements eligible as types under Art. 10.2; or (b) a previously designated type under Art. 9.9–9.11 or 10.2; or (c) a previously conserved type under Art. 14.9.”

(292) *Acacia*: a solution that should be acceptable to everybody

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In recent decades, taxonomic work on the traditional broad genus *Acacia* Mill. has shown that it should be split into at least three genera (see Pedley in Bot. J. Linn. Soc. 92: 219–254. 1986). With the original type, *A. scorpioides* (L.) W. Wight (applying to a species now known as *A. nilotica* L.), this would mean that almost all the estimated 1160 or so Australian taxa should be transferred to *Racosperma* Mart., while *Acacia* would apply only to about 180 species, of which about half occur in Africa, the remaining African species being referable to *Senegalia* Raf. whether or not *Acacia* is conserved with a different type. Likewise the Asian and American species would be divided similarly between *Senegalia* and *Acacia*. In order to prevent so many name changes, Orchard & Maslin (in Taxon 52: 362–363. 2003) published a proposal to change the type of *Acacia* to *A. penninervis* Sieber ex DC. After considerable discussion both outside and within the Committee for Spermatophyta, conservation was recommended by that Committee (Brummitt in Taxon 53: 813–825. 2004) and approved by the General Committee (Barrie in Taxon 55: 798. 2006). At the Nomenclature Section of the XVII International Botanical Congress (IBC) in Vienna in 2005 there was further discussion and a vote taken on whether or not to accept that part of the General Committee report recommending conservation of *Acacia*. According to the procedure agreed upon by the Section immediately prior to consideration of Committee reports, the attempt to reject the Report was unsuccessful and *Acacia* appears in the current Code as a conserved name, but the legality of the procedure adopted and therefore the validity of the Vienna decision has been questioned (Moore & al. in Taxon 59:

1188–1195. 2010). The present proposal aims to make these questions superfluous and to provide a practical solution that all can accept.

The essential facts of the matter have often been abandoned, and we are left with mere emotional outpourings. But there has been no bias against African interests by anyone. It is just that, with a global perspective, and especially bearing in mind the very big disparity in the number of species affected, a significant majority within the committees considered that nomenclatural stability was best served by accepting the proposal.

Those who still feel strongly that conservation with an Australian type has benefited Australia at the expense of the developing world have the right to raise their arguments again at the XVIII IBC in Melbourne. However, as those who support conservation with an Australian type will no doubt also present their point of view strongly, there would appear to be little hope of agreement being reached. This does not mean, however, that it is not highly regrettable if all the African species have to change their names, just as it would be if the Australian species were so affected. There are very strong practical (if not nomenclatural) arguments on both sides.

Both sides will claim that the name *Acacia* is so deeply ingrained into the minds of those who live in the regions where they grow that changing it is *unthinkable*. Extreme problems require extreme solutions. The problem of *Acacia* sensu lato is unique in the size and importance of the group and the geographical distributions of the segregate genera, and how we solve it is very unlikely to impact on other names in the future. The following solution should satisfy both

parties. The wrangles over what was or was not agreed in Vienna could then be forgotten.

(292) Add to Art. 51 a new paragraph and Note:

“51.2. For compelling practical reasons of nomenclatural stability of specific and infraspecific names in the unique case of the broadly circumscribed genus *Acacia* Mill., the correct name for a genus to which one or more of the types of *Racosperma* Mart. (1835), *Senegalia* Raf. (1838) and *Vachellia* Wight & Arn. (1834) are assigned is *Acacia* Mill. (1754) and the correct names for all taxa assigned to that genus are combinations with *Acacia*. The names *Racosperma*, *Senegalia* and *Vachellia*, and all combinations published under them, are to be treated as incorrect. This is a purely nomenclatural convention and does not preclude the taxonomic acceptance of segregate genera.”

“Note. 1. When reference needs to be made to one of the three segregates to distinguish it from the others, as for example in a non-nomenclatural context such as discussion of numbers of genera in a region or occurrence of certain characters or compounds in different genera, it may be done informally in the format *Acacia* (*Vachellia*), or *Acacia* (*Senegalia*) or *Acacia* (*Racosperma*). When reference is made in a general context to the species described by Linnaeus as *Mimosa nilotica*, which is now referable to *Acacia* (*Vachellia*), it should be given as *Acacia nilotica* (L.) Delile. If in a special context it is necessary to specify to which genus a certain species is referable, the format *Acacia* (*Vachellia*) *nilotica* (L.) Delile may be used.”

Cross references should be added under Art. 11 and 51.1.

Some correspondents prior to submission of this proposal have noted that *Senegalia* has been taken up by a number of authors, and that the proposal would be better without mention of that genus. Against that is the tradition of over 200 years of including *Senegalia* in a broad *Acacia* in Africa, resulting in a massive literature and very many herbarium specimens adopting that concept. It is suggested here that the officers at Melbourne should invite a friendly amendment to delete mention of *Senegalia* in the proposal.

The proposed new rule may appear to be a marked departure from the Principles of the *Code*. However, it is nowhere stated that one name cannot be applied to more than one taxon at the same rank. Principle IV of the *Code* states that one taxon with one circumscription, position and rank can have only one correct name “except in specified cases”. The cases of eight alternative family names specified in Art. 18.5 constitute a departure from the main text of Principle IV, but are justified by the final phrase. The option in Art. 19.7 of using

Papilionoideae rather than *Faboideae* is another example of a special exception being permitted in the *Code* for reasons of practicality in a stated case. Even if there is an unwritten understanding that one name cannot apply to more than one taxon at the same rank, the above proposal can be justified by the analogy of “specified cases”. The same might be thought to apply to Principle 2 and Art. 7.1, but it could equally be argued that the application of the names *will* be determined by nomenclatural types.

The proposal does not preclude minor segregates from *Acacia* sensu lato being recognised, and the names *Acaciella* and *Mariosousa* have already been adopted for two of these in the Americas. It would result in a number of names which are currently correct and in use being ruled incorrect under the next edition of the *Code*. This might be seen as unfortunate, but it would have little impact on names actually in general current use. Very few combinations have been published for any African species (see Mabberley, Mabberley’s Plant-Book ed. 3, 1021. 2008 & Seigler and Ebinger in *Phytologia* 92: 92–95. 2010), but around 60 new combinations in *Vachellia* and around 75 in *Senegalia* were published by Seigler & Ebinger in 2006 for New World species (in *Phytologia* 87: 139–178 & 88: 38–94, respectively) and 10 combinations were published by Kodela in *Vachellia* in 2006 for Australian species (in *Telopea* 11: 233–244. 2006). Some hundreds of combinations have been published by Pedley in 2003 in *Racosperma* for Australian species (in *Austrobaileya* 6: 445–496) but they have not been taken up in practice. These very recently published names under segregate genera have scarcely had time to come into common use, and losing them seems to be a very small price to pay for allowing peace to break out in botany.

This proposal is made by the present author alone, without consultation with any committees, in an attempt to break the present deadlock and hopefully to help restore good international relations in botany. It proposes a purely nomenclatural solution to avoid mass changes of names of important species. It has nothing to do with cladistics and does not query the taxonomic concept of accepting three genera. Without this, a lot of people will be seriously inconvenienced and many will be seriously unhappy.

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(293) Proposal to add an example to Article 52

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What is now Art. 52.2 entered the *Code* in Edinburgh as a Note to Art. 63 and resulted from proposals by Tryon (in *Taxon* 11: 116–120. 1962), and Weresub & Hennebert (in *Taxon* 12: 218–228. 1963) to explain what was intended by “to include the type” in the sense of that Article. The two proposals were very similar, except that Tryon’s proposal included a provision that “A taxon is considered to include the type of another name if its circumscription

directly and unequivocally includes: ... c) the original description of a name” and an example “The species name *Linum gallicum* L. (Sp. Pl. ed. 2, 401. 1762) is illegitimate, being a superfluous name for *Linum trigynum* L. (Sp. Pl. 279. 1753), the two names having the identical diagnosis.”

These proposals were studied by an ad hoc committee at the Congress and the resulting proposal that was accepted by the