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OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

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Secretary to the Commission

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OPINION 167

Suspension of the rules for *Euthalia* Hübner,
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OPINION 167.

SUSPENSION OF THE RULES FOR *EUTHALIA* HÜBNER, [1819] (CLASS INSECTA, ORDER LEPIDOPTERA).

SUMMARY.—Under suspension of the rules it is hereby declared that page priority shall not be invoked to secure precedence for *Symphaedra* Hübner, [1819] (type: *Symphaedra alcandra* Hübner, [1819]), over *Euthalia* Hübner, [1819] (type: *Papilio lubentina* Cramer, [1777]), and the name *Euthalia* Hübner is therefore valid. This decision does not affect the validity of the *Symphaedra* Hübner, if and when it may be desired on taxonomic grounds to place *Symphaedra alcandra* Hübner and *Papilio lubentina* Cramer in different genera. The name *Euthalia* Hübner, [1819] (Class Insecta, Order Lepidoptera), with the type indicated above, is hereby added to the *Official List of Generic Names in Zoology* as Name No. 613.

I.—THE STATEMENT OF THE CASE.

This case was submitted to the International Commission on Zoological Nomenclature in a letter dated 24th October 1934, in which Commissioner Francis Hemming and Mr. N. D. Riley, Keeper of the Department of Entomology, British Museum (Natural History), jointly invited the Commission to render *Opinions* in regard to this, and certain other, generic names in the Order Lepidoptera (Class Insecta). The passage in that letter relating to the name *Euthalia* Hübner reads as follows:—

- (a) We recommend that the following names should be added by the International Commission to the *Official List of Generic Names*. Our reasons for so recommending are fully set out in the statements, the terms of which we have jointly agreed, contained in Hemming's *Generic Names of the Holarctic Butterflies* on the pages noted below:—

Euthalia Hübner, [1818],¹ (Hemming (*loc. cit.* 1 : 91–92))

.....

¹ At the time that this application was made to the International Commission, there was much uncertainty regarding the dates of publication of the entomological works of Jacob Hübner, and in particular of his *Verzeichniss bekannter Schmettlinge* [sic]. These doubts have since been put to rest by the discovery of Hübner's original manuscripts. The correct date for *Euthalia* Hübner is [1819]. See *Opinion 150* (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 161–168).

2. The following is an extract from the work referred to above of the passage relating to this genus :

EUTHALIA Hübner

Hübner, [1818],² *Verz. bekannt. Schmett.* (3) : 41

Scudder, 1875, *Proc. Amer. Acad. Arts Sci.*, Boston 10 : 176

TYPE : *Papilio lubentina* Cramer, 1777³

Of the two species given by Hübner, Scudder selected *lubentina* Cram. as the type.

On a strict application of the rules in the International Code of Zoological Nomenclature the name *Symphaedra* Hübner, [1818],² should take precedence of *Euthalia* Hübner, [1818].² Nomenclatorially, both *Euthalia* Hübner and *Symphaedra* Hübner are valid names, but one must sink as a synonym of the other, as their respective types (*Papilio lubentina* Cram., 1777³ and *Symphaedra alcandra* Hübner, [1818]²) are congeneric. Both names were published simultaneously by Hübner in the *Verz. bekannt. Schmett.* The name *Symphaedra* Hübner was published on p. 40 and the name *Euthalia* Hübner on p. 41. Thus on the principle of page priority, *Euthalia* Hübner should fall as to *Symphaedra* Hübner.

There are, however, very strong reasons against such an arrangement. The name *Euthalia* Hübner has been applied without challenge to *lubentina* Cram. and its numerous allies ever since the establishment of the name by Hübner one hundred and sixteen years ago. On the other hand, the name *Symphaedra* Hübner has hardly ever been used except to distinguish a single species, *alcandra* Hübner (= *nais* Forster), from the other species of *Euthalia* Hübner. Bingham (1905, *Fauna Brit. Ind. Butt.* 1 : 271) and Fruhstorfer (1913, in Seitz, *Grossschmett. Erde* 9 : 680) have, however, shown that there are no structural characters by which *alcandra* Hübner (= *nais* Forster) can be distinguished from *lubentina* Cram.

The position is, therefore, that a strict application of the Code would :—

- (i) deprive *Papilio lubentina* Cram., 1777,³ and its numerous congeners of the generic name *Euthalia* Hübner by which they have been known universally ever since its establishment by Hübner in 1818;²
- (ii) transfer those species to the genus *Symphaedra* Hübner, a name which has hardly ever been used except (mistakenly) to distinguish *alcandra* Hübner (= *nais* Forster) generically from *lubentina* Cram. and its congeners.

I am of the opinion :—

- (a) that it would be highly undesirable to disturb the universally accepted use of the name *Euthalia* Hübner, [1818],² for *Papilio lubentina* Cram., 1777,³ and its congeners, by transferring them to the genus *Symphaedra* Hübner, [1818],² and
- (b) that the strict application of the rules of the International Code in this case would clearly result in greater confusion than uniformity.

3. Commissioner Hemming went on to say that, jointly with Mr. N. D. Riley, he was submitting to the International Commission on Zoological Nomenclature a recommendation that, in the

² The correct date of this name is [1819]. See footnote 1.

³ As the dates of publication of the Parts in which Cramer's *Uitlandsche Kapellen* was published can only be determined by the inspection of a copy still in original wrappers, the dates of names published in this work should be cited in squares brackets.

exercise of the plenary power conferred upon them by the International Zoological Congress, the Commission should as soon as possible take the steps laid down by the Congress for the promulgation of an *Opinion* to the following effect :—

The name *Euthalia* Hübner, [1818]² (type *Papilio lubentina* Cram., 1777)³ is hereby added to the *Official List of Generic Names*. The name *Symphaedra* Hübner, [1818]² is, therefore, not to be substituted for *Euthalia* Hübner, [1818],² on the ground that it has page priority over that name, though it is available for use for *Symphaedra alcandra* Hübner, [1818]² (= *Papilio nais* Forster, 1771), by such systematists as may regard that species as generically distinct from *Papilio lubentina* Cram., 1777.³

II.—THE SUBSEQUENT HISTORY OF THE CASE.

4. As a first step the International Commission decided to invite the International Committee on Entomological Nomenclature to report on the present application. This case was accordingly considered by the International Committee at their meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration, the International Committee on Entomological Nomenclature agreed to recommend the International Commission on Zoological Nomenclature to take such steps as they might consider necessary under their plenary powers to secure that the name *Symphaedra* Hübner, [1819], should not replace the name *Euthalia* Hübner, [1819], as the generic name for *Papilio lubentina* Cramer, [1777], and the large number of species congeneric therewith.

5. This and other recommendations adopted by the International Committee on Entomological Nomenclature at their Madrid meeting were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE.

6. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had

not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the name *Euthalia* Hübner, [1819], was one of the cases in question and was accordingly dealt with under the above procedure.

7. This case was considered by the International Commission later in the course of the meeting referred to above (Lisbon Session, 2nd Meeting, Conclusion 22), when it was agreed:—⁴

(a) to "suspend the rules" in the case of the following generic names:—

(v) *Euthalia* Hübner, [1819], *Verz. bek. Schmett.* (3) : 41

(f) to declare that page precedence shall not be invoked to secure precedence for *Symphaedra* Hübner, [1819], *Verz. bek. Schmett.* (3) : 40 (type: *Symphaedra alcandra* Hübner, [1819], *ibid.* (3) : 40) over *Euthalia* Hübner, [1819], *Verz. bek. Schmett.* (3) : 41 (type: *Papilio lubentina* Cramer, [1777]); that the name *Euthalia* Hübner is therefore valid; but that this decision would not affect the validity of *Symphaedra* Hübner, [1819], if and when it may be desired on taxonomic grounds to place *Symphaedra alcandra* Hübner, [1819], and *Papilio lubentina* Cramer, [1777], in different genera;

(i) to add the generic names . . . *Euthalia* Hübner, [1819], . . . to the *Official List of Generic Names*, with the types indicated above;

(l) to render *Opinions* in the sense of (a) to (k) above.

⁴ Only those portions of Conclusion 22 which refer to the present case are here quoted. For the full text of Conclusion 22, see 1943, *Bull. zool. Nomencl.* 1 : 20-23.

8. The foregoing decisions were embodied in paragraph 28 of the report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

9. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 6 above), this case was duly advertised in 1936 in two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.⁵ In the period that has elapsed since the advertisement in the said journals of the possible suspension of the rules as applied to the present case, no communication of any kind has been addressed to the Commission objecting to the issue of an *Opinion* in the terms proposed.

10. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

11. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that

⁵ See Declaration 5 (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 31-40).

occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter.

12. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the above *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

13. At the time that the vote was taken on the present *Opinion* there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals specified in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Sixty Seven (*Opinion* 167) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this first day of July, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

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Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision ;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above ; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943. So far, six Parts have been published. Further Parts are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely :—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-20 (containing *Declarations* 1-9 and *Opinions* 1-11) have now been published. Further Parts will be published shortly.

Volume 2. This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10-12 (with Roman pagination) and *Opinions* 134-181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1-37, containing *Declarations* 10-12 and *Opinions* 134-167, have now been published. Further Parts will be published shortly.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-11 (containing *Opinions* 182-192) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £969 16s. 1d. were received up to 30th June 1945. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

Contributions should be sent to the International Commission at their Publications Office, 41, Queen's Gate, London, S.W. 7, and made payable to the "International Commission on Zoological Nomenclature or Order" and crossed "Account payee. Coutts & Co."

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