

## OPINION 1189

CIRCINAE IN AVES AND MOLLUSCA: REMOVAL OF  
THE HOMONYMY

RULING.— (1) The requests to use the plenary powers to vary the stem, for the purposes of Article 29, of either the generic name *Circus* Lacepède, 1799 (Aves), or (b) the generic name *Circe* Schumacher, 1817 (Mollusca) are hereby refused.

(2) Under the plenary powers it is hereby ruled that the generic name *Circus* was first made available by Lacepède, 1799, regardless of any prior publication by Bechstein.

(3) The following generic names are hereby placed on the Official List of Generic Names in Zoology with the Name Numbers specified:

- (a) *Circus* Lacepède, 1799 (gender: masculine), type species, by subsequent designation by Lesson, 1828, *Falco aeruginosus* Linnaeus, 1758 (Name Number 2131);
- (b) *Circe* Schumacher, 1817 (gender: feminine), type species, by monotypy, *Circe violacea* Schumacher, 1817 (Name Number 2132);
- (c) *Gafrarium* Röding, 1798 (gender: neuter), type species, by subsequent designation by Dall, 1902, *Venus pectinata* Linnaeus, 1758 (Name Number 2133).

(4) The following specific names are hereby placed on the Official List of Specific Names in Zoology with the Name Numbers specified:

- (a) *aeruginosus* Linnaeus, 1758, as published in the binomen *Falco aeruginosus* (specific name of type species of *Circus* Lacepède, 1799) (Name Number 2759);
- (b) *scripta* Linnaeus, 1758, as published in the binomen *Venus scripta* (the valid name, at the time of this ruling, for the type species of *Circe* Schumacher, 1817) (Name Number 2760);
- (c) *pectinata* Linnaeus, 1758, as published in the binomen *Venus pectinata* (specific name of type species of *Gafrarium* Röding, 1798) (Name Number 2761)

(5) The following family-group names are hereby placed on the Official List of Family-Group Names in Zoology with the Name Numbers specified:

- (a) CIRCINAE Sundevall, 1836 (Aves), type genus *Circus* Lacepède, 1799 (Name Number 515);



- (b) GAFRARIINAE Korobkov, 1954 (Mollusca), type genus *Gafrarium* Schumacher, 1817 (Name Number 516).

(6) The following family-group name is hereby placed on the Official Index of Rejected and Invalid Family-Group Names in Zoology with the Name Number specified: CIRCINAE Dall, 1895 (Name Number 486).

#### HISTORY OF THE CASE Z.N.(S)2112

An application designed to remove the homonymy between the subfamily names CIRCINAE in Aves and CIRCINAE in Mollusca was first received from Dr. Barry Roth (*California Academy of Sciences*) on 3 February 1975. After an exchange of correspondence it was sent to the printer on 14 October 1975 and published on 30 January 1976 in *Bull. zool. Nom.* vol. 32, pp. 270–273. Public notice of the possible use of the plenary powers in the case was given in the same part of the *Bulletin* as well as to the statutory serials, five general serials, ten ornithological and four malacological serials.

Comments by Dr. E. Eisenmann, Mr. R.K. Brooke (to whom Dr. Roth replied) and Mr. D. Heppell were published in *Bull. zool. Nom.* vol. 33, pp. 143–145. Whereas Dr. Roth, in his original application, and Mr. Brooke proposed that the stem of one or other of the generic names involved be changed, Mr. Heppell proposed that the Law of Homonymy be allowed to operate and that the subfamily name GAFRARIINAE Korobkov, 1954 (generally considered a junior synonym of CIRCINAE Dall, 1895) be adopted as a replacement name.

#### DECISION OF THE COMMISSION

On 5 September 1980 the members of the Commission were invited to vote under the Three-Month rule on Voting Paper V.P.(80)25, either (A) for changing CIRCINAE (Mollusca) to CIRCEINAE, or (B) for changing CIRCINAE (Aves) to CIRCOINAE, or (C) for accepting GAFRARIINAE in place of CIRCINAE (Mollusca). It was pointed out that choices A and B would both require the use of the plenary powers, but that choice C would not. At the close of the voting period on 5 December 1980 the state of the voting was as follows:

Choice A — five (5): Holthuis, Mroczkowski, Hahn, Habe, Nye

Choice B — three (3): Willink, Corliss, Ride

Choice C — fourteen (14): Melville, Starobogatov, Trjapitzin, Lehtinen, Brinck, Tortonese, Dupuis, Welch,



Alvarado, Cogger, Sabrosky, Heppell, Bayer, Halvorsen

Vokes was on leave of absence. No votes were returned by Bernardi, Binder and Kraus.

The following comments were sent in by members of the Commission with their voting papers:

*Holthuis*: 'To justify my voting on this case I want to make the following remarks:

'(1) (concerning Alternative B). The change from CIRCINAE (for *Circe*) to CIRCEINAE is less drastic and shows the relation to the type genus better than does that of CIRCINAE (for *Circus*) to CIRCOINAE.

'(2) (concerning Alternative B). The fact that some authors at present synonymise CIRCINAE (for *Circus*) with ACCIPITRINAE does not mean that this will always be so: usually a period in which "lumping" is fashionable will be followed by one in which the trend will be to splitting. It is almost arrogant to believe that we have now achieved the definitive taxonomy of birds.

'(3) (concerning Alternative C). CIRCINAE Dall, 1895 (for *Circe*) actually is only an accidental homonym of CIRCINAE Sundevall, 1836, caused, not by nomenclature, but by the rules of grammar. As long as *Circe* is an available name, we cannot reject the family-group name based on it (if *Circe* were the only genus in a monotypical family, the name of the family would have to be based on the name *Circe*). The only alternative is to change its spelling or that of its homonym. The name CIRC(E)INAE Dall, 1895, in whatever spelling, is a senior synonym of GAFRARIINAE Korobkov, 1954, and the latter name cannot be used except by zoologists who think that *Circe* and *Gafrarium* belong to two distinct family-group taxa.'

*Hahn*: 'I vote for Alternative A. As far as I can see, and in contrast to the opinion of Mr. Brooke, the avian family-group name CIRCINAE is still in use. I have found it in Grzimek's *Tierleben*, vol. 7, p. 502, 1970, as well as in the German edition of O.L. Austin's *Die Vögel der Welt*, p. 81, 1963.'

*Ride*: 'CIRCINAE is well known in Mollusca and is in current use. I see no advantage to users of the molluscan literature in dispensing with it merely to avoid having to use the plenary powers. Some amendments should be made to the proposal to cover Eisenmann's point on Bechstein, and I ask for these to be taken care of by the Secretary.'

*Bayer*: 'As a modern revision treats *Circe* Schumacher, 1817, as a synonym of *Gafrarium* Röding, 1798, it would seem preferable to let the Law of Homonymy apply and use GAFRARIINAE for the molluscan subfamily, thus avoiding a case in which a family-group name is based on a generic name not in use.'



## ORIGINAL REFERENCES

The following are the original references for names placed on Official Lists and an Official Index by the ruling given in the present Opinion:

*aeruginosus*, *Falco*, Linnaeus, 1758, *Syst. Nat.*, ed. 10, p. 91

*Circe* Schumacher, 1817, *Essai vers test.*, pp. 50, 152

CIRCINAE Sundevall, 1836, *K. Vetenskaps-Akad. Handl.* for 1835, p. 113

CIRCINAE Dall, 1895, *Trans. Wagner free Inst. Sci. Philadelphia*, vol. 3, p. 552

*Circus* Lacepède, 1799, *Tableau des Oiseaux*, p. 4

GAFRARIINAE Korobkov, 1954, *Spravochnik i metodicheskoe rukovodstvo po Tretichnim Mollyuskam*, p. 166

*Gafrarium* Röding, 1798, *Museum Boltenianum*, p. 176

*pectinata*, *Venus*, Linnaeus, 1758, *Syst. Nat.* ed. 10, p. 689

*scripta*, *Venus*, Linnaeus, 1758, *Syst. Nat.* ed. 10, p. 689

The following are the original references to designations of type species accepted in the ruling given in the present Opinion: of *Falco aeruginosus* as type species of *Circus* Lacepède, 1799, by Lesson, 1828, *Man. Ornithol.*, vol. 1, p. 105; of *Venus pectinata* Linnaeus, 1758, as type species of *Circe* Schumacher, 1817, by Dall, W.H., 1895, *Proc. U.S. nat. Mus.*, vol. 26, p. 350.

## CERTIFICATE

I hereby certify that the votes cast on Voting Paper (1980)25 were cast as set out above, that the proposal contained in that voting paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission on Zoological Nomenclature, is truly recorded in the present Opinion No. 1189.

R.V. MELVILLE

Secretary

International Commission on Zoological Nomenclature

London

10 March 1981



International Commission on Zoological Nomenclature. 1981. "Opinion 1189."  
*The Bulletin of zoological nomenclature* 38, 243–246.

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