

Comment on the proposed establishment of availability of *Balintus* d'Abrera, 2001, *Gulliveria* d'Abrera & Bálint, 2001, *Salazaria* d'Abrera & Bálint, 2001, *Megathecla* Robbins, 2002 and *Gullicaena* Bálint, 2002 (Insecta, Lepidoptera, LYCAENIDAE)
(Case 3458; see BZN 65: 188–193, 66: 271–272)

Robert K. Robbins

*Smithsonian Institution, National Museum of Natural History, Stop 105,
PO Box 37012, Washington, DC 20013–7012 U.S.A. (e-mail: RobbinsR@SI.edu)*

Gerardo Lamas

*Museo de Historia Natural, Universidad Nacional Mayor de San Marcos, Apartado
14–0434, Lima-14, Perú (e-mail: glamasm@unmsm.edu.pe)*

This is a reply to the comment by Craig (BZN 66: 271–272) on Case 3458.

This matter arose when d'Abrera & Bálint (2001) proposed eight generic names in the LYCAENIDAE (Lepidoptera). An application on the availability of these names (Robbins & Lamas 2008b) noted that the words in d'Abrera & Bálint (2001) differentiated the type species. Similarly, the characters in d'Abrera & Bálint (2001) differentiated the type species. The proposed interpretation (Robbins, 2002; 2004; Robbins & Lamas 2008a, b) was that d'Abrera & Bálint (2001) had differentiated the type species for each new generic name, contradicting Article 13.1.1 of the Code which requires differentiation of the new genus. Craig now proposes the alternative interpretation that d'Abrera & Bálint (2001) intended to differentiate each genus.

The first theme of our response to Craig is that promoting the stability and universality of names was the nomenclatural philosophy underlying all of our publications related to Case 3458 (Robbins, 2002; 2004; Robbins & Lamas, 2008a, b). The second theme of our response is that Craig's criticisms lack supporting reasons, explanations, and evidence.

Craig writes "The bone of contention revolves around a minor and rather trivial perceived technicality. Taking the example cited by the applicants, under the heading 'Genus *Annamaria* d'Abrera & Balint gen. nov.' the authors (in d'Abrera, 2001) wrote '... However, is distinguished from *Evenus* by ...' followed by several distinguishing characters of the wing veins and androchonia [sic] patches. This was clearly 'a definition that states in words characters that are purported to differentiate the taxon' in the sense of the Code (Article 13.1.1), in other words the authors' purpose in including this paragraph was to differentiate the new genus."

Our response is that Craig took the quote out of context. In the actual description, d'Abrera & Bálint (2001) wrote 'In NEOTROPICAL VII:1107 treated as *Evenus draudti*. Likewise by other workers. However, is distinguished from *Evenus* by ...' The subject of the first sentence is unequivocally the type species, not the genus. The subject of the second sentence is the type species. There is no indication that the subject of the third sentence is different. And in accord with this idea, the characters that d'Abrera & Bálint (2001) gave distinguish the type species, not the other species that they placed in *Annamaria*. Irrespective of whether this is a 'minor and rather trivial perceived technicality', Craig provides no evidence to support the notion that d'Abrera & Bálint (2001) intended to differentiate the genus.

Craig writes '*Chopiniana* [sic] is presumably equally sound in the absence of any comments to the contrary.' Is *Chopinia* d'Abrera (*Chopiniana* is a misspelling) nomenclaturally sound? The original description of *Chopinia* clearly listed characters that differentiate the male of the type species, *Thecla mazurka* Hewitson, from *Macusia* Kaye; none of these characters were noted to differentiate *Chopinia* from *Macusia*, in violation of Article 13.1.1. For this reason, we consider *Chopinia* to be unavailable (Robbins, 2004; Robbins & Lamas, 2008b). Craig continues 'This suggests that it is not the taxonomic concepts that the applicants find ambiguous or unacceptable, but rather the names themselves and/or their authorship.' This inappropriate statement is unsupported by fact.

Concerning the monotypic genera proposed by d'Abrera & Bálint (2001), Craig writes 'Although denied by the applicants, the characters of the type species are the characters of their respective monotypic genera; there are no other characters the authors could have provided to differentiate these taxa.' We are perplexed why Craig asserts that we denied that the characters of a monotypic genus are the same as those of the type species. Rather, we had originally accepted the availability of the monotypic genera because differentiating the type species of a monotypic genus could be interpreted as being equivalent to differentiating the genus (Robbins & Lamas, 2008b). However, in reviewing the original version of our application, an anonymous Commissioner responded 'As one of the authors of this potential Case is actually a Commissioner, I sent a mail to all Commissioners with the examples given above asking for advice on how exactly to interpret Article 13.1. The replies I got agree with my own interpretation that the monotypic genera are NOT made available through the description of the type species and only congener.' Our application agreed with this viewpoint because we knew of no compelling reasons to the contrary.

Craig writes 'Yet the Commission is being asked to reward this error of Robbins (2002) by making *Megathecla* available, while rejecting most of the new genera of d'Abrera & Bálint (in d'Abrera, 2001) as a punishment for their ambiguous phraseology.' We are perplexed how Craig can view a Commission decision as a reward or a punishment. The words 'reward' and 'punishment' do not occur in the Code. As we understand it, the Commission is charged with promoting the stability and universality of names, not with rewarding or punishing authors or applicants.

Craig writes 'The Commission should not consider rejecting some generic names that are inconvenient to the applicants while making others available.' Robbins & Lamas (2008b) provided evidence that their nomenclatural proposal was the most stable solution. We are perplexed by, and object to, Craig's assertion that our proposal was motivated by inconvenience, especially since he does not provide a single reason why these names would be 'inconvenient'.

Craig writes 'Such a ruling would engender ill-feeling and a sense of injustice and would exacerbate the nomenclatural confusion currently caused by this issue.' Although 'ill-feeling and a sense of injustice' are not specifically mentioned in the Code, a sense of fair and equal treatment is arguably an important foundation for all human endeavours. It is exactly the reason why the Code and its objectives apply to everyone fairly and equally. In this case, d'Abrera & Bálint (2001) unfortunately did not follow the rules, and Robbins & Lamas (2008b) addressed the question of how best to achieve the objectives of the Code. In what way can that be construed as unjust? How can it engender ill-feeling? Once again, Craig's assertions of ill-feeling and injustice are not accompanied by supporting evidence.

The reason for the application by Robbins & Lamas (2008b) was that a ruling by the Commission, one way or the other, would stabilise the currently confused nomenclature of the generic names proposed by d'Abrera & Bálint (2001). Craig does not explain his assertion that such a ruling would 'exacerbate' confusion, and quite frankly, we are perplexed by this statement.

Craig writes 'The Commission would be rubberstamping various breaches of good zoological practice (see the Code, Appendix A, Code of Ethics) that have already occurred in the course of this matter.' Craig does not specify the 'breaches', but we can think of several ethical issues related to 'this matter'. The only one, however, that has seriously hindered the promotion of the stability and universality of names, to which all provisions of the Code are subservient, was when d'Abrera & Bálint's nomenclatural actions did not meet the requirements of Article 13.1.1. This 'breach' resulted in an unstable nomenclature that is now taking the time of the Commission and the Secretariat.

Craig writes 'It would also set an unacceptable precedent that any taxonomist who might interpret the description of an earlier taxon as being inadequate, or as meaning something which conflicts with the Code, could correctly declare it unavailable and rename it her/himself.' We are truly perplexed with this sentence for two reasons. First, nomenclatural changes are made all the time; how can the changes proposed by Robbins & Lamas (2008b) be rationally called an 'unacceptable precedent'? Second, the objective of changing nomenclature is to stabilise names, as in the application of Robbins & Lamas (2008b), not to 'rename it her/himself'.

Robbins & Lamas (2008b) provided evidence that their nomenclatural solution was the most stable one with regard to usage in published papers and on websites. Craig proposes an alternative nomenclatural solution, but does not provide a single piece of evidence to support its stability with regard to current and past usage. Even if the solution that we proposed is not a good one (and we explained in our application why we think that it is the best one), our solution is consistent with the objectives of the Code. Alternatively, Craig's solution and his criticisms of our solution are, at best, inconsistent with the objectives of the Code.

(2) Marcelo Duarte

Museu de Zoologia, Universidade de São Paulo, São Paulo, SP 04263-000, Brazil
(e-mail: mduartes@usp.br)

I have been following the ongoing debate on Case 3458 (BZN 65: 188–193). I have also had the opportunity to read an unpublished reply (now BZN 66: 349–351) by Robbins & Lamas to Craig's comment (BZN 66: 271–272) on this case. I disagree with Craig's interpretations and consider them incorrectly supported according to the meaning of Article 13.1 of the Code. Robbins & Lamas (2008) were very meticulous and correct with their support, explanation, and reasons for proposing (1) the availability of five generic names; (2) four generic names to be placed on the Official List of Generic Names in Zoology, and four specific names to be placed on the Official List of Specific Names on Zoology; (3) eight generic names to be placed on the Official Index of Rejected and Invalid Generic Names in Zoology. The intention of the present comment is to support Case 3458 which was, in my opinion, properly intended to stabilise the usage of names in Neotropical butterflies.