



### *Podargus brachypterus* vs. *macrorhynchus*: misuse of Article 32.5.1.1 of the Code

RICHARD SCHODDE

6 Curlewis Ridge, 14 Hartigan Street, Garran, ACT 2605, Australia E-mail: [rschodde@grapevine.com.au](mailto:rschodde@grapevine.com.au)

Dickinson *et al.* (2009) argued that the in-use name *brachypterus* Gould, 1841 for the western Australian subspecies of the Tawny Frogmouth (Aves: *Podargus strigoides*) must be replaced by *macrorhynchus* Gould, 1841. The latter was an alternative but unused name published for the frogmouth in the same paper (Gould 1841). In justifying their action, Dickinson *et al.* (2009) pointed out that *brachypterus* had been “erased” in a corrigendum to the paper. Then, resting their case on Art. 32.5.1.1 of the *International Code of Zoological Nomenclature* (ICZN 1999), hereafter the *Code*, they went on to assume that such a correction was “clear evidence” that *brachypterus* was “an inadvertent error” in spelling. Therefore, they concluded, *macrorhynchus* was the “correct original spelling”.

This misuses Art. 32.5.1.1 and misunderstands provisions of the *Code*. Dickinson *et al.* (2009) have made the elementary mistake of confounding different names for the same taxon with different spellings of the same name. Article 32.5.1.1 deals exclusively with the correction of spellings of the same name at the time of first publication. But *brachypterus* and *macrorhynchus* are different, alternative names (allelonyms) for the same taxon, and have nothing whatever to do with variant spellings. Their treatment is covered instead by parts of the *Code* concerned with the availability and validity of names (chapters 4 and 6), quite separate from those which deal with spellings (chapter 7). Gould himself, no classical scholar, clearly understood that *brachypterus* (short-winged) was a different name from *macrorhynchus* (large-billed). Although Dickinson *et al.* (2009) used Gould’s original description to presume that *macrorhynchus* was really Gould’s intended spelling, they overlooked Gould’s later (1848, 1865) commentaries which single out his original choice of *brachypterus* for the western frogmouth because of “the shortness of its wings”.

The real issue here is the *availability* of *brachypterus* in the original publication, as affected by the corrigendum “erasing” it. *Contra* Dickinson *et al.* (2009), the provisions of the *Code* covering this situation are Art. 8.3 (Names and acts may be disclaimed), pursuant to Art. 11.1 (Requirements for availability, Publication). Art. 8.3 states that “if a work contains a statement to the effect that ...any of the names...in it are disclaimed for nomenclatural purposes, the disclaimed names are not available”. This point is made again under “Disclaimer” in the *Glossary* of the *Code*, where a disclaimer is expressly confined to “a statement *in* a work” (italics mine). In the case of *brachypterus* Gould, 1841, the statement “erasing” it is *outside* the work, *i.e.* outside Gould’s (1841) paper in which *brachypterus* and *macrorhynchus* were jointly published, or, interpreted at its broadest, outside the part (no. xciv in vol. 8) of the journal (*Proceedings of the Zoological Society of London*) in which that paper appeared (data from Sclater 1893).

Instead, the erasure was only added as a brief one-line note at the end of the index on the last page of the last part (no. xcv) of volume 8 of the *Proceedings*. It was evidently inserted as an editorial afterthought and without Gould’s authority. Gould never acknowledged the correction and used *brachypterus* exclusively for the western Tawny Frogmouth in all later references (Gould 1848, 1865) – see Schodde (1997: 309), *cf.* Peters (1940: 176, footnote). Under the provisions of Art. 8.3 and its explanation in the *Glossary* of the *Code*, *brachypterus* Gould, 1841 is thus unchallenged and available, in accord with all previous interpretations: Mathews (1912, 1927, 1946), Peters (1940), Condon (1975) and Schodde (1997:309). Dickinson *et al.* (2009), incidentally, misquoted the last reference as Schodde & Mason (1999), a work that deals only with passerines.

Given that *brachypterus* Gould, 1841 and *macrorhynchus* Gould, 1841 are both available allelonyms (Dubois 2006), the precedence of one over the other is determined by the First Reviser (Art. 24.2). In citing Gould (1865) as the First Reviser under Art. 24.2.4 of the *Code*, Dickinson *et al.* (2009) again fail in their homework. Under that provision, Gould’s exclusive choice of *brachypterus* Gould, 1841 on p. 26 of his *An Introduction to the Birds of Australia* in 1848 stands as the original decision of a First Reviser.

To conclude, the valid name for the western subspecies of the Tawny Frogmouth remains *Podargus strigoides brachypterus* Gould, 1841, chosen by Gould (1848). This is a good win for stability in avian nomenclature because *brachypterus* Gould, 1841 is the current name for this subspecies in all modern checklists and manuals (*e.g.*, Peters 1940; Condon 1975; Wolters 1976; Schodde 1997; Higgins 1999; Holyoak 1999; Dickinson 2003), whereas *macrorhynchus* Gould, 1841, a *nomen oblitum*, has never been used to my knowledge since its first publication in 1841.