

ON THE STATUS OF THE GENERIC NAME *SCHISTOSOMA* WEINLAND,  
1858 (CLASS TREMATODA, ORDER DIGenea) IN RELATION TO  
OPINION 77

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The International Commission on Zoological Nomenclature has the power (granted to it by the Ninth International Congress of Zoology at Monaco in 1913) to place nomenclatorially available names (with their types) on the *Official List of Generic Names in Zoology*. When such a name is placed on the *Official List*, that name and no other is the correct name for the genus in question and the type of the genus is the species indicated in the *Official List*.

2. Further, the International Commission has the power, also conferred upon it by the Ninth International Congress of Zoology at Monaco in 1913, to suspend the rules in certain cases. When the International Commission uses the plenary powers so conferred upon it either to validate an otherwise invalid name or to designate as the type of a genus some species other than that which is the type under the International Code, the Commission has the power to place the name so validated and with the type so designated on the *Official List* and such action is final and not subject to revision.

3. The International Commission does not, however, possess—nor would it be reasonable that it should possess—the power to place on the *Official List* a name which is invalid under the Code, unless the Commission first uses its plenary powers to validate the name in question.

4. It follows, therefore, that, if it can be shown that, through a given case having been incompletely presented to the Commission or for some other cause, a nomenclatorially invalid name has been placed on the *Official List*, the decision of the Commission as respects that name is itself invalid, since it is *ultra vires* the powers of the Commission. In such a case, the *Opinion* (or portion of an *Opinion*) embodying the decision in question would remain as the record of the view of the Commission at the time that it was adopted but it would have no binding force.

5. The "statement of the case" submitted by Dr. Vogel in regard to *Bilharzia* (emendation of *Bilharzia*) Meckel von Hemsbach, 1856, shows beyond possibility of dispute that the name *Schistosoma* Weinland, 1858, is no more than an objective synonym of *Bilharzia* Meckel von Hemsbach, 1856, of which the same species (*Distomum haematobium* Bilharz, 1852) is the type. It follows, therefore, that, in placing the name *Schistosoma* Weinland, 1858, on the *Official List* in *Opinion* 77, the International Commission committed an error of the kind discussed in paragraph 4 above and acted *ultra vires* their powers.

6. What happened, no doubt, was that at the time when the International Commission had this case under consideration in connection with *Opinion* 77, they were not aware of the existence of the name *Bilharzia* Meckel von Hemsbach, 1856, and believed that the name *Bilharzia* was first published by Cobbold in 1859. On these premises, the International Commission were correct in concluding that the name *Schistosoma* Weinland, 1858, was the oldest available generic name for *Distomum haematobium* Bilharz, 1852, and, therefore, that that name was eligible for inclusion in the *Official List*. As shown above,



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