

High Court silk ceremony

The senior counsel appointees of 2008 took their bows in the High Court on Monday, 2 February 2009.



Black and White

MM Park considers a recent journal article and the happy coincidence of its authors' names.

Consider the recent article¹ by the Hon Michael Black AC and Dr Michael White QC regarding Australian Constitution and the Don Braben painting of the steam yacht *Lucinda* commissioned by the Federal Court. Black is, of course, the chief justice of the Federal Court of Australia and White is adjunct professor, Marine and Shipping Law Unit and the Centre for Maritime Studies, University of Queensland. Should the two Michaels be cited as Black and White?

Were the authors conscious of the relationship of their names? If so, should they have considered enlisting the assistance of (or even co-opting) Justice Peter Gray of the Federal Court to permit the authors being cited as Black, White, and Gray? Better still, Justice Malcolm Gray of the ACT Supreme Court would have allowed the continuation of the Black, White, and Gray, MM citation.

If this were the case, the authors would be following in the 60 year old path of Alpher, Bethe, and Gamow (*The Physical Review*, April 1, 1948). In physical cosmology, the Alpher-Bethe-Gamow paper, or $\alpha\beta\gamma$ paper, was created by Ralph Alpher, then a physics PhD student, and his advisor George Gamow. The work, which would become the subject of Alpher's PhD thesis, argued that the Big Bang

would create hydrogen, helium and heavier elements in the correct proportions to explain their abundance in the early universe. While the original theory neglected a number of processes important to the formation of heavy elements, subsequent developments showed that Big Bang nucleosynthesis is consistent with the observed constraints on all primordial elements.

Bethe's name was included when Gamow (a notorious prankster) decided to add the name of his friend—the eminent physicist Hans Bethe—to the paper in order to create the whimsical author list of Alpher, Bethe, Gamow, a play on the Greek letters, α , β , and γ . Bethe was listed in the article as 'H Bethe, Cornell University, Ithaca, New York.'² The publication date of the paper appears to be a felicitous and fortuitous incident of the publishing process and uninfluenced by the mischievous Gamow.

Endnotes

1. The QGSY *Lucinda* and the Constitution: The Federal Court's painting of the '*Lucinda* at Farm Cove, Easter Day 1891', 30 *Aust Bar Rev*, pp 24-32 (2007).
2. The $\alpha\beta\gamma$ paper information was taken from Wikipedia.org