

Commemorating William Ah Ket —a life of diversity and service

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William Ah Ket [麦锡祥] was born in Wangaratta in 1876. He studied law at the University of Melbourne before joining the law firm of Maddock & Jamieson (now Maddocks) and commencing the articled clerk's course in 1898. After completing the course in 1899, William won the Supreme Court Judges Prize in 1902 and was admitted to practice in 1903. William was called to the Bar the following year and is widely understood to have become the first Australian lawyer of Chinese descent to practise as a barrister at the independent Bar in the State of Victoria.

The *Australian Dictionary of Biography* notes the following in its entry on William Ah Ket:

Ah Ket built up a healthy practice at the Victorian Bar, specializing in civil law. He was in the front rank of pleaders and became renowned as a fine cross-examiner—quietly spoken, courteous and shrewd—and as an outstanding jury man. He acquired a considerable reputation as a negotiator of settlements. Ah Ket's colleagues remembered him with warmth and affection as an amiable and gregarious man, greatly respected for his ability and integrity. He was an excellent after-dinner speaker, a prominent Freemason and a keen punter and golfer.

During his career at the Bar, William counted many well-known Australians among his friends, including Sir Robert Menzies, who is said to have modelled his oratory on William's, and Sir Owen Dixon.

A committed advocate for the Chinese community, William was particularly active in the fight against racial discrimination. In addition to lobbying against discriminatory legislation, such as the Immigration Restriction Bill of 1901, William appeared in many cases that would be described today as 'public interest' cases. In the High Court case of *Ingham v Hie Lee*, William represented a Chinese laundry owner who was charged with an offence under the *Factories and Shops Act 1905* in Victoria. The Act expressly discriminated against Chinese workers and prohibited after-hours work in a factory or work-room where furniture was made or where any Chinese person was at any time employed. The reason the Chinese laundry owner had been charged was that

a Chinese man had been found in the laundry between 9 and 10pm ironing a shirt, allegedly in breach of the after-hours work prohibition. William's legal team successfully proved that the Chinese man was not an employee of the laundry but instead a boarder and that he had simply been ironing his own shirt!

William appeared in another High Court case: *Potter v Minahan*. In that case, he represented a man who was born in Australia of a Chinese father and a white Australian mother. At that time, people born in Australia were British citizens by right, regardless of their parents' origins. His father had taken him to China when he was about five years old. After living in China for many years, he returned to Australia as an adult but was treated as a prohibited immigrant because he failed the notorious dictation test imposed by the immigration legislation at the time. William's legal team successfully proved that he was not a prohibited immigrant. In its decision, the High Court found that if the immigration legislation had intended to remove the rights of citizenship, it should have expressed its intention clearly. In a well-known passage, Justice O'Connor stated as follows:

It is ... improbable that the legislature would overthrow fundamental principles, infringe rights, or depart from the general system of law, without expressing its intention with irresistible clearness...

Despite the bamboo ceiling that he is likely to have encountered during his life and career, William chose not to focus on his own circumstances but, instead, to work on removing barriers and achieving reconciliation between West and East. William's focus on reconciliation is reflected in the Second Morrison Lecture that he delivered in 1933. In the lecture, William questioned whether there was a real difference between the cultures of the East and the West and drew parallels between Western culture and Confucianism. Noting that music had a peculiar charm for Confucius, he mused that if Confucius had lived at that time, "it is quite likely that he would have found in the music of the bagpipes something particularly stirring and satisfying to the soul".

William would have had an affinity with bagpipes as his wife, Gertrude Bullock, was of Scottish descent. He possessed a deep knowledge of the Western



Clockwise from above: William Ah Ket in Selborne Chambers, Melbourne circa 1933; Ah Ket as a young man; Wangaratta Primary School, which William Ah Ket attended as a child; Visit of His Excellency Hwang How Cheng (Chinese Commissioner) to the Ballarat School of Mines, 13 November 1906, accompanied by William Ah Ket (front row, fourth from the left) as interpreter; Law Cricket Team with William Ah Ket as scorekeeper (standing, far left in dark suit and bowler hat), circa 1904

classics and modern languages and was wont to quote Shakespeare and the Scottish poet Robert Burns during his appearances in court!

In addition to a busy career at the Bar, William spent time as a diplomat, serving as acting consul-general for China in 1913–1914 and in 1917. He and Gertrude had two sons and two daughters. His younger son, Stanley, became a solicitor but was killed in 1945 while serving in the Second World War. His elder daughter, Melaan, married the English guitarist, Len Williams. Their son, John Williams, is the world-renowned classical guitarist.

William's life was one of diversity and service. His legacy is one of which the Victorian Bar can rightly be proud. ■

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