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# Mrs O'Keefe and the battle for White Australia

The case of Annie O'Keefe was a major controversy in the election year of 1949. Immigration Minister Arthur Calwell later claimed the case knocked down the central pillar of the White Australia Policy. Sean Brawley, a National Archives Margaret George Award winner for 2006, looks at public reaction to Annie O'Keefe and her family.

In 1942, Indonesian Annie Maas Jacob, her husband Samuel and their children escaped to Australia as the Japanese military advanced into the Dutch-controlled Aru Islands in the eastern archipelago. The family settled in Melbourne and Samuel began work for the Netherlands Indies Forces Intelligence Service, a Dutch intelligence service set up in Australia to monitor the situation in the Dutch East Indies. In September 1944, he was killed in an air crash when returning to Australia from New Guinea, leaving Annie and the children to an uncertain future. The Dutch Government granted Annie a pension of £28 a month. Help also came from their landlord, a retired postal clerk named John (Jack) O'Keefe.

With the end of the war, Immigration Minister Arthur Calwell made plans to repatriate the thousands of Asian evacuees who, like the Jacob family, had sought refuge in Australia. Reluctant to return to an unsettled

Indonesia, the Jacob family sought delays to their repatriation, which the Australian Government granted. In his desire to protect Mrs Jacob and her children, Jack O'Keefe offered to marry Annie, believing that this would convey upon her British subject status and therefore prevent the family's removal to Indonesia. The couple married in 1947.

However, the Immigration Department insisted that marriage did not change Mrs O'Keefe's status and, after more delays, its officers finally moved to forcibly repatriate the family in early 1949. This provoked both a national and international controversy. With significant media support the family took their case to the High Court and won. The O'Keefe case was the first successful legal challenge to the White Australia Policy.

### Support for Annie O'Keefe

The National Archives of Australia holds many files about the O'Keefe case. They include Immigration Department files documenting the family's time in Australia, and their efforts to stay. Attorney-General's Department records show the government's efforts to defend its position in the High Court case, and cables from Australian diplomats in Asian capitals report on the harm the case was doing to the nation's reputation in the region.

The files in the National Archives also provide an insight into Australian opinion on race and immigration at a time when the White Australia Policy was coming under sustained attack from a decolonising Asia. Immigration Department files and the personal papers of Prime Minister Ben Chifley contain letters written by private citizens and organisations expressing their opposition to the family's deportation.

Many of the letters argued that Calwell's administration of the policy was causing harm to Australia's reputation in Asia. The Newcastle Housewives Association accepted that 'immigrants into Australia should be controlled', but argued that there should be 'no inhuman discrimination against coloured people' because Australia had to 'cement friendly relations with our neighbours and not antagonise them'. The Queensland Branch of the Building Workers Industrial Union of Australia resolved that Calwell's actions 'only serve to alienate the coloured people of the Pacific'.

The letters also reveal that Australians were beginning to question the well-worn defence that the policy was informed by issues of economics (protecting the working conditions of Australians) and homogeneity (maintaining the racial and cultural integrity of the nation to prevent social dislocation).

The O'Keefe case seemed to show clearly the policy's racial intent. Mr GA Dickins of Kew in Melbourne was certain that the union movement was now strong enough to protect working conditions and therefore the fear of 'coloured people' was no longer relevant. Supporters of the O'Keefe family, some of whom knew Annie and the children, challenged the homogeneity argument in their correspondence.

Mr F Humphries of Windsor informed the Prime Minister, 'To say that they are an asset to our country is underestimating their value. We have never met a finer family. The intelligence and refinement of the children is of a high order. We consider ourselves fortunate in our association with them and so have the friendship of this fine family at Bonbeach.' He pointed out that the younger children knew no country other than Australia and spoke only English. Humphries told Chifley, 'Mrs O'Keefe is a British subject and a Christian, and to remove a woman and eight children to a land which would be foreign to the children, where discontent and trouble is rife, would be contrary to freedom and tolerance which we regard as our Australian way of living.'

For its part, the government maintained that Annie O'Keefe's British subject status did not automatically grant her permanent residency rights in Australia.



[above left] Annie O'Keefe in 1956, with her daughter, Mary Jacob. Mary had been appointed senior staff nurse at Royal Melbourne Hospital.

[left] Mary and Peter Jacob, two of Annie and Samuel Jacob's children, with stepfather Jack O'Keefe on Bonbeach in 1956.

Other correspondents repeated the accusation that the government's actions challenged Australian values. The West Wallsend Branch of the Returned Sailors, Soldiers and Airmen's Imperial League of Australia lodged its 'very strong protest' on the 'grounds of humanitarianism'. Mr ER Winkle of Lane Cove in New South Wales felt compelled to write to Calwell after the Minister claimed that individuals who supported a newspaper-inspired fighting fund for the family were attempting to 'smash' the White Australia Policy. Winkle noted, 'I have made a small contribution to the fund because I believe in justice.' Miss E West informed Calwell that if he was truly representing the wishes of most Australians he would not deport the family. She insisted that 'Most Australians are kind and friendly and not anxious to enforce the strict letter of the law where it causes suffering.'

Tasmanian Mrs Doreen Riley informed Calwell that as an 'ordinary uneducated person' she knew little about the law of man, but she knew something about the 'law of God'. Mr Calwell, she claimed, was breaking up a marriage that 'no man put asunder'. Mr Robert Ewing from the Melbourne suburb of Canterbury reminded Calwell that the White Australia Policy had been created by 'fallible men' who could not have foreseen the 'possibilities that have since eventuated'. The Australia of 1949 was not the Australia of 1901.

Given that 1949 was an election year, some correspondents threatened Chifley and Calwell with their voting intentions. Mr F Machen of Parramatta informed the Minister, 'The O'Keefe case has caused me to vote against Labor as a lesson to the Party.' Another correspondent noted, 'Probably this letter will not influence your decision Mr Calwell, but you will at least know that one person is dissatisfied with the way you handle your job and when it comes election time, my vote goes to the party which I think can do the best job for Australia and the Australian people.'

Mr M Chester of Bentleigh in Victoria told Chifley that it would be in the best interests of his party to 'call [Calwell] finally to heel'. He warned that the issue would cost the government many votes, especially the Catholic vote. John O'Keefe was well connected in the Catholic Church



Arthur Calwell, Minister for Immigration, 1945-49.

and the Jacob children had converted to Catholicism. The Catholic Church came out in support of the O'Keefe family.

#### A victory

With legal victory in the High Court in 1949, Annie and her children were allowed to stay in Australia. Annie's eldest son, Sam, left behind at school in Ambon when the family fled Indonesia, was never allowed to enter Australia. Today, the surviving children of Annie and Samuel Jacob are spread between Indonesia and Australia, and John and Annie O'Keefe's daughter lives with her family in Perth.

In defending the government's actions, Arthur Calwell asked: 'How can you administer a rigid law flexibly? Either you stand by the law or you do not. Either you believe in the maintenance of a White Australia or you water down the policy.'

The 1949 High Court decision in the O'Keefe case marked the beginning of the end of the White Australia Policy, a change that has had an important and continuing impact upon Australian society.

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## FACES OF

Photos of Australians at work and play in all corners of the land... these are the images of *Faces of Australia*, the latest online initiative from the National Archives.

*Faces of Australia*, which will go live soon, was born out of the exhibition, *Memory of a Nation*, which opened to the public in March 2007. The huge picture wall that dominates one side of the exhibition space

## Picture wall stirs memories

Seeing her late father in the cascade of images in the picture wall at the National Archives *Memory of a Nation* exhibition brought back a flood of memories for Marylou Pooley.