In 1931 and 1932, New South Wales faced civic collapse. During the last months of the Lang government, the semi-fascist New Guard became a serious threat to the state. This article examines the challenge posed by the New Guard to the New South Wales police, and the strategies used by the police to suppress the group. Superintendent W.J. MacKay, the colourful and Machiavellian future commissioner, effectively and ruthlessly exercised police power against the New Guard. This article disputes the dominant historical interpretation of this period, which sees the police as collaborators with a reactionary secret army, the ‘Old Guard’. This article has been peer-reviewed.

Lang: How about a little drink, Colonel?
Campbell: Well I wouldn’t mind ... By Jove, what’s that, it’s got a kick in it!
Lang: Ha Ha. It’s the real MacKay.


There is no sound, and the picture is often blurred: even so, the film of New Guardsman Francis de Groot ‘opening’ the Sydney Harbour Bridge, on 19 March 1932, is dramatic. De Groot, in military uniform and wearing a peaked cap, is on horseback. He raises his sword, and says something. Other sources record his words: ‘In the name of the decent citizens of New South Wales, I declare this bridge open’. A uniformed policeman grabs the horse’s reins. De Groot says: ‘I am a King’s officer, stand back, don’t interfere with me.’ A dozen police stand a few paces away, but none moves. Then the tall figure of Superintendent William John MacKay, officer in charge of the CIB, strides into frame. The camera swings away, but in the background MacKay can be seen forcefully pulling de Groot from his horse. De Groot lands in an untidy sprawl. MacKay hauls him up; the two men glare at each other, then de Groot is led away.

The opening of the Sydney Harbour Bridge was a spectacular and important event, which took place at a time of great social strain (Spearritt 1979). New South Wales was in the grip of the gravest economic and political crisis of its history, and de Groot’s actions exposed these tensions. His words and actions directly challenged constitutional government. The New Guard was appealing to tradition and patriotism, while also pushing for radical, extra-legal action. As one supporter wrote to de Groot, the time had come when ‘fascism, with modifications, should take an active form in Australia’ (Amos 1976: 83).

That at least some elements of the New Guard seriously contemplated a coup is almost certain; whether it would have succeeded is less likely (Amos 1976: 73–4). But that is perhaps of secondary importance. Neither the Italian Fascists nor the German Nazis gained power by force, or by
winning an electoral majority. Rather, each was invited to take power by the head of State, after campaigns combining violence, populist politics, and sheer bluff (Eatwell 1996: xx–xxii). In March 1932, the New Guard was a powerful organisation. Had events unfolded differently, it might have been in a position to claim a share of power in New South Wales. This did not happen for many reasons, but a key factor was that the New South Wales police, and particularly W.J. MacKay, reacted to the New Guard’s challenge to State power firmly, intelligently, and at times ruthlessly.

For two decades, from the late 1920s, William John MacKay dominated policing in New South Wales. He was colourful, intelligent, ambitious, ruthless. Commissioner from 1935 until his death in 1948, MacKay would cast a long shadow. An energetic modernizer, he left the police force better organised and equipped than ever before, but also – like MacKay himself – unaccountable, aloof and tarnished by scandal (Evans 2005). For all his faults, however, MacKay was a man who got things done, and the suppression of the New Guard was his finest hour.

The dominant view of the police reaction to the New Guard is that of Andrew Moore, who has written extensively on conservative responses to the Great Depression. Moore’s arguments have been widely accepted, and have been adopted in many other works of history (Cain 1983: 221–222). However, a close study of archival sources demonstrates serious flaws in Moore’s interpretations of events, and in his historical method.

The New Guard was founded by a group of former army officers in February 1931. The Guard was organised on ‘military principles’, and aimed to abolish ‘machine politics’ and suppress ‘any disloyal or immoral elements in Governmental, industrial and social circles’. Colonel Eric Campbell, a solicitor, emerged as leader. The movement grew rapidly as the economic and political crisis in New South Wales deepened.

In December 1931, the New Guard’s journal ran a cartoon illustrating conservative fears about the threat of revolution and the frailty of police power (see figure 1). A giant Neanderthal figure, labeled ‘Red’, confronts a puny policeman. Behind him stands a muscular civilian, ‘New Guard’. The caption runs: ‘Policeman: Only 3,700-odd of us, you say! Yes, but what about our 100,000 determined New Guard pals?’ This cartoon appears on the cover of Moore’s major work, _The Secret Army and the Premier_ (1989), but it has been altered (see figure 2). The figure behind the policeman is now labeled ‘Old Guard’ (see figure 3). This change reflects Moore’s thesis: that the New Guard was comparatively unimportant – an ‘obstreperous mutation’ – and that what he calls the ‘Old Guard’ was bigger, better organised and the more serious threat to constitutional government. The change to the cartoon is minor, and perhaps permissible, but it points to more serious misrepresentation.

Moore is, in his own words:

one of those for whom the jumble of the past is impenetrable unless related to that famous line from the Communist Manifesto: ‘The history of all hitherto existing society is the history of class struggle’ (Moore 1989: 8).

During the Depression, Moore argues, the ruling classes, worried about proletarian revolution, formed a secret army, the ‘Old Guard’. In the doctoral thesis preceding his book, Moore explains:

The social character – the purpose – of the Old Guard was to maintain the ascendency of the ruling class. It was one aspect of a coordinated mobilisation...
... At times of ‘crisis’, the ruling group, fearful that property and all that accrues from it is in peril, quickly mobilise auxiliary instruments of the state (Moore 1982b: 475–476).

He argues that such groups were, by their very nature, potentially fascist:

Fascism is less a set of ideas and programs than a stage of capitalist development... Potentially it existed wherever the ruling classes of embattled liberal democracies saw their economic and social order tumbling... (Moore 1989: 11)

Class is a useful model for explaining some historical events, but to see fascism so simply, as a sort of military wing of the Chamber of Manufactures, is to distort understanding. Moore conjoins disparate groups and interests in one coordinated, monolithic ‘ruling class’. This, he argues, was drawn from ‘the wealthy, the powerful and the socially exclusive’; graziers, company directors, lawyers; all discreet, pessimistic about human nature, and reflexive in their defence of ruling class interests. Moore even suspects continuity between secret paramilitary organisations which sprang up at different times between the First World War and the early 1950s (Moore 1989: 3–11, 77–78).

This argument cannot be sustained. Conservative interests in Australia enjoyed many privileges and had interlinking personal connections and some shared values. But they were far from being ‘tightly and cohesively constituted’ (Moore 1989: 74). Histories of conservative politics in this period reveal intense divisions, confusion, perpetual wrangling and sheer folly (Ellis 1963: 171–193; Page 2001: 203–211; Aitken 1969: 129–137). Between the wars, Australian conservatism...
Figure 2 Cover of Andrew Moore, *The Secret Army and the Premier* (1989).
was not cohesive or competent enough even to maintain a stable and unified political party, let alone a core ‘secret army’ (Jupp 1966: 125–132).

Moore’s thesis requires that the ‘Old Guard’ be fascist, aggressive, willing to overthrow the State (Moore 1989: 100). He regards as hypocritical statements by an ‘Old Guard’ figure that ‘our Organisation is purely protective’, citing incidents of violence which occurred in November 1931, at rowdy political meetings in rural New South Wales (111, 121–127). But the most serious violence, and the only incident causing a prosecution, was the hurling of a stink bomb. Moore writes:

    Ultimately the metropolitan division of the Old Guard also provided concrete evidence of its support for direct action tactics. On 11 December 1931 its members attacked a communist meeting in Darlinghurst. A melee of some ferocity was provoked and several policemen had their eyes injured by cayenne pepper, allegedly thrown by communists (131–132).

One brawl does not a fascist putsch make. In any event this incident had nothing to do with the ‘Old Guard’. All those who attacked the meeting, including the man who injured a policeman’s eyes, were members of the New Guard.7

This is not the only instance in which Moore attributes to the ‘Old Guard’ the words and actions of the New Guard. Moore quotes Eric Campbell’s The New Road (1934), in which Campbell advocated fascism in Australia. This is, Moore writes, ‘an expression of the general fascist inclination in both the main paramilitary movements’ (Moore 1989: 238). But after the election of the Stevens government in 1932, as threats of disorder faded, the ‘Old Guard’ quietly packed up and disbanded (Moore 1989: 234–235). It no longer existed, much less plotted radical political change.
One man Moore claims was a significant figure in the ‘Old Guard’ is C.L.A. (Aubrey) Abbott, a former Country Party member still active in politics in 1932. Moore cites as sources an interview with Abbott’s widow and Abbott’s unpublished memoir (Moore 1989: 266). Mrs Abbott’s recollections cannot be checked, but nowhere in his memoir did Abbott refer to the ‘Old Guard’. He did mention talk of ‘hotheads’ associated with Charles Hardy’s Riverina Movement. Abbott strongly disapproved of such extremism. He said he was approached by the New Guard, and that he rejected them. He was friendly with several New Guard members, and tried to persuade them to abandon their plans.

I said, in Australia we did not favour revolutions and the way to change governments was by voting them out ... I told [Eric] Campbell that the Premier [Lang] had been elected constitutionally and there could be no usurpation of the law by any body of men. Abbott warned Campbell that the police would be loyal to the constitutional government, and would suppress any challenge. It might be argued that Abbott was dissembling, seeking to conceal his role in the ‘Old Guard’. This is perhaps possible. However, Moore cites the Abbott memoir in support of his thesis; it directly contradicts him.

Having checked this and other sources, I conclude that the ‘Old Guard’, in the sense that Moore uses the term, did not exist. There were, it is true, conservative organisations worried about the possible break down of law and order – a reasonable apprehension at the time – and who were hostile to Lang. There was a group or groups called the ‘Country Defence Organisation’, with several regional branches and under the overall leadership of Adrian Knox. There was also a Sydney-based ‘Citizens’ Reserve Corps’, headed by Phillip Goldfinch. Moore combines these organisations – which are interesting and important and worthy of further study – into the ‘Old Guard’, and he fails to acknowledge the evidence that these groups were mostly defensive in character and opposed to the New Guard’s radicalism.

Moore argues that the ‘Old Guard’ was well-coordinated, with a command structure taking in the entire state, capable of rapid mobilisation. Members of the Country Defence Organisation did make that claim. There is, however, every reason to be sceptical. Many of the same people were involved in the ‘New States’ movements, rural separatist groups which were active during the Lang years. The supporters of these movements were deeply divided on both goals and methods (Beveridge 1954; Ellis 1958: 137–183; Aitken 1969: 136–137). A massive secret army is much harder to form and coordinate than an open political movement, yet the very people Moore claims were coordinating this ‘army’ haggled for months before they created a new political party. Even then, rural and urban interests were so estranged that the new United Country Party, which embraced most of the New States movements, did not merge with the United Australia Party (Ellis 1963: 193).

Moore accuses the New South Wales police of involvement in a massive anti-democratic conspiracy (Moore 2005: 78). He claims that both W.J. MacKay – ‘a bully boy for the haute bourgeoisie’ (Moore 1987: 134) – and the Police Commissioner, Walter Childs, sympathised with the ‘Old Guard’ and worked secretly with it (Moore 1989: 132–133). Moore suggests that MacKay was in frequent contact with the ‘Old Guard’ and that it was formed at his ‘behest’ (Moore 1989: 266). Moore writes that Aubrey Abbott was particularly useful to the ‘Old Guard’
as he had worked in the Police Department as a young man, and was friends with W.J. MacKay. ‘They had kept in touch and between 1930 and 1932 MacKay was scrupulously informed about the Old Guard’s activities through Abbott’ (266). The source cited is the Abbott memoir. In this document, Abbott wrote that he had been friends with MacKay when they were both junior police, but apart from that he mentioned only one encounter, a casual social meeting at some time in the late 1930s. Moore also cites ‘inconsistencies and deficiencies in police documents’ (266) but an examination of these files reveals nothing to support his argument. Police in MacKay’s era wrote reports confident that internal information could easily be controlled and they often contain indiscreet material (Evans 2004: 190–196). Nothing in either the public statements or the internal documentation of the New South Wales Police Force suggests complicity with the New Guard or anyone else.

Moore’s assertions about MacKay cannot be sustained. MacKay had many faults, but plotting to overthrow democracy was not one of them. To the contrary: in a dark hour, Mackay was an effective protector of constitutional government. In New South Wales, the New Guard sought legitimisation by key sectors of the establishment, but it never happened. Contrary to Moore’s arguments, most of the ‘ruling class’ never endorsed fascism. If anything, the threat of such extremism helped spur mainstream conservatism to regroup and reorganise. The United Australia Party was a strained coalition of interests, but it represented a sufficiently broad consensus to form a stable government (Ellis 1958: 189–193). But arguably the single most important factor in the failure of the New Guard was the response of the New South Wales police. As soon he realised the threat posed by the New Guard, W.J. MacKay set about suppressing the organisation with his characteristic energy, ingenuity and ruthlessness.

A perennial problem for police is deciding when politics becomes crime. In the eyes of historical materialists, this is a simple matter: when private property is threatened, the resources of the capitalist state are marshalled to crush the revolutionary threat (Moore 1982b: 475–476). The reality is more complex. Despite an often-cynical work culture, police see themselves as guardians of social order. The police world view divides society into ‘police-relevant categories, generated by their power to cause problems’, either through crime and violence, or by challenging police power and prestige (Reiner 1992: 111–121). Control, keeping the peace, is the core police mandate (Baker 2000: 4–6). The political colour of a threat to this mandate matters little. John Stevenson (1980) shows that while English police were reflexively hostile to left-wing groups during the Depression, this did not imply approval or even tolerance of the British Union of Fascists. Stevenson argues that the police were not anti-left, or anti-fascist, but ‘pro-police’. The police resented the BUF’s adoption of uniforms and its challenge to their own control of the streets.

In New South Wales, too, the police attitude to the New Guard was never one of sympathy, though it took a short time for the group to be taken seriously. In January 1931, people connected to the New Guard sounded out senior police about the need for a ‘loyalist’ volunteer reserve to support constituted authority. They were rebuffed. Commissioner Childs informed Premier Lang that he told his callers there was no need for such a force; anything of this nature would be ‘disloyal to the Government’. Childs asked MacKay to investigate. The infiltration of the New Guard was accomplished with impressive speed. Detective-Constable Fleming reported to MacKay on 26 March:
Up to the present time there has been no act committed which would call for police action. I am satisfied however from conversations I have had with leading men in the movement that the future is fraught with the gravest possibilities.¹⁸

Five days later, Fleming reported on a New Guard meeting at which members were advised to obtain weapons, and that the New Guard leadership knew how ‘arms could be secured’.¹⁹ This meeting asserted that Commissioner Childs supported the New Guard, and that action by Communists in the Lang Government might soon lead to civil war.

Francis de Groot later claimed that MacKay’s actions against the New Guard were motivated by self interest.²⁰ De Groot was probably half right: MacKay was ambitious and a skilled opportunist. However, the archival record shows beyond doubt that MacKay’s dislike of the New Guard was sincere. Like the BUF in Britain, the New Guard was a challenge to police power and professional pride which was intolerable.

In his memoirs, Eric Campbell presented a rosy picture of his relations with the police. He claimed that until May 1931, senior police were ‘friendly and cooperative’, and that he remained on good terms with MacKay (Campbell 1965: 105, 119). The archival record does not support Campbell. On 1 April 1931, MacKay reported that he had twice been approached by prominent citizens, who said that Campbell had claimed police support.²¹ To the first caller, MacKay simply denied the claims. When a second man repeated the same story, MacKay asked his visitor to accompany him on a visit to Eric Campbell. The two men:

> went to Mr Campbell’s office at 66 Pitt Street where I had an interview with Mr Campbell and in the presence of the gentleman mentioned informed Mr. Campbell that I had only once before had an interview with him and that … it was a deliberate lie for him or any others of his organisation to state … that he was in touch with me or … [that] the Police Force as a whole were in any way sympathetic to such a movement, and I said to him ‘The sooner you get the idea out of your head about organising such a force and permitting members of it to make rash statements about raiding parliament house and arming themselves with guns the better’.

MacKay wanted the Labor Chief Secretary, Mark Gosling, informed, so that:

> some action be taken through the public press or such other means as the Minister may decide may be adopted to counteract the recruiting methods of … the New Guard because it is evident to me … [that] by impressing decent respectable citizens … that the police are in need of reinforcement … and that the Senior Officers of Police are in sympathy with the movement that recruits are being obtained … who would not otherwise have anything whatever to do with it.²²

Campbell later put a genial gloss on New Guard attacks on political meetings. These incidents were, he said, ‘good humoured’; usually the police ‘never interfered but on the contrary were quite delighted’ (Campbell 1965: 105, 111). Again, the archives contradict Campbell. On 11 December 1931, a political meeting was in progress in Victoria St, Kings Cross, when a large
body of New Guard arrived. A brawl ensued. During the fighting, three police were assaulted. Constable Eric Smith was seriously injured when cayenne pepper was thrown in his eyes. Smith's assailant, a member of the New Guard, was convicted of assault and sentenced to two years' hard labour. On 13 February 1932, journalists from the Labor Daily observed about 700 New Guard members drilling in Belmore. Two reporters and a photographer were assaulted, and a camera damaged. On 26 February, a meeting of the Communist-led Unemployed Workers Movement (UWM) in Bankstown was surrounded by more than 100 New Guard. A police constable present said the meeting had been peaceful until 9.30 p.m. when:

there was a crushing in, the speaker addressing the meeting was knocked off his stand, and the citizens who were listening to the speaker ... were struck, and then a general melee took place.

There were four arrests, including two New Guardsmen. In Newtown, on the same night, another meeting of the UWM was attacked by about 70 New Guard, some armed with pieces of timber.

Rhetoric at New Guard meetings became more extreme. At a meeting in Kensington on 17 February, one speaker hinted at division in the Guard between those who wanted an immediate coup and 'moderates' who wanted to exhaust other options:

I will never stand for the New Guard becoming aggressive, so much as to jeopardise and sacrifice one single life, or one body, unless it is for a very good purpose ... first we have to take every constitutional move ... and if the time comes when we have to defend our liberty God knows that we will be so organised that that we can hit so hard and quick that we will succeed quickly ... it is only a well disciplined mobile force that will be able to achieve a quick victory which will prevent a lot of trouble. It would be murder if we are not half organised because by so being we will probably spill a lot of unnecessary blood.

At a meeting at Lane Cove on 11 January 1932, Campbell rashly vowed:

the people of New South Wales will not permit Mr Lang to open the [Sydney harbour] bridge ... we ... will be forever dishonoured if we allow him who masquerades as Premier to open that bridge.

Campbell joked twice about the desirability of the death of the 'scoundrel' Lang. MacKay reacted forcefully. On 2 March, he visited Campbell and other senior members of the New Guard. MacKay warned them against advocating violence, and charged them with responsibility for the violence against Communist speakers. A transcript is a cold, bare document: even so, it is apparent MacKay was losing his temper:

Your organisation has come out and indulged in threats on the life of the Hon the Premier, threats have been made that he will not be allowed to open the bridge ... and there is a state of alarm in the public mind ... our duty here today is to tell you that the police will not allow your organisation to usurp the power of maintaining law and order in this community and neither the Government ... nor the responsible officers in the police ... are prepared to allow decent
citizens, who have been inveigled into the ranks of the New Guard ... being
blindly led into outbreaks of disorder in which many of them may be involved
in mental or physical distress, in consequence of coming in contact with the
police ... if these meetings and drillings continue and these repeated stimulations
to commit acts of violence are maintained the police will take determined action
against your organisation ... and it will be no use ... to try to shirk your respons-
ibilities as being instigators and parties to these acts.

MacKay ended by telling Campbell:

if it is necessary to use force to quell these drillings and meetings the Police will
not hesitate to do so in the public interest.30

Even before they met, Campbell knew MacKay by reputation:

He was a man of ability and drive with a well-developed gift of leadership. He
had made quite a name for himself as an exponent of strong-arm tactics and
courage, as many a miner in the northern coalfields could testify (Campbell
1965: 110).

Campbell was alluding to MacKay’s role suppressing unionists in two major industrial disputes:
the timber workers’ strike of 1928-9, and the coal lockout of 1929-30. In both cases pickets
presented a threat to public order; in both cases MacKay ruthlessly and effectively reasserted
police control (Evans 2005: 116–140). His tactics were to tie up the union leadership with a
court case (often trivial or concocted), reassert police authority with a show of (often brutal)
force, and infiltrate the organisation, using agents provocateurs to discredit it and lay it open to
conspiracy charges.

The operation against the New Guard followed the same pattern. When Campbell threatened
to stop Lang opening the Bridge, one of MacKay’s detectives had been taking notes. A few days
later Campbell was charged with using ‘insulting words’31. Similarly, after he cut the ribbon
Francis de Groot was charged with offensive behaviour. He was eventually convicted and fined
£5.32 The real action, however, took place outside the court. On the first morning of de Groot’s
trial, 1 April, a confrontation occurred: the ‘Battle of Liverpool Street’. Large numbers of New
Guard turned out in a show of strength outside the court, but, as de Groot bitterly recalled:

It seems that MacKay did not approve of men standing in Liverpool St, and set
about 200 of his bright boys to clear the street. Their way of doing this was to
hit and kick anyone who did not clear off quickly enough.33

Two minutes of unedited newsreel film of the event survives.34 A crowd, perhaps 2,000-
strong, mills around the court. Campbell and de Groot walk up the steps, to loud boos and
cheers. Large numbers of uniform police wearing white helmets are shown rapidly marching.
For a few seconds the camera rests on MacKay, calmly talking to another officer. A man is shown
being roughly arrested; police restrain or push the crowd. No serious violence is shown: that
does not, of course, mean that it did not happen.
Figure 4 W.J. MacKay at the ‘Battle of Liverpool St’, 1 April 1932.
A police officer, Ray Blissett, was present at the Liverpool Street incident. He later said that MacKay addressed the police beforehand, referred to the Bridge opening and told his men: ‘So whether you believe in the New Guard, the Labor Party or the Communist Party, go out there and belt their bloody heads off’ (Amos 1976: 85). That was what happened. Numerous complaints were made by the public. One of the more credible came from Neil Thomas, a company manager and Justice of the Peace and not connected to the New Guard. Thomas claimed that:

Without any warning a general scuffle took place between the police and the civilians … I saw several instances of the police literally throwing themselves at the crowd … The behaviour of the police absolutely astounded me … [they] set on the people like a mob of larrikins, and candidly I was ashamed to think that a section of our Police Force, who I have always held in the greatest admiration, should lower themselves by behaving as they did.

I have seen police handling strikers on the waterfront, and also during the timber strike, but at no time have I witnessed such violence as was used on peaceable citizens on Friday morning last.

The police action caused considerable resentment and public criticism. It was, however, effective. Aubrey Abbott witnessed the incident, and later met Campbell and other New Guard at the Imperial Service Club.

They came in hot and ruffled, complaining bitterly about their treatment. I tried to remind Eric of the time when he told me of his plan [to depose Lang by force] and how, if the police interfered, they would be quietly shouldered away. He was not interested.

The most eloquent testimony to the impact of the incident on the morale of the New Guard comes from Eric Campbell. When he wrote his memoirs, some 30 years later, he had convinced himself that it never happened. He claimed that there was no demonstration; only a handful of New Guard had been present (Campbell 1965: 158). Had the New Guard been on Liverpool Street in numbers, he implied, things would have been ugly for the police.

On 29 April, after weeks of public drilling involving hundreds of police in parks around Sydney, the police staged what the *Sydney Morning Herald* called ‘A parade of police on a scale seldom witnessed’ through the centre of Sydney. All political significance was denied, but no-one could have been fooled. The parade was a symbolic show of force, a reassertion of police power. The *Herald* reporter dryly noted that ‘Among the interested spectators were the leader of the New Guard (Mr. Eric Campbell), who was accompanied by Mr. de Groot’.

Andrew Moore argues that MacKay had, somewhat inexplicably, turned against the ‘Old Guard’ by this time (Moore 1989: 170). The parade ‘usually interpreted as an attempt to intimidate Campbell and the New Guard … was, in reality, directed at the metropolitan division of the Old Guard’ (203). There is no evidence to support this view. Jack Lang recalled that the parade was MacKay’s idea; the route chosen ran past the clubs and businesses frequented by the New Guard’s leaders: ‘MacKay told me with a quizzical grin on his face ‘We are going … to let them see what they will be up against if they start any trouble’ (Lang 1972: 162). Lang’s memoirs
are not always reliable, but there is no reason to disbelieve him: he had no reason to misrepresent the parade. MacKay, in turn, had no reason to conceal a threat from the ‘Old Guard’: he had profited by protecting the government from its enemies.

MacKay’s later actions also belie Moore’s assertions that he was merely a careerist, pretending to crack down on the New Guard so as to counter his ‘credibility problem’ with a Labor government (Moore 1989: 132). Even after Lang’s dismissal, on 13 May, MacKay kept up the pressure on the New Guard. On 25 May, the Guard held a rally at the Sydney Town Hall. There was a large and conspicuous police presence there, including MacKay. Campbell complained to acting-Premier Bertram Stevens that MacKay had been provocative, and was hoping to incite a riot. More likely, the police presence at the rally was an unsubtle reminder that, no matter who was in government, the police were in charge.

Police action against the New Guard was not restricted to the open reassertion of power. More subtle tactics were also used to damage and discredit the organisation. The assault on union leader Jock Garden in the early hours of 6 May 1932 by a group of New Guardsmen has been treated briefly by most historians of the period, but its significance is considerable. According to Garden, at about 2.00 a.m. on Friday 6 May he was woken by a knock on the door at his home in Maroubra. His callers were four men claiming to be police. Garden was attacked by the men, who were joined by four others lying in wait. Garden called for help: his two adult sons came to his assistance and the family dog was set on the attackers. Most of the attackers fled. One man was bailed up by the dog, and was unable to escape.

At first, Eric Campbell was flippant about the Garden assault, calling the attack ‘highly desirable’ and the assailants ‘decent and thoroughly loyal’. However the incident was a public relations disaster. Newspapers, even those generally kind to the New Guard, were sternly critical, and prominent conservatives were quick to distance themselves.

However, on 11 May, R.W.D Weaver, a veteran conservative politician, made an extraordinary allegation in Parliament. The whole incident was, he said, a police conspiracy. ‘Red Reg’ Weaver was a notorious schemer, and an open supporter of the New Guard, but his claims cannot be dismissed as he proved to be well informed. He alleged that one Captain W.J. Warneford, a member of the New Guard, was a ‘police pimp’; and that another Guardsman, a man called Pointon, was also a police agent. Both claims were later proved correct. Weaver alleged that Warneford was an agent provocateur and had organised the assault. Weaver demanded a Royal Commission to inquire into the affair.

Weaver’s claims were overtaken by events: on Friday 13 May, Governor Game dismissed the Lang government, and called a general election. However, the conspiracy theory was widely believed. On 31 May, MacKay told caretaker-Premier Stevens that:
utterly untrue, not founded in fact, prejudicial to Police ... and an unwarranted and despicable attack on the integrity of the New South Wales Police Force serving under my control ... and on myself.\textsuperscript{49}

MacKay wanted to charge members of the New Guard with seditious conspiracy. The police put considerable pressure on the new government to allow them to proceed. Commissioner Childs wrote to the acting-Chief Secretary, Frank Chaffey:

It is impossible for such a body [the New Guard] to continue in existence and usurp functions which rightly belong to the properly constituted forces of the Crown, namely the Police Force ... No man or body of men can be permitted to treat the police in this manner.\textsuperscript{50}

No action resulted, which was not surprising. Reg Weaver was deputy leader of the United Australia Party, and a minister in the new government. Stevens disliked Weaver, but he was influential and popular with party members.\textsuperscript{51} On 30 November, Chaffey formally told Childs that, on the advice of the Attorney-General, the sedition charges would not proceed.\textsuperscript{52} Nor was there ever a public inquiry into the New Guard.

The archival record, however, gives support to the claim that the Garden assault was engineered by police. The key is the man who failed to escape after the attack: William Scott. In his police statement, Scott said that he was 23, and an unemployed fitter and turner.\textsuperscript{53} He had joined the New Guard in April 1931, and despite his youth was made a ‘section commander’. He came to know John Dynon, a businessman and a senior New Guard officer, who invited him to join a secret inner group. Scott said he was blindfolded and taken to a house where he was dressed in a hood and cape of black material. There he met other men, similarly dressed. He was sworn in to the ‘Fascist Legion’. Despite the colourful details, Scott’s account of his entry to this strange group was vague and unconvincing. The story also had striking similarities to another conspiracy orchestrated by MacKay.

In 1929, when MacKay was in charge of the police response to the timber strike, he arranged for an informer, Roy Bartlett, to infiltrate the strike organization (Evans 2005: 116–140). Bartlett claimed in court that he had been recruited into a union ‘basher gang’, to assault strike breakers. This evidence was used to charge several union leaders – including Jock Garden – with conspiracy. But every aspect of Bartlett’s story was demolished in court; the entire conspiracy case was proven to be a fabrication. Scott was not exposed to the same extent, but the similarities between the ‘basher gang’ and the ‘Fascist Legion’ are striking. In each case, a junior member of the organisation was, for reasons that defy explanation, recruited into an inner group plotting dark crimes. This man, stricken by conscience, then told all to the police. The evidence given about the criminal inner group was sensational, but contradictory and vague. The officer in charge of the police operation was, in each case, W.J. MacKay.

Scott said he had been captured because Garden’s dog attacked him: ‘Mr Garden and his two sons came to my assistance and called the dog off, and they took me into the house. . . they later offered to drive me home’.\textsuperscript{54} Garden’s generous treatment of Scott seems odd; why didn’t he immediately send one of his sons for the police?\textsuperscript{55} Garden reported the assault in the morning,
not to the local police but directly to the chief of the CIB, the man who had sought to frame him on conspiracy charges three years earlier: W.J. MacKay.

MacKay took Garden's statement and launched an investigation. The police found Scott that afternoon, at (of all places) Trades Hall. Scott gave the detectives 'certain names', which allowed the police quickly to round up all the other attackers, who all made full confessions. Two New Guard offices were also raided. Documents seized included a receipt for 64 yards of black linen. The labor Daily drew sinister implications from this trip to the haberdasher: ‘FASCIST LEGION ... CAMPAIGN OF TERRORISM; KU KLUX KLAN HOOD IS DISCOVERED’. The hoods and gowns – ‘Sinister Symbols of Death’ – became a staple of the Daily's cartoonists. But a hood and gown recovered from Scott's home was the only one found. No one other than Scott admitted their existence, and the receipt for black linen was dated 5 April, months after Scott said he had been inducted into the group. (If the linen was intended for fascist uniforms, the receipt was eminently appropriate. At the bottom was an advertisement: ‘The Top Dog brand is a guarantee of satisfaction’.)

Whether Garden would have been party to a conspiracy is hard to assess. Arthur Hoyle (1993) portrays the union leader as both a passionate true believer and a pragmatic numbers man, willing to cut any deal necessary. Garden was corruptible – he was later jailed for accepting a bribe – but collusion with MacKay, so recently a bitter enemy, is difficult to imagine. However, that Garden went straight to MacKay to report the assault does suggest that this was the case.

The Garden assault was almost certainly orchestrated by MacKay, who used Warneford and Scott as agents provocateurs, possibly with the prior knowledge of Garden. If this was so, MacKay's gambit succeeded brilliantly. Lady Game, wife of the Governor, wrote in a letter to her mother:

You were quite right about the New Guard ... they said they were out to defend law and order etc., and took a high moral tone, but all they have done so far is to cause a disturbance at the bridge opening ... and send a party in the middle of the night to thrash a man in his own house (Foott 1968: 215).

Lady Game's disgust seems to have been widely shared by moderate conservatives and members of the establishment, the same ‘decent citizens of New South Wales’ that de Groot claimed to represent when he cut the ribbon.

MacKay was well rewarded by the Lang government for his actions against the New Guard. On 30 March 1932, a special meeting of the Executive Council approved the recommendation that MacKay be made Metropolitan Superintendent. This extraordinary action made MacKay the second most senior police officer in New South Wales. At 46 years old he was startlingly young for such high office. Under the prevailing system of promotion, MacKay, who had been an inspector only eighteen months earlier, was virtually certain to become the next police commissioner.

On one level, MacKay had proved himself unscrupulous, willing to serve those who could further his career, a trait known in police jargon as being 'biddable'. This, however, should not obscure the magnitude of his achievement. When MacKay pressed the Stevens government for permission to charge the leaders of the New Guard with seditious conspiracy, he stressed the seriousness of the organisation's threat:
I am not actuated by any selfish or personal motive against the New Guard organisation, but... from a sense of duty... the New Guard... have forged a military organisation within this state greater in strength than the combined Military, Naval and Police Forces available to the State and have embarked upon a policy of obtaining that organisation’s desires by intimidation and force. If such an organisation is permitted to continue... as time passes, it will be a menace to this Realm.63

MacKay understood power; his assessment should be given credence. If the ‘Old Guard’ really had been a significant threat, MacKay would have crushed it. And if MacKay had, as Moore argues, turned against the ‘Old Guard’ before Lang’s dismissal, surely the all-powerful elite which had seized government would never have trusted him again. Instead, he was appointed Commissioner by the Stevens government in 1935. The New Guard, unlike the so-called ‘Old Guard’, was a serious threat to public order, perhaps even to constitutional government. Against this significant force, MacKay proved adept. His decisive response to the New Guard was a major factor in its rapid decline.

ENDNOTES

3 Sergeant J. Sharples to Metropolitan Superintendent, 16 March 1931, New Guard membership form, c. March 1931, Police Dept. Special Bundles, 10/1829, NSWSR.
5 The cartoon does appear in its original form inside the book.
6 For a concise expression of the Marxist view of fascism, see Stevenson 1980: 136.
7 Reports to Metropolitan Superintendent re incident on 11 Dec. 1931, Prem. Dept. Special Bundles, 9/2459, NSWSR.
8 Typecript draft of ‘Family Background: The Upper Hunter Abbotts’ (hereafter Abbott memoir), C.L.A. Abbott Papers, MS 4744/9/5, National Library of Australia, p. 345.
9 The Riverina Movement was a populist group with a rural separatist program. See Beveridge 1954.
10 Abbott memoir, p. 343.
11 Ibid.
12 Colonel J.F. Lavarack, to Director, Commonwealth Investigation Branch, 11 Feb. 1932, The Association (Post War) and the New Guard (Pre War), vol. 1, 1931–1949, A6122/40, National Archives of Australia (hereafter NAA).
13 Ibid.
14 Abbott memoir, p. 187.
15 MacKay to Childs, 19 March 1931, Police Dept. Special Bundles, 10/1829, NSWSR.
16 Childs to Lang, 29 Jan. 1931, ibid.
Report by Detective-Constable Fleming, 26 March 1931, ibid.
Report by Fleming, 31 March 1931, ibid.
MacKay to Childs, 1 April 1931, Police Dept. Special Bundles, 10/1829, NSWSR.
Ibid.
This was the incident Andrew Moore blames on the ‘Old Guard’. Various police officers to MacKay, re incident on 11 Dec. 1931, Prem. Dept. Special Bundles, 9/2459, NSWSR.
Statement by Patrick Hennessey, 18 May 1932, ibid.
Constable Anderson to MacKay, 16 May 1932, ibid.
Constable Steele to MacKay, 17 May 1932, ibid.
Police report on New Guard meeting, South Kensington, 18 Feb. 1932, ibid.
Police report on New Guard meeting, ibid.
MacKay to Childs, 4 March 1932, ibid.
Ibid.
Campbell was found guilty on one count, and fined £2. Sydney Morning Herald (hereafter SMH), 2 Feb. 1932, p. 13.
MacKay to Chaffey, 25 March 1935, Police Dept. Special Bundles, 10/1829, NSWSR.
Sydney Mail, 6 April 1932, p. 25.
Complaint by Mr N.S. Thomas, 7 April 1932, Police Dept. Special Bundles, 10/1829, NSWSR.
See for example Sun, 2 April 1932, p. 3. The police received a large number of abusive letters, some aimed personally at MacKay, Police Dept. Special Bundles, 10/1829, NSWSR.
Abbott memoir, p. 354.
SMH, 14 April 1932, p. 9; 28 April, p. 9.
SMH, 30 April 1932, p. 13.
Campbell to Stevens, 26 May 1932; MacKay to Childs, 3 June, Prem. Dept. Special Bundles, 9/2459, NSWSR.
Statement by Jock Garden, 6 May 1932., Prem. Dept. Special Bundles, 9/2459, NSWSR.
Quoted in New South Wales Parliamentary Debates (hereafter NSWPD), 11 May 1932, p. 9253.
SMH, 11 May 1932, p. 11; 12 May, p. 10.
NSWPD, 11 May 1932, pp. 9246–9252.
This information was revealed at the trial of Garden’s attackers in June. SMH, 14 June 1932, p. 9; 16 June 1932, p. 9.
‘No. 11’ (police informant) to MacKay, 26 Sept. 1932. Prem. Dept. Special Bundles, 9/2459, NSWSR.
‘No. 11’ was a senior New Guardsman and member of the clubs of the big end of town.
Report by MacKay re New Guard, 23 May 1932, ibid.
Childs to Chaffey, 31 May 1932, ibid.

*SMH*, 28 April 1932, p. 9.

Chaffey to Childs, 30 Nov. 1932, Prem. Dept. Special Bundles, 9/2459, NSWSR.

Statement by W.W.S. Scott, 11 May 1932, ibid.

Statement by W.W.S. Scott, 11 May 1932, ibid.

Such apparently eccentric personal generosity was, however, typical of Garden (Hoyle 1993: 104).

Statement by MacKay, 18 May 1932, Prem. Dept. Special Bundles, 9/2459, NSWSR.

Statement by Detective-Constable Alford, 20 May 1932; statement by Detective-Sergeant James, 17 May 1932, ibid.

Receipt, 5 April 1932, ibid.


Executive Council Minutes, 30 March 1932, 9/650, NSWSR.

*SMH*, 30 March 1932, p. 11.

Report by MacKay re New Guard, 23 May 1932, Prem. Dept. Special Bundles, 9/2459, NSWSR.

**PRIMARY SOURCES**

**STATE RECORDS NEW SOUTH WALES, SYDNEY**

Premier’s Department, Special Bundles, 9/2459 (1932).

Colonial Secretary, Correspondence, 5/8991 (1932); 5/9048 (1934).

Colonial Secretary, Special Bundles, SZ848-850 (1932).

Executive Council Minutes, 30 March 1932, 9/650.

Police Department, Special Bundles, 10/1829 (1931–32).

**NATIONAL LIBRARY OF AUSTRALIA, CANBERRA**

Typescript draft of ‘Family Background: The Upper Hunter Abbotts’, C.L.A. Abbott Papers, MS 4744/9/5, NLA.

**NATIONAL ARCHIVES OF AUSTRALIA, CANBERRA**

‘The Association (Post War) and the New Guard (Pre War)’ Vol 1, 1931–1949, ASIO and preceding agencies, A6122/40, NAA.

**MITCHELL LIBRARY, SYDNEY**


**SCREENSOUND AUSTRALIA, CANBERRA**

‘New Guard Rallies Round De Groot’, Movietone News, 1932, CTN 118282, SSA.

NEWSPAPERS

Labor Daily [Sydney].
New Guard [Sydney].
Sun [Sydney].
Sydney Morning Herald.

REFERENCES


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