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Government House,
Bermuda.

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"THE STILL-VEX'D BERMOUTHES"

SUMMARY

- Paragraphs 1 - 4 Five murders, with the then Governor, Sir Richard Sharples, as one victim. Burrows convicted of all five, Tacklyn of two. Appeals failed. The Queen petitioned.
- Paragraphs 5 - 7 The PLP's militant left wing tried to arouse public interest in the matter, without much success. Little support given by the party hierarchy. Its members probably expected an eventual reprieve - as I and others did.
- Paragraphs 8 - 13 Date of executions announced. An emotive campaign protesting against them organized by the PLP militants. The party's leaders did not connive at violence, but should have known what risks they were taking. Some indications that we might escape serious disorder, despite growing unease and tension. An unsuccessful last-minute attempt to force a stay of execution by an abuse of the legal system. Widespread rioting and arson.
- Paragraphs 14 - 17 Unprecedented damage to property, though very little looting and few personal injuries. Menacing crowds contained by the Police with commendable restraint. State of Emergency proclaimed, curfew imposed and Bermuda Regiment embodied. Disturbances nevertheless continued. Potentially dangerous public alarm dispelled by the call for UK troops. Their arrival and performance, and that of the Bermuda Regiment. A slow return to normal.
- Paragraphs 18 - 20 The need to face issues which divide the community, and to take stock of race relations. Bipartisan agreement to the appointment of a Royal Commission. Your association with it, and selection of Lord Pitt as its Chairman. Ways in which it differs from the Commission appointed after the 1968 riots.

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- Paragraphs 21 - 22 Capital punishment appears a racially and politically divisive issue in Bermuda, and hence potentially explosive. The local legislature is unlikely to favour total abolition, but many Bermudians may be secretly relieved if it is abolished de facto by the U.K.
- Paragraphs 23 - 25 Most of the hard-core rioters were probably rebellious black youths with criminal records. They will be difficult to rehabilitate.
- Paragraphs 26 - 28 Feelings of anger and frustration must have motivated others who joined them in rioting. Government will certainly try to cure the ills which cause such feelings. But no new remedies are likely to be found.
- Paragraphs 29 - 31 The real need is to change some PLP attitudes: the party at present looks only to the black community for support, which is dangerous. We should seek to remove one of its long-standing grievances by electoral reform, despite the difficulty of reaching any compromise on this issue. We should also try to convince its leaders that evidence of more responsible behaviour will pay dividends at the next election.
- Paragraph 32 The local security forces need strengthening to a point at which reinforcement from the U.K. should not in future be required. A review is in hand.

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Government House,
Bermuda.

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15 February, 1978

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The Secretary of State for Foreign
and Commonwealth Affairs
Foreign and Commonwealth Office
London

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Sir,

"THE STILL-VEX'D BERMOOTHES"

Between the autumn of 1972 and the autumn of 1973 five murders and a series of other shooting incidents horrified Bermudians. As one of the victims was the then Governor, Sir Richard Sharples, they also caused an international sensation. Journalists filed stories that he must have been killed by a hired assassin - only a professional would have been marksman enough for the job. Even the Mafia got a mention. Rumours abounded.

2. Most of them were nonsense. Prolonged and painstaking detective work by the Police eventually revealed that two young black Bermudians, Erskine Durrant "Buck" Burrows and Larry Winfield Tacklyn, had between them been responsible for the murders, and for every other shooting incident. They both had criminal records, including convictions for armed robbery. By the time that they were charged with murder, they were already serving long sentences of imprisonment.

3. During 1976 Burrows was found guilty of all five murders. He made written confessions to three of them in the middle of the trials, claiming that the killing of the Governor had been a political act. Tacklyn was found guilty of two - committed at a supermarket, where two managerial staff had been held up, bound hand and foot, and then, later, after the store had been robbed, shot in cold blood; presumably in case they might have recognized either of the robbers.

4. Burrows never appealed. The Court of Appeal found against Tacklyn in April 1977. Six months later, the Judicial Committee of the Privy Council refused him Special Leave to appeal to it. Meanwhile, in September, a petition with six thousand signatures had been handed to me, to forward to Her Majesty The Queen, seeking clemency on behalf of

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both the convicted men. Before that, the Advisory Committee on the Prerogative of Mercy had advised, after careful consideration, by a majority of five to one, that the law should take its course. The Acting Governor had then, reluctantly, accepted this advice, announcing his decision in early May. There had been little option. The local legislature had thoroughly examined the whole question of capital punishment less than two years earlier. After the examination, and after a responsible debate, the House of Assembly had decided, by a majority of twenty-five to nine, in a free vote, that the death penalty should not be abolished. Yet reprieves in these cases would have amounted to its de facto abolition by an exercise of the prerogative, for nobody had believed that there were any extenuating circumstances or mitigating factors in either case.

5. The Supreme Court trials, which lasted for several months, never generated as much public interest as had been anticipated: there was at no time any hint of possible disorder. Militant members of the Progressive Labour Party (PLP) - some of whom had formerly belonged to the Black Beret Cadre, a defunct local organisation originally modelled on U.S. Black Power groups of the kind which once advocated violence - did sponsor a defence fund. It met with little success; and they soon abandoned the project. They later concentrated on drumming up support for petitions. The first, signed by just over one thousand two hundred people, was presented during March. It was addressed to my predecessor, on behalf of Burrows alone (because Tacklyn's appeal was still pending at that time). A second followed in September, as already indicated.

6. Throughout most of this period the PLP hierarchy showed little enthusiasm for the cause. One public meeting, which was addressed in emotive terms by the Deputy Leader of the Opposition, Mr Wade, certainly revealed how quickly the passions of a section of the community might be aroused. But, generally, the party chose to avoid active involvement in the matter: for instance, nothing was done to raise the issue of capital punishment in the House of Assembly, although it could quite easily and quite properly have been raised early last summer. This evidence of indifference led to occasional squabbles with the PLP militants.

7. I suspect that there were two principal reasons for this: first, the apparent lack of popular support for abolition of capital punishment; and second, a belief that, in the end, reprieves would be granted anyway, just as they had always been for more than thirty years. If that is what the party's leaders did, indeed, believe, then they must have overlooked the fact that every reprieve had been

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granted on the merits of the particular case.

8. It was announced on Friday, 25 November, that both men would, in consequence, be executed a week later. For a time, the PLP remained silent: although the House of Assembly met on the day of the announcement, the subject was never mentioned during its meeting. But the group of PLP militants took swift and energetic action. Over the week-end, they pressured the party's leaders and some members of the Ministerial Association of the Churches here into sponsoring a protest campaign; they arranged to feed slanted information to left-wing Members of Parliament in the U.K. and to the press there; they lobbied international bodies opposed to capital punishment, and they formed a local body to oppose it. They thus set the stage for a week of inflammatory activity, throughout which they were themselves never averse to inciting racial hatred - and, I suspect, always hopeful of provoking the riots which eventually erupted.

9. There is no evidence that either the Leader of the Opposition or any of her parliamentary colleagues shared such a hope. Quite the contrary: they blocked several of the more extreme proposals of the militants, insisting, privately as well as publicly, that all demonstrations must remain peaceful and that nothing unlawful was to be attempted. Whether they, nevertheless, foresaw the probable consequences of their own behaviour is another matter. Even if one accepts that there is nobody so blind as he who does not wish to see, it is difficult to believe that they failed to realise what risks they were running.

10. During the first part of that week there were some indications that, despite these risks, and despite the fragility of this volatile community, we might escape serious disorder. For example, the Bermuda Industrial Union refused to countenance suggestions that it call upon its members to strike; instead it simply issued a statement which condemned capital punishment. A "People's Parliament", summoned to debate this question, took place without incident. When parents were urged (by a small group of teachers, in the name, but without the authority, of their union) to signify protest by keeping children away from school for a day, only about 5% responded. Moreover, there was no intelligence to suggest that widespread violence was being planned; and

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every reason to suppose that the PLP would have much to lose politically from any.

11. And yet the island became increasingly full of unease and foreboding. Suspicions and tensions mounted. Black youngsters appeared more sullen and more hostile. There were isolated acts of violence. Then, late on the evening of Wednesday, 30 November, Mrs Browne-Evans (who was Tacklyn's lawyer, as well as the Leader of the Opposition) delivered to the Supreme Court a last-minute Notice of Motion. In it, she argued that his conviction should be quashed, because the use of a special jury at his trial had been unconstitutional.

12. The same argument had been put forward twice before. First, when Tacklyn appealed against his original conviction. Then, again, when he applied for Special Leave to Appeal to the Judicial Committee of the Privy Council. So Mrs Browne-Evans can hardly have supposed that there was any merit in it; and should not have been surprised by a Supreme Court ruling that her Notice could not be entertained, for lack of jurisdiction. Nevertheless, she appealed against the ruling to the Court of Appeal.

13. She was, in effect, abusing the legal system to try and force a stay of execution. In this, her attempt was unsuccessful. But the appeal hearing provided a focal point for an unruly mob of demonstrators who gathered in the streets outside the Supreme Court building. When, late on the evening of 1 December, the Court's decision was announced, they went on the rampage. The news that they were setting fire to commercial property in Hamilton soon prompted groups of black youngsters in other parts of the islands to follow their example. So the arson was widespread: within thirty-six hours several million dollars worth of damage had been done, and three people had lost their lives in a fire which burnt out the top floor of the largest hotel here.

14. The destruction was on a scale unprecedented in Bermuda. The mood of some participants was menacing, and their evident race hatred came as a shock to most Bermudians. They even attempted, on occasion, to charge the Police; who kept them at a distance by the skillful use of tear gas, and who handled the situation throughout the riots with commendable restraint, courage and professional expertise.

15. On the morning of Friday, 2 December, I declared a State of Emergency, imposed a night curfew and embodied the Bermuda Regiment.

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General's memo
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Our initial hope was that these measures would calm the general population and deter the troublemakers. That night, however, the disturbances continued; and on the following afternoon a large, hostile crowd confronted the Police in the middle of Hamilton. It was later, mercifully, dispersed by heavy rain. Meanwhile, many people had come to believe that there must have been "a plan" - that the rioters were centrally organized and directed, and that they would next attack private homes. This belief is still hard to dispel. But it is mistaken: had any trained terrorists been in charge, the damage would have been incomparably greater. In the event, though serious enough, it was still nothing like that often experienced by large American cities; there was virtually no looting; and (apart from the deaths in the hotel fire) personal injuries were almost negligible.

16. Nevertheless, the public soon became alarmed by the Government's apparent inability to restore order. There was a danger that groups of vigilantes might be formed, and that U.S. tourists might be officially advised against coming here, unless prompt action was taken to restore confidence. With the concurrence of the Governor's Council, on Saturday, 3 December, I called for U.K. troops to reinforce the local security forces, who were anyway by then nearing the point of exhaustion. The announcement that reinforcements were on the way had the desired effect; and by the time that 1 RRF arrived, the following evening, an uneasy calm prevailed. So they were deployed unobtrusively, to avoid any risk that their appearance might be provocative. I am most grateful both for the admirable despatch with which they were sent, and for the helpful and efficient way in which they performed their duties throughout their two weeks' stay. In addition to acting as an effective deterrent they were able to help train the local Regiment in internal security duties - it was, indeed, a source of satisfaction to me to see how well the Regiment conducted itself in very trying circumstances. This augurs well for the future.

17. From Sunday, 4 December, onwards there was never more than the occasional, isolated incident. It was, therefore, possible gradually to relax the curfew; and to terminate the State of Emergency and stand the Bermuda Regiment down by the time 1 RRF left. Tension gradually abated too, apart from some prolonged and vituperative debates in the House of Assembly which did neither party any credit at all. But alarming rumours of plans for fresh disturbances persisted until the New Year, and nerves are still on edge. This may be no bad thing. The greatest danger now is that people will again become complacent, forgetting traumatic events which they prefer not to remember.

18. If Bermuda is to remain prosperous, it must be peaceful. If it is to be peaceful, Bermudians cannot afford to forget or to ignore the issues which have hitherto divided them. They need to face these - and, in particular, to take stock of race relations. So I was convinced that an independent Commission of Enquiry should be appointed, which, while identifying the causes of the disturbances, would look to the future, to see what was needed to put things right. And I was encouraged, both when I managed to obtain local support for this venture and when you welcomed it.

19. The Commission will differ, in several important ways, from the Commission which inquired into the 1968 riots. First, it is to be a Royal Commission - appointed after consultation with both the Premier and the Leader of the Opposition - not a creature of the Government. Bipartisan agreement to it, secured despite much initial PLP suspicion, should facilitate its work and ensure readier acquiescence in its recommendations. Second, you are yourself to be actively associated with it, and have already demonstrated this association by selecting its Chairman (Lord Pitt of Hampstead) and another member, who will be an eminent academic sociologist. Third, a majority of its members will be Bermudians, chosen locally: four, to the two outsiders. Finally, I intend to enjoin Lord Pitt and his colleagues to interpret their terms of reference more widely than the 1968 Commissioners interpreted almost identical terms - not debarring themselves from considering major issues like electoral reform, if they consider these to be relevant. Unlike most Royal Commissions, this one will be given statutory powers to compel witnesses and to call for documents - powers which the 1968 Commission were also given.

20. I do not wish to try and forecast either the conclusions which the Commission may reach about the past, or the recommendations which it may make about the future. The comments which follow are not, therefore, intended as a preview of its report. They are simply my own preliminary opinions about five points - opinions which may well be modified in the light of the more thorough examination which the Commission is to undertake.

21. First, the militants who initiated the campaign against capital punishment may have had mixed (or even just ulterior) motives. Nevertheless, the overwhelming majority of its supporters felt, sincerely and deeply, that the case for abolition was unanswerable. They included members of both parties and both races. So the issue cut across racial and party lines. But it did not appear to: it was

generally perceived as a PLP attempt to prevail upon an unfeeling white establishment, and personified as a black struggle to save two under-privileged blacks who were at times represented as the victims of injustice.

22. In such circumstances, it could not fail to arouse race hatred. Having done so once, the issue will remain potentially explosive. And yet I doubt whether the Bermuda legislature will, for the time being at least, be prepared to repeal the death penalty: too many people here (including a lot of black Bermudians from both political parties) still tacitly consider that it remains a necessary deterrent in a small island community, anyway for certain classes of murder. They may, however, be secretly relieved if it is repealed, de facto, by H.M.G. Even those who do not share such relief will probably accept this as a price of remaining a dependent territory.

23. Second, none of the ninety-odd people arrested for serious emergency offences even mentioned Burrows or Tacklyn when asked by the Police why they had taken part in the riots. They were plainly not protesting against the executions: these were no more than the occasion for their rebellion. A considered assessment of their true motives must be left until enquiries into their social backgrounds have been completed and the Royal Commission has reported. But as almost two-thirds of them had previous criminal records and their average age was just over twenty-three, it already seems reasonable to infer that most of them belong to that problem group of youngsters who resent authority and always react quickly and viciously to any incident involving the Police. That group is made up of hard cases, who probably provided the hard core of the rioters.

24. These young blacks, often through no fault of their own, have mostly failed to grasp the opportunities available to them. Typically, their backgrounds put them at a disadvantage (the illegitimacy and divorce rates are both appalling), from which they have never recovered. Having little motivation to learn at school, many of them played truant for much of the time. So they grew up unfitted for any job requiring skill, but sufficiently resentful of their misfortunes to be unwilling to take unskilled work; and they drifted into a dependence upon petty crime - usually theft or drug distribution. They also grew up resentful of authority and of the whole establishment.

25. The group is not large: perhaps one hundred and fifty altogether, spread throughout the islands. Fortunately so, because it is doubtful whether many of them will respond to attempts at their rehabilitation.

The Permanent Secretary for Social Services (himself a dedicated social scientist, with an enthusiasm for reform), indeed, believes that the Government's resources should be principally devoted to prevention rather than to cure - to programmes which seek to identify young children who might travel this route, and to provide special support for them. One experiment with such a programme is now to be undertaken.

26. Third, most of the additional three or four hundred youths, who are estimated to have joined in the rioting, may have been prompted by mindless excitement. Nevertheless, most of them must have felt some underlying frustration and anger. Such feelings are, in any case, not uncommon amongst youngsters who do not enjoy their fair share of the general prosperity here; and they understandably resent what seems to them (and what may sometimes be) discrimination. Their resentment conditions them to want to hit back. Given moral support of the kind which they had reason to believe they could expect on this occasion, they are prone to cause serious disorder.

27. None of this analysis differs materially from that of Sir Hugh Wooding and his colleagues on the 1968 Commission. Nor have I any different remedies to propose. As they rightly said:

" What is now needed, and urgently needed, is a new and true understanding, a deep conviction of the essentiality of building a single community providing common opportunities for all and an unyielding commitment to promoting the democratic values of equality and fraternity in a society that is free in every respect."

Fine words; but fine words butter no parsnips. And the PLP claim that none has been buttered during the past ten years. They may even believe what they say: they have a remarkable capacity for convincing themselves by their own rhetoric.

28. Yet any dispassionate observer would acknowledge that striking changes have occurred since 1968. Wealth is more evenly spread. There are an increasing number of black Bermudians in managerial and professional positions. And so on. The problem, however, is that expectations rise even more rapidly still: as the Red Queen said to Alice, it is necessary to run very fast in order to stay in the same place. I have no doubt that the present Government are determined to try and run even faster. They have recently received an imaginative report from a Canadian economist and are commissioning another from a

firm of distinguished black American Consultant Sociologists; and they will take the recommendations (some of which may be unpalatable) seriously. Whether all this will suffice is another matter. There are powerful arguments that excessive speed could damage an economy which is still vulnerable, however prosperous. Moreover, the real need is not economic; it is to change attitudes; which takes patience, care and, above all, time.

29. Fourth, the attitudes which it is most important to change are those of the PLP's present leaders. They consider that, as their party draws its support from the majority community here, they have a moral right to power; and that they must have been unfairly deprived of it by a trick. They are unwilling to believe that the electorate might have rejected them for their own deficiencies or excesses. So they denounce the present electoral arrangements in exaggerated and misleading terms. They also, much more dangerously, tend to regard any black who joins the governing United Bermuda Party (UBP) as a traitor to his race, and, conversely, the handful of PLP whites as honorary blacks.

30. The extent to which they do this was readily apparent during the disturbances. These were really based on politics rather than on race. The PLP treats anyone with a grudge against the establishment as an ally. So the back-of-town youth gangs are encouraged to identify with it - and to look upon themselves as its hatchet men. They accordingly attacked property belonging to black members of the UBP as well as that of whites. No black UBP Members of Parliament ventured into Court Street, where the gangs congregated, throughout the unrest: they would have been unsafe. But PLP white supporters went there unharmed. (So did white drug addicts, in search of marijuana: business could not be interrupted).

31. Until the PLP becomes more responsible, Bermuda will continue to be at risk. Means must, therefore, be found of inculcating its leaders with a greater sense of responsibility. One ingredient essential to success in this will be the removal of some at least of their grievances about the electoral system. This is actually similar to, and quite as democratic as, the United Kingdom's. Some parts of it are, nevertheless, divisive in local circumstances, and we must seek, although it may prove impossible to reach, a compromise agreement on their reform. In addition to this, we must endeavour to convince Mrs Browne-Evans and her colleagues that their future success will depend upon their making discernible attempts to appeal to a wider section of

the community (to white Bermudians as well as black), and upon more evident respectability.

32. Fifth, it was expensive for Bermuda to summon U.K. troops, and embarrassing for H.M.G. to send them, especially in the circumstances in which they were sent. So there are decisive arguments for strengthening the local security forces to the point where reinforcements should not, in future, be required. The Government recognizes this, and will give their full support to the studies now in hand, to determine what is necessary. Until these have been completed, and estimates of cost have been prepared, I cannot be sure what they will eventually decide. Meanwhile, however, I hope that the modicum of help required from the U.K. (by way of places on military training courses at reasonable cost and the like) will be readily forthcoming: in everyone's best interests, it should be.

33. I am sending copies of this despatch to Her Majesty's Ambassador in Washington, the United Kingdom's Permanent Representative at the United Nations, the United Kingdom's High Commissioners in Ottawa, Kingston and Nassau, and the Senior British Officer, Bermuda.

I have the honour to be, Sir,
Your humble and obedient Servant,

Peter Ramsbottom

Governor and Commander-in-Chief