

SARK AND BRECQHO

Space, Politics and Power¹

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Abstract

Sark is a British Crown Dependency that could be described as a type of micronation. It has been a fief of the Crown since the 16th century, and in the 21st Century instituted a form of democratic government. While not part of the UK, nor a sovereign state in its own right, Sark is a self-governing territory within the Bailiwick of Guernsey, and has substantial political autonomy, with its own legislature and judicial system. Sark's political context comprises a binary existence as a jurisdiction spanning two populated islands: Sark and Brecqhou. This inter-island setting is complicated by Brecqhou having a special relationship with some privileges within the Fief of Sark, and offers a further level of quasi-micronationalism. This article discusses the history of Sark's and Brecqhou's inter-island relations. In the context of examining this island binary and the background to the contested ownership of Brecqhou and challenges to Sark's political system, emphasis is placed on reframing the islands' intertwined history and locality in connection with notions of space, politics and power. There have been various disputes over Sark and Brecqhou for many centuries, and in recent years the current owners of Brecqhou have argued that the island does not fall under Sark's jurisdiction. This article shows that Sark exists in several ways within different island groupings and political relationships, and argues that closer analysis of this island context contributes both a case study of inter-island relations to Island Studies, and more broadly to re-thinking the political geography of islands in the context of spatial and power relationships.

Keywords

Brecqhou, politics, power, Sark, space

Introduction

In March 2011, an article in *The Guernsey Press* was headed: 'Seigneur 'Won't Sell Sark at Any Price' (*This is Guernsey*, 2011: online).² In the newspaper article, the Seigneur (Sark's hereditary feudal lord and civic head) noted: "I have no intention of reneging on my obligations accepted on my becoming seigneur... However, if Chief Pleas [Sark's parliament] becomes unable to operate as a free democratic assembly due to external intimidation then I would give serious consideration to surrendering my lease to the Crown" (*This is Guernsey*, 2011: online). The background to this somewhat defensive statement is in the context of ongoing legal action taken by the owners of the Brecqhou island tenement (landholding) against Sark's political system. While such political and

sometimes very public wrangling has continued over the past few decades, the background to the dispute actually has a much longer history that is enmeshed in the islands' geopolitical existence.

Sark and Brecqhou form one jurisdiction in the Channel Islands and are just a few hundred metres apart (Figures 1-3 and Table 1).³ As a way of addressing the tensions between these islands, this article reframes Sark's and Brecqhou's locality in connection with space, politics and power. The discussion shows that Sark and Brecqhou exist in several ways within different island groupings and political relationships, and argues that closer analysis of this island context contributes both a case study of inter-island relations to Island Studies (cf Baldacchino, 2007), and more broadly to re-thinking the political geography of islands in the context of spatial and power relationships. The article discusses the islands through a critical lens in historical, political and geographical context, focusing on the recent legal issues.

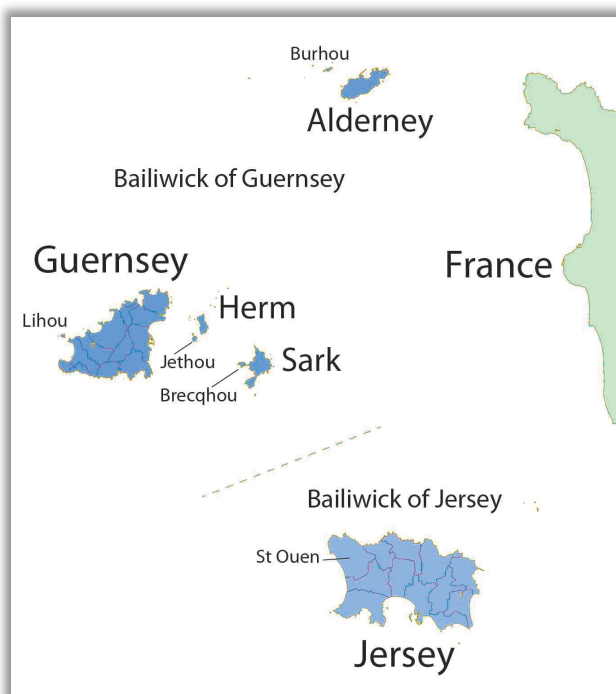


Figure 1 - Map of the Channel Islands in proximity to France (adapted from Wikimedia Commons map⁴).

Sark is one of many jurisdictions around the world that occupies a space of political (semi-)autonomy, and it can be argued that Brecqhou extends such political status even further, yet Sark is not a country or sovereign state in its own right. Sark is a British Crown Dependency, but could be described as a type of microstate (cf Le Rendu, 1999; 2004), and its degree of political autonomy and traditional practice offers an example of island identity within a sphere of concentric and interconnected political affiliations and power relationships. Moreover, Sark might be defined as a “sub-national island

Johnson – Sark and Brecqhou: Space, Politics and Power

jurisdiction” (Baldacchino and Milne, 2006). Drawing on poststructuralist discourse, Steinberg and Chapman (2009: 1) contend that “sovereignty is not a fixed relationship between a government, its territory, and its people (the nation), but an ongoing process of ‘reterritorialization’ through which the identities of nation and state, the idealized link between them, and their association with specific territories are continually reinscribed”. While such thought is often concerned with the breakdown of borders, with Sark and its island connections and small population there exists a further challenging aspect of contested borders. Unlike, for example, the Conch Republic, which declared independence from the United States of America in 1982, albeit not as an example of sovereignty or self-government (Steinberg and Chapman, 2009), or any of the various other so-called “micronations” (eg Taluga, Duchy of Sealand or Minerva – Ryan et al, 2006), Sark has a long history of being almost an island nation (or microstate – cf Dommen and Hein, 1985), but with long-established political links to the Bailiwick of Guernsey, of which it is a part, and to the British Crown. The geopolitical (dis)connection between Sark and Brecqhou is not one of nation-building per se, but, rather, a context where Sark’s political practice has changed and continues to adjust as a result of recent internal and external influences.

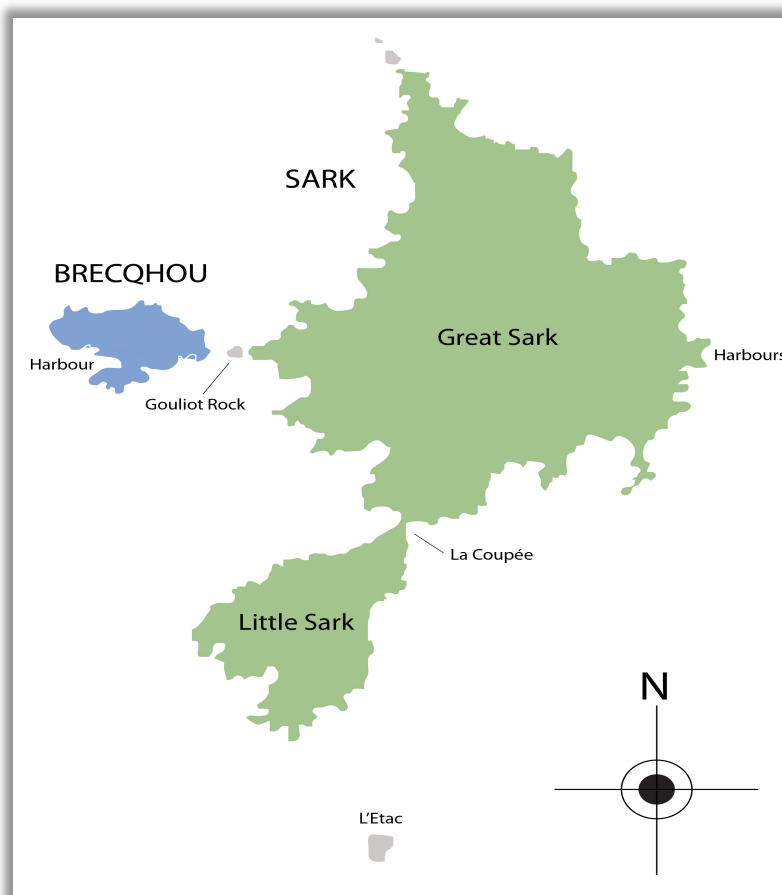


Figure 2 – Map of Sark and Brecqhou.



Figure 3 – Aerial photograph of Sark and surrounds (left and centre: Sark; lower right Brecqhou; upper/middle right: Little Sark; top right: L'Etac (photograph: Philip Capper⁵).

Historical method and critical discussion underpins this article, with field research being undertaken on Sark in 2011 and 2012 as part of a broader project in the Channel Islands. The discussion draws on discourse in the field of political geography, especially in connection with challenging the notion of island space as a static context, and focuses on discussing Sark in terms of “broader movements outside of geography that seek to replace ontologies of *being*, *separation*, and *locatedness* with those of *becoming*, *connection*, and *betweenness*” (Steinberg and Chapman, 2009: 1). While Brecqhou is a private island within the jurisdiction of Sark, and the current owners are tenants of “La Moinerie de Haut” – named after a medieval monastery that once existed on Sark), both islands extend their identities within the Bailiwick of Guernsey and further afield to Britain and Europe. In this archipelagic and (trans)political context, different conceptual dualisms of island identity exist, including being/becoming, separation/connection and locatedness/betweenness, each of which helps to show the modern-day place and space of Sark and Brecqhou in several interconnected and interdependent island and political units.

Referring to Baldacchino’s (2005: 247) comments that people usually draw islands as viewed from the air, and in a circular shape, Williams asserts that islands are far more complex: “there is a common conception (or rather misconception) with the pictorial representation of islands erring towards a perfect, totalizing circumscription of space” (Williams, 2012: 215). While a visual representation of Sark might well outline the island’s coastline, there are many facets beyond the island that are integral to the island. For example, not only are there numerous rocks and reefs off the coast of Sark, such as L’Etac just off the southeast coast of Little Sark (a distinct part of the island joined by a narrow isthmus), but the smaller island of Brecqhou is just metres from Sark and has an

Johnson – Sark and Brecqhou: Space, Politics and Power

historical interdependence with its larger neighbour. Sark, therefore, might be drawn as a single island, but in order to understand it more broadly, further spheres of island connectedness might be included, both within its seascape and jurisdiction.

Year	Event
933	Part of the Duchy of Normandy.
1204	Channel Islands remain loyal to King John of England (the Norman Duke) after the loss of mainland Normandy.
1565	Queen Elizabeth I grants Sark as a Fief to Helier de Carteret of St Ouen, Jersey.
1677	Rachel Le Moigne contests Phillipe de Carteret's claim that Brecqhou was part of the 1565 fief. The case was abandoned.
1929	Brecqhou made a tenement and the tenement sold to Angelo Clarke.
1940-45	Channel Islands occupied by German forces during World War II.
1974	John Michael Beaumont becomes Sark's 22 nd Seigneur.
1996	Barclay brothers contend that Sark has no jurisdiction over Brecqhou.
2000	Barclays' case withdrawn; acknowledge that Sark has jurisdiction over Brecqhou.
2008	Political reforms on Sark with 28 democratically elected members of parliament.
to present	Barclays offer numerous petitions challenging various Sark laws and system of government.

Table 1. Sark and Brecqhou Historical Timeline – Key Points.

The Sark/Brecqhou binary might be described as a “split jurisdiction”, not where a single island is divided into two or more national entities (Baldacchino, 2013a; b), but where two very closely positioned islands are distinguished by a geographic and administrative division based on contested proprietary claims and governance. But the island relationship also includes broader geographic and political levels of association and division, including Sark/Guernsey (ie within the Bailiwick of Guernsey), Guernsey/Jersey (the two Channel Island Bailiwicks), Channel Islands/UK (the Channel Islands are not part of the UK), and British Isles/Europe (the Channel Islands are not members of the European Union). Each of these divisions helps show the intricacies and extent of Sark's geographic and political identities: it is an island, a jurisdiction of two islands, and a part of the Bailiwick of Guernsey (Crowe, 2012: 7; States of Guernsey, 2013a: online).

Following this introduction, the article divides into four main parts as a way of addressing the more recent history of Sark/Brecqhou relations. The first part outlines the Sark and Brecqhou island context as a way of identifying island assemblages and intersections from the perspectives of geography and politics. A brief history of Sark and Brecqhou is then provided as a way of showing the political background to the islands' contemporary political practice. The next main part of the discussion focuses on the notion of contested islands, especially in connection with geographical space, ownership claims and authority. The last part of the article is a discussion of island space and island territory, and discusses space, politics and power as key themes that have emerged in the article.

Island Assemblages and Intersections

Sark and Brecqhou are entwined in a web of geographic, political and cultural assemblages and intersections (Table 2). The islands are located in the Bay of St Malo, about 35 km from the Cotentin Peninsula in the north of France, 19 km northwest of Jersey and 11 km east of Guernsey (Sark Tourism, 2013: online). Sark lies at 49°27' N and 2°22' E, and Brecqhou at 49°25'60" N and 2°22'60" E (Get a Map, 2013: online). Sark and Brecqhou are two British Islands, and geographically they are usually included as two of the British Isles. As the fourth largest of the Channel Islands, after Jersey, Guernsey and Alderney, Sark is about 5 km by 2.5 km, but neighbouring Brecqhou, as the sixth largest of the Channel Islands after Herm, is much smaller and has a landmass of only about 160 acres (see further Ewen and de Carteret, 1969: 15; Le Huray, 1969; Marr, 1982; Rivett, 1999; 2002). Sark has a population of about 580, and Brecqhou is the Barclays' home (Island Life, 2013: online). Before Brecqhou's current tenants built a neo-gothic castle (known as Fort Brecqhou) on the island (Figure 4), along with several other smaller buildings, Brecqhou had just one main house with several smaller outbuildings, which was built before the Second World War (Rivett, 2002: 131-145). The island's current tenants have built a small village for their 16 employees, which includes a pub (The Dog and Duck) (Hunt, 2012; Rivett, 2002: 263). Even though Sark is very small, it attracts around 40,000 tourists each year (Island Life, 2013: online). From 2012, visitors staying at one of the Sark Island Hotels (a business belonging to Brecqhou's tenants) on Sark have been allowed to visit Brecqhou's gardens on a short day-trip (discussed later).



Figure 4. View of Fort Brecqhou (photograph by author, April 6th 2011).

Since the 15th Century, the Channel Islands have divided into two bailiwicks: Jersey is the most southerly of the two and includes the island of Jersey (the largest of the Channel Islands) and several uninhabited reefs (eg Écréhous and Minquiers); and Guernsey, which comprises several populated islands, including Guernsey, Alderney, Sark, Herm (privately leased), Brecqhou (a tenement) and Jethou (privately leased) (Figure 1).⁶ The much smaller islands of Lihou and Burhou are also part of the Bailiwick of Guernsey and are unpopulated. Most of the islands in the Bailiwick of Guernsey are relatively close to one another, with the exception of Alderney and Burhou, which are about 37 km to the northeast of Guernsey and are the closest of the Channel Islands to

Johnson – Sark and Brecqhou: Space, Politics and Power

England and at the same time to France (Alderney Tourism, 2013: online). Within the Bailiwick of Guernsey, Guernsey, Alderney and Sark have their own legislative assemblies, with the States of Guernsey (Guernsey’s government) having the authority to legislate for some matters in Alderney and Sark on behalf of the Bailiwick: “As with Alderney, Guernsey’s States of Deliberation has power to legislate for Sark in criminal matters without the agreement of Chief Pleas, but on any other matter with the agreement of the Chief Pleas” (States of Guernsey, 2013a: online). The Bailiwick of Guernsey, as with the Bailiwick of Jersey, has a Lieutenant Governor who is Her Majesty’s personal representative (States of Guernsey, 2013b: online).

Sark	Brecqhou	Features
British Isles	British Isles	Geographic grouping.
British Island	British Island	The British territories of the UK, Isle of Man, Bailiwick of Guernsey and Bailiwick of Jersey.
Channel Islands	Channel Islands	An archipelago in the Bay of St Malo.
Bailiwick of Guernsey Jurisdiction	Bailiwick of Guernsey	Sark is part of the Bailiwick of Guernsey, and has legal autonomy. Includes Brecqhou.
Fief	Tenement of Sark	Sark was originally divided into forty tenements (landholdings). Brecqhou became a tenement in 1929.
Island	Island	Sark: About 5 km by 2.5 km; Brecqhou: About 160 acres.

Table 2. Geographic and Political Features of Sark and Brecqhou.

In connection with the island of Guernsey and the Bailiwick of Guernsey, the States of Guernsey notes that “the islands of Herm, Jethou and Lihou are part of Guernsey and the island of Brecqhou is part of Sark” (States of Guernsey, 2013a: online). In this legal context, reference to Sark as a political jurisdiction should inherently imply the island of Brecqhou, unless one or both of the islands are identified separately. However, discourse about Sark does not always distinguish which islands are being implied, which is possibly a consequence of Brecqhou being so close to the island of Sark, and Brecqhou having sometimes been uninhabited. Having been contested by the owners of the Brecqhou island tenement, although now accepted, this position has been reinforced in recent years at major levels of political authority: “Within the Bailiwick of Guernsey there are three separate jurisdictions: Guernsey (which includes the islands of Herm and Jethou); Alderney; and Sark (which includes the island of Brecqhou)” (Ministry of Justice, n.d.: 1); a similar comment is made by the British-Irish Council (British-Irish Council, 2013: online).

As discussed in more detail below, from the 16th Century until 2008, Sark had been governed as a fief under the hereditary rule of a Seigneur. In 2008, the feudal government of Sark was replaced with an elected assembly, and at that time the Seigneur, who had been the head of the government, lost many powers, although retained Sark as a hereditary fief. Brecqhou was made a tenement of the fief Sark in 1929, and the owners of which, along with the owners of other tenements and properties on Sark, are required to pay an annual property tax. The island of Sark has two main parts: Great Sark (also called Big Sark) and Little Sark. While these two names could suggest two separate islands, in the same way that Big Corn Island (usually referred to as Corn Island) and

Little Corn Island in the Caribbean do, Great Sark and Little Sark are in fact parts of the same island that are joined by a very narrow isthmus known as La Coupée, which is about 79 metres high and 137 metres long (Ewen and de Carteret, 1969: 15) (Figure 5).⁷ The island's closest neighbour is the island of Brecqhou, and the distance between the islands is about 200 metres, although only about 85 metres between Brecqhou and the large Gouliot Rock (Moie du Gouliot) in the Gouliot Passage, which belongs to and is detached from Sark by just a few metres (Google Maps Distance Calculator, 2013: online) (Figures 6-7).⁸



Figure 5 - La Coupée isthmus between Great Sark and Little Sark (photograph by author, April 11th 2012).

Sark's and Brecqhou's geographic, political and cultural assemblages and intersections offer a context that is conducive to confusion, especially in connection with ownership and jurisdiction of one island over the other. As shown later on, such confusion has at times been at the centre of tension between the owners of the Brecqhou tenement and Sark's government, and has even been foregrounded in several legal disputes over the past few decades. It is with such aspects of (dis)connectedness and points of contestation that the following discussion focuses on as a way of interpreting island relations in the Sark/Brecqhou archipelagic context.



Figure 6 - View of Brecqhou from Sark. Behind Brecqhou is Herm with Jethou on its left, and Guernsey is in the background (photograph by author, April 9th 2012).



Figure 7 - Gouliot Passage between Sark (left) and Brecqhou (right) with Gouliot Rock (Moie du Gouliot) in the middle (photograph by author, April 6th 2011).

History

Sark has an intriguing history in connection with settlement, ownership and occupation (Axton and Axton, 1991; Barnett, 1977; Beaumont, 1993; Cachemaille, 1928; Coysh, 1982; Ewen and de Carteret, 1969; James, 1845; Le Huray, 1969; Mahy, 1966; Marr, 1982; Rivett, 1999; 2002; Toyne, 1959). The island has been settled at various times, including during the Neolithic and Bronze Ages, and by Romans and Normans (from 933

the Channel Islands were annexed as part of the Duchy of Normandy – part of present-day northern France) (Coysh, 1982: 9-17). Sark was once the site of a monastery but the monastery was destroyed by Norse invaders in the 9th Century (Coysh, 1982: 13). Even though the Channel Islands are very close to France, in 1204 they remained loyal to King John of England (their Norman Duke) after he lost mainland Normandy to King Philip II of France. While France has invaded Sark on several occasions, more recently, Sark, along with the other Channel Islands, were occupied by German forces between 1940 and 1945 during the Second World War.

Sark's modern political history dates from 1563 when Helier de Carteret (1532-81) obtained the island from a royal commission of which he was a member. De Carteret petitioned Queen Elizabeth I, and in 1565 she granted him the island as a fief, and de Carteret became the island's first Seigneur and extended his existing manor in the parish of St Ouen in the west of Jersey (facing Sark), about 19 km to the southeast (Coysh, 1982: 14; Thornton, 2012: 105-6). As Seigneur, de Carteret held "the lease of Sark from the Crown in perpetuity" (Crowe, 2012: 7), although the seigneurie of Sark has been sold on several occasions, including in 1730 to Susanne Le Pelley, and in 1849 to Marie Collings (Table 3). As of 1974, John Michael Beaumont became Sark's 22nd Seigneur, and he continued to pay the same annual *rente* (fee) to the Crown that was required in the 16th Century (Beaumont 1993, 6).

1.	Helier de Carteret (1563-81)
2.	Philippe de Carteret I (1581-94)
3.	Philippe de Carteret II (1594-1643)
4.	Philippe de Carteret III (1643-63)
5.	Philippe de Carteret IV (1663-93)
6.	Charles de Carteret (1693-1715)
7.	John Carteret (1715-20)
8.	John Johnson (1720-23)
9.	James Milner (1723-30)
10.	Susanne Le Pelley (1730-33)
11.	Nicolas Le Pelley (1733-42)
12.	Daniel Le Pelley (1742-52)
13.	Pierre Le Pelley I (1752-78)
14.	Pierre Le Pelley II (1778-1820)
15.	Pierre Le Pelley III (1820-39)
16.	Ernest Le Pelley (1839-49)
17.	Pierre Carey le Pelley (1849-52)
18.	Marie Collings (1852-53)
19.	William Thomas Collings (1853-82)
20.	William Frederick Collings (1882-1927)
21.	Sibyl Hathaway (1927-74); Robert Hathaway (1929-54) (<i>jure uxoris</i>)
22.	Michael Beaumont (1974-present)

Table 3. Seigneurs of Sark (Seigneurial Dates). (Source: Cachelaille, 1928: 294-296; de Carteret, 1956: 160-162.)

As noted in the Letters Patent issued by the Crown in 1565, Sark was "uninhabited", and the fief included "all that aforesaid Island of Sark", with many items listed, including those:

Johnson – Sark and Brecqhou: Space, Politics and Power

Within the seas or sea-coasts contiguous or appertaining to the Island or within its shores, limits or precincts, and whatever were held, known or accepted as members or parts of the Island of Sark (Ewen and de Carteret, 1969: 141-142).

At this time, de Carteret and 39 other families settled on Sark. The families were mostly from Jersey, but a few were originally from Guernsey, England and France (Axton and Axton, 1991: 7; cf Hathaway, 1961: 5). De Carteret established 40 tenements (landholdings) of varying size, although some have since been divided (Sark Electricity, 2013: online).⁹ There are now 83 landholdings, the additional 43 of which were created from Seigneurial land that had not been allocated to tenements (Chief Pleas, 2012). Each of the tenements was intended to support one family, with the requirement of feudal service and an annual payment on land, and there were strict rules of inheritance, sale and division (Axton and Axton, 1991: 7). In 1565, however, Brecqhou was not included as a tenement (Rivett, 1999: 210).

To this day, Sark remains a fief, although it has transformed its form of governance on several occasions. In the years soon after de Carteret's settlement of Sark, only the 40 tenants had a seat in Chief Pleas, which was a right as part of owning a tenement, and nearly four hundred years later in 1922, 12 publicly elected deputies were added to Chief Pleas (The Royal Court of Guernsey, 2013b: online). Further reforms of the island's parliament took place in 1951 and 2008, with the latest version of Chief Pleas comprising the Seigneur of Sark, Seneschal (head of Chief Pleas) and 28 democratically elected Conseillers (members of parliament) (Barnett, 1977: 16; The Royal Court of Guernsey, 2013b). With the last reform, the automatic right of each of the islands' 40 Tenants to hold a seat in Chief Pleas was abolished, although the Seigneur continued to hold an unelected seat but without the right to vote (Crowe, 2012: 7). Sark's parliament continues to discuss the possibility of further political and administrative reform.

Year	Sark	Brecqhou
1821	488	0
1831	543	0
1841	785	5
1851	580	0
1861	583	0
1871	546	5
1881	571	7
1891	570	2
1901	504	2
1911	579	0
1921	611	3
1931	571	6
1939	430	0
1951	555	10
1961	550	11
1971	584	6

Table 4. Sark and Brecqhou Census Reports (1821-1971) (Census Office of the Sates of Guernsey Board of Administration, 1971).

Even though Sark is a self-governing jurisdiction within the Bailiwick of Guernsey, the Crown has ultimate responsibility for its affairs, which is through the island's relationship with the Lieutenant Governor of the Bailiwick of Guernsey. Sark is known as being "the last bastion of feudalism in the modern world" (Ewen and de Carteret, 1969: 15), and it has its "own legislature, judicial system and administration" (Beaumont 1993, 5). The Seigneur acts "as the Island's Representative, responsible to the Crown... and he must oversee the smooth running of the administration" (Beaumont, 1993: 6). On Sark, no land is freehold, and the Seigneur can only sell the fief with permission from the Crown: "all landholdings in Sark are held in perpetual tenure from the Seigneur in return for certain obligations... and [until reforms in 2008 could] ... not be bought or sold without his permission" (Beaumont, 1993: 16). As shown in Table 4, the population of Sark was 551 in 1871, and 565 in 1971 (Barnett, 1977: 25). The current population is about 600 (Sark Tourism, 2013: online).

Contested Islands

In the Sark/Brecqhou binary island setting, tension exists concerning Sark's jurisdiction over Brecqhou, even though the latter was made a tenement of Sark in 1929, and prior historical jurisdiction had already been confirmed. This is a contested geography where the notion of island space is territorialized and challenged. Examples of such disputes are often between larger sovereign nations, such as the Diaoyu/Senkaku dispute between China and Japan (Suganuma, 2000), or the Islas Malvinas/Falkland feud between Argentina and the United Kingdom (Laver, 2001). In these cases, while Japan itself is an island nation, and the UK currently spans several larger islands and numerous smaller ones, the tension is mostly concerned with territorial borders, expansionism and postcolonial protectionism. There are also examples of islands that have been split into separate nations or parts of larger nations, such as New Guinea, Ireland and Cyprus (Baldacchino, 2013a; b). In the case of Sark and Brecqhou, however, the tension has mostly to do with proprietary claims in terms of the space that an island occupies and the power relationships within and across those spaces, which raises further questions that have relevance for the field of Island Studies. How far beyond the shoreline can an island's territory extend? Do nearby islands, islets or rocks belong to the larger island? What are the physical and conceptual characteristics of nearby islands that help foreground propriety claims? Questions such as these are explored in this part of the discussion as a way of outlining the contested geographies of Sark and Brecqhou.

The fact that Brecqhou is an island of only about 160 acres (Rivett, 2002: 14), and just 85 metres from Sark, allows it to enjoy a degree of dislocation. Not only is Brecqhou surrounded by sea, but it also has steep cliffs around the island (as does Sark), which make it difficult to land on except at each island's harbour. In a broader context of the study of islands, it has been noted that "there is... a logistical tendency and preference for an island to be self-administered" (Baldacchino, 2013a: 1). Nevertheless, while this phenomenon might help explain some of the tensions between Brecqhou and Sark, the geographical proximity of the two islands to each other offers a sense of both islands being part of a binary where the larger might be conceptualized as having dominance and ownership over its smaller neighbour.

Johnson – Sark and Brecqhou: Space, Politics and Power

The dispute about ownership of Brecqhou has a long history. Moreover, the ownership of Sark itself has been disputed. Even before the Jersey settlement of Sark in 1565, the island was occupied by France for several years:

In July 1549 a substantial French naval force arrived off Sark, 200 men landed and occupied Sark and formed a garrison there. They were further reinforced. As the garrisons in Guernsey and Jersey had insufficient forces to displace them the French remained there. In 1553 Sark was repossessed with the assistance of a Flemish Corsair and then subsequently abandoned. (Royal Court of Guernsey, 2013a: online)

Sark was left uninhabited for several years and the Seigneur of Glatigny in Normandy established a small settlement on the island in 1560 having been granted this right from the French King. When England and France went to war in 1562, Sark was again left abandoned, after which it soon became a Fief of the English Crown. However:

When news of Helier's settlement reached the Seigneur of Glatigny, he issued a warning that he claimed title to the Island by virtue of his grant from the French King, and reserved his right to seize the Island. (Ewen and de Carteret, 1969: 33)

In connection with trying to determine whether Brecqhou was included as part of the fief, based on the 16th Century document that outlined the terms of the fief, it has been contended that:

As the grant made in 1563 by the Queen's Commissioners to Helier de Carteret embraced not only Sark but 'all the other Isles adjacent to it', it seemed obvious that the award included Brecqhou. (Marr, 1982: 60)

When de Carteret was given Sark as a fief, one of the conditions was that he should protect it with 40 armed men. Considering the close proximity of Sark and Brecqhou, from the perspective of the required defence, one might presume that de Carteret would be defending the island of Brecqhou from possible attack as well as the island of Sark. In this context, just as Sark has jurisdiction of the islets, reefs and rocks off its shore, so does Brecqhou form a part of Sark's fief.¹⁰ However, Rivett (1999: 209-10) argues that Brecqhou was not originally a part of the fief, especially as it was not a tenement, and was only later claimed.

In connection with Brecqhou, ownership claims are further complicated in connection with the Le Marchant family. When the Channel Islands formed a single Bailiwick, Brecqhou was part of the Fief of Vinchelez in Jersey, which was sold to Nicholas de Chesney and inherited by his son in 1326 (Rivett, 1999: 201). When Jeanne de Chesney married Denis Le Marchant of Guernsey, ownership of the island was passed through a line of the Le Marchant family, and the island became known as Isle des Marchants, thus linking it to this family (Rivett, 1999: 202). Even though ownership of the island then passed to others, the name Isle des Marchants was still used. After the gifting of Sark as a fief by Queen Elizabeth I to Helier de Carteret, the first legal dispute about ownership of Brecqhou was in 1677 when Dame Rachel Le Moigne (widow of James Le Marchant) contested Phillipe de Carteret's claim that the island had been included in the 1565 transfer (many historical documents have been lost so factual information is vague—see Axton and Axton, 1991: 6). The case, however, was soon abandoned (Ewen and de

Johnson – Sark and Brecqhou: Space, Politics and Power

Carteret, 1969: 45; Marr, 1982: 60; Rivett, 1999: 205). That Brecqhou forms part of the Fief of Sark was formally noted in 1852 when the seigneurie of Sark was sold to Marie Allaire, and possibly for the avoidance of doubt the contract of the sale included Ile des Marchands (Brecqhou) (Chief Pleas, 2006). The new Seigneur of Sark was the first in the line of the current Seigneur, John Michael Beaumont. From the late 16th Century, the Seigneur leased Brecqhou on several occasions, although it was only in 1929 that Dame Sibyl Hathaway, as Dame of Sark, sold Brecqhou to Angelo Clarke, who had been leasing the property (Rivett, 1999: 215).

The year 1929 was especially significant in terms of consolidating Brecqhou's ambivalent relationship with Sark. That is, Dame Sibyl sold Brecqhou to Angelo Clarke, and at this time the sale included a seat in Chief Pleas because it had now become a tenement. It was only when Seigneur Pierre Le Pelley purchased the tenement of "La Moinerie de Haut" in 1835 that he was entitled to a further seat on the Chief Pleas, and thus Dame Sibyl was able to move this "spare" seat to Brecqhou (Marr, 1982: 61). In the 1960s, Dame Sibyl summarized the geographic territory of Sark in her autobiography:

The island is three and a half miles long and one and a half miles wide, and it is divided into three parts. On the west of Sark is Brecqhou, a small sliver of land parted from the mainland by a narrow strip of sea and a nine-knot tide. Great Sark is joined to Little Sark by a unique causeway called the Coupée, thirteen feet wide and three hundred yards long. This raised road runs two hundred and forty feet above the sandy beaches and sea below. (Hathaway, 1961: 3)

What is particularly relevant in this summary is the Dame's reference to the island of Sark as the 'mainland',¹¹ with Brecqhou being a part of the island's broader territory, and Little Sark being a significant part of Sark's geography.

A sense of Brecqhou's physical, social and cultural dislocation from Sark was particularly evident in the 1960s when one owner of the Brecqhou tenement, Leonard Matchan, made a Brecqhou flag, which was the Sark flag, itself designed in 1938, but with the addition of Matchan's coat of arms (Rivett, 2002: 215-16). He also issued stamps (or rather carriage labels) in 1969, and the current owners have made further issues (Brecqhou Stamps, 2013: online). Such emblems of identity are typical when expressing a sense of separateness and even independence, as with the birth of a nation state.

The most recent purchase of Brecqhou was in 1993 by billionaire brothers David and Frederick Barclay. The purchase deed included the following wording:

The island of Brecqhou forms part of Sark and remains under the jurisdiction of Sark and the laws and usages and customs of Sark extend and apply there as of right. (Rivett, 1999: 232)

However, it should be noted that some laws made by Chief Pleas are disapplied to Brecqhou, including the use of cars and a helicopter, which have been allowed on Brecqhou due to the dislocated nature of the island (in 2011 there were 92 tractors on Sark, along with 1040 bicycles, 30 horse-drawn carriages, 6 electric invalid cars and 21 electric bikes – Crowe, 2012: 27). After their purchase of the island, the Barclay brothers have challenged the legality of many facets of Chief Pleas, as well as the status of Brecqhou as part of the Fief of Sark, and took their case to the High Court of Justice in

Johnson – Sark and Brecqhou: Space, Politics and Power

2008 (England and Wales High Court [Administrative Court] Decisions, 2008: online; Supreme Court, 2009). Over the last two decades, the Barclay brothers have taken several cases against Sark to various courts, and issued various petitions against Sark laws, as follows (Baker, 2013):

1996: Barclays contend that Sark has no jurisdiction over Brecqhou. Case withdrawn in 2000.

1999: Sark ends the right of primogeniture after Barclays threaten to take the island to the European Court of Human Rights.

2005: Barclays petition Privy Council to stop a general election. The petition was dismissed.

2008: Barclays challenge Sark's form of democracy in the High Court of Justice. The claim was dismissed.

2008: Barclays take case to the English Court of Appeal. It was ruled that the dual role of the Seneschal was incompliant, but the rest of their case was dismissed.

2009: Barclays take case to the Supreme Court (House of Lords). The case was dismissed.

2009 to present: Barclays offer numerous petitions against various Sark laws.

In response to the first case, the English newspaper, *The Independent*, noted that:

The Barclays are effectively declaring UDI for Brecqhou... they told Guernsey's Royal Court, the island's equivalent of the High Court in England, yesterday, that in their view Brecqhou forms no part of Sark, its larger neighbour, which traditionally has ruled over the island... In their declaration, made for them by Lloyd Strappini, one of the Channel Islands' leading lawyers, they declared that 'Brecqhou forms not part of the fief of Sark'; that a law of 1611 banning the break-up of Sark did not apply to their island; and 'that the Court of the Seneschal of Sark [the island's highest authority] has no jurisdiction over Brecqhou.' (Blackhurst, 1996: online)

Such comments suggest that Brecqhou was aiming to become a micronation or even an independent nation state. However:

Monarchists... will be pleased to hear that these determined businessmen have no plans to declare a breakaway republic. 'They have no dispute with the Crown, and recognise that Brecqhou should be under somebody's jurisdiction,' a legal source close to the Barclays said yesterday. 'They simply question whether it should be Sark'. (Walsh, 2005)

The Barclay brothers have challenged not only Sark's jurisdiction over Brecqhou, but also Sark's system of administration (Caesar, 2006). In this context of contestation, where arguments and aims are sometimes confused, a special sub-Committee of the General Purposes & Finance Committee was formed by Chief Pleas to act as the Brecqhou Liaison Committee with the aim of attempting to bring the two islands closer together

and to reach agreement on certain matters (Chief Pleas, 2006; General Purposes and Finance Committee, 2007). However, the sub-committee was dissolved in 2007 (Chief Pleas, 2007). In a statement by the President of Chief Pleas, Sark's legal obligation to Brecqhou was reinforced, albeit in light of certain special privileges that exclude some of Sark's legislation on its sister island: "All legislation for Sark automatically applies to Brecqhou unless it says on the face of the Law that it does not apply or the Law specifically excludes Brecqhou from part of it" (Chief Pleas, 2006). In summary, Sark has made some major political reforms of Chief Pleas in recent years, often as a result of the various legal disputes by the Barclays, and continues to re-think its system of governance.

Discussion

Closer analysis of Sark and Brecqhou relations reveals several examples of contestation regarding jurisdiction and system of government. In particular, three themes have emerged in the above discussions that help in comprehending the Sark/Brecqhou binary: space, politics and power. The first of these is based on the geographic location of the islands, and especially their very close proximity to one another; the second relates to different spheres of political status, which are sometimes interpreted differently depending on perspective; and the third theme is centred on the influence that the owners of Brecqhou have had on Sark. These themes are foregrounded for discussion in order to help show not only the dialectics between these two island assemblages, but also to contribute more broadly some key topics that are especially of relevance to the field of Island Studies.

While islands tend to break away from mainlands in terms of political jurisdiction, "with increasing numbers of barriers and partitions being raised in order to preserve a particular environment" (Doumenge, 1985: 102), with the spatial geopolitics of Sark and Brecqhou there is a dualism of unity and separateness at the same time. The idea of the fragmentation of an archipelago into smaller political or sub-political units is a process that relates to the Channel Islands more broadly. Until the 15th Century, the Channel Islands were administered as a single entity, but were then divided into two Bailiwicks (Jersey and Guernsey), and even within the Bailiwick of Guernsey three separate jurisdictions were later created: Guernsey, Alderney and Sark. In this archipelagic context, "spatialities are characterized typically by three relatively durable topological and binary relations: land and water, island and continent/mainland, and island and island" (Stratford et al., 2011: 115). As a small island, Brecqhou's immediate mainland is Sark; Sark's is Guernsey; and Guernsey's is France or Great Britain, depending on distance, sovereignty or identity (cf Ankar, 2006; Baldacchino, 2012). A deeper study of such relations helps in interpreting the Sark/Brecqhou island interrelationship.

Transport to and from Sark and Brecqhou is primarily by boat. While Sark does not have an airfield and normally does not allow flights over the island within a 3nm radius below 2374 feet (Rover, 2012: 1), a helicopter is sometimes allowed in special circumstances, and Brecqhou has been granted dispensation to operate such an aircraft to and from Brecqhou (Chief Pleas, 2011: 14).¹² The two closest points between the islands are not the easiest places to make a sea crossing due to high cliffs around each island, and commercial vessels usually make a convoluted journey from distant points on each island so as to travel between the islands' respective harbours. However, while hunting trips to Brecqhou have been noted, especially when Brecqhou was uninhabited (Quayle, 1815:

Johnson – Sark and Brecqhou: Space, Politics and Power

298-99; Wearis, 1673: 4), the only commercial vessels that currently travel between the two islands is for tourists staying at Sark Island Hotels, which is a Sark company belonging to the owners of the Brecqhou tenement, and comprising four Sark hotels and managed by Sark Estate Management. Visitors staying at Sark Island Hotels are able to visit the Jubilee Gardens on Brecqhou in a three-hour round trip. While Brecqhou is guarded and has notices warning visitors away, by offering an excursion like this the owners of Brecqhou are capitalizing on their business interests on Sark, which helps strengthen their influence on the island. The space between the islands helps create a dichotomy that does much to generate a sense of difference and detachment. As Lefebvre has commented, “space implies, contains and dissimulates social relationships” (1991: 82-83). Such is the geographic proximity of Sark and Brecqhou to each other that they could be conceived as being a part of the same jurisdiction, in the same way that the large rocks and islets around Sark are within its jurisdiction, and some of these (eg L’Etac) are actually further away from Sark than Brecqhou. That is, the two islands are geographically extremely close to one another, and at the same time Brecqhou exists as a private island that is exempt from some of Sark’s laws. Geographic proximity may point to a close connection of some type, especially as Brecqhou is now a tenement of Sark, but the private nature of Brecqhou, coupled with its island dislocation from Sark, also helps create distance and difference.

As noted, several tensions have emerged between the owners of the Brecqhou tenement and the government of Sark as a result of concerns over Sark’s political system. These tensions have been especially visible over the past two decades, and they offer examples that help in understanding island dynamics in connection with political status more broadly. Some of the tensions are the result of shared and contested geographic space (as discussed above), and some are because of the disputed ownership and power relations (discussed next). However, what is especially important in the Sark and Brecqhou context is that the politics of small islands such as these extends beyond the islands themselves. In other words, tensions have arisen partly due to the close proximity of Sark and Brecqhou to each other, and also in connection with the latter being a more recent tenement. The islands’ location within the Bailiwick of Guernsey adds to the complexity of the situation. Such political status has historically created a unique system of governance, and the sale of Brecqhou in 1929 to Angelo Clarke with the transfer of an existing tenement to the island helped show Sark’s jurisdiction over Brecqhou, but also set the scene for future legal disputes.

Sark has different spheres of political status that can be interpreted differently depending on geographic perspective. This political status is inextricably linked to the notion of space as discussed above, particularly in connection with the fact that Brecqhou is an island tenement and that its status as part of Sark has been fiercely contested. Moreover, the way this contestation has been played out in the public sphere has had much to do with the spatiality of power, which is now discussed. The notion of power is linked to different spheres of Sark and Brecqhou. As a fief, Chief Pleas is the legislative body of Sark, and because Brecqhou is a tenement of the fief of Sark, the laws of Sark are also applied to that island. However, as already noted, some laws are disapplied to Brecqhou, which gives the island a special status that allows it to have a degree of autonomy in a somewhat contradictory way that privileges this tenement over others.

Much of the tension between Sark and Brecqhou has been expressed by, or in the interests of, the Barclay brothers (David and Frederick), who co-own Brecqhou (David Barclay is named as Tenant), and are reported to own about one third of businesses on Sark itself (Montague, 2012: online).¹³ The Barclay brothers, however, technically reside

Johnson – Sark and Brecqhou: Space, Politics and Power

in Monaco (Collins, 2012). The tension has been expressed regularly in the media, including on Sark (eg *Sark Newsletter*, written and published by Kevin Delaney, who is also managing director of Sark Estate Management, a company owned by the Barclays), Guernsey (eg *The Guernsey Press*), the UK press and beyond. Some media stories have even recently foregrounded the antagonism by reporting on many aspects of Sark/Brecqhou relations with headlines such as “Sark Islanders Fear Takeover” (Montague, 2012: online). Brecqhou’s influence on Sark is particularly evident in local media, such as *The Sark Newsletter* criticizing Sark’s government, which notes on the front of recent issues that it is “campaigning for the end of 450 years of feudal rule and for a fully democratic process of government”.

Brecqhou’s relationship with Sark is an example of the use of power from the owners of Brecqhou as a means of influencing political change on Sark. That is, the owners of the Brecqhou tenement have been able to exert a large degree of power on Sark’s residents, particularly as a result of owning hotels, businesses and land on Sark, although with this island binary it is the smaller of the two islands and the one with just a tiny population that is exerting power over its relatively larger neighbour. With regard to such exertion of power:

This was amply demonstrated by the events which followed the first democratic election on Sark in December 2008. In the poll, all but two of the Barclays’ publicly preferred candidates for election to Chief Pleas were rejected, whereas nine of the successful candidates had, prior to the election, appeared on the brothers’ published list of candidates described as “dangerous to Sark’s future”. The following day, the Barclays closed down a number of businesses they owned and stopped their building projects on the Island. As many as 140 (estimates differ) of the 600 inhabitants were out of work until the Barclays reopened most of their businesses a few weeks later. (House of Commons Justice Committee, 2010: 19)

Bringing the discussion back to the statement by the Seigneur of Sark noted at the beginning of this article, it offers an example of power exerted from the smaller island. Here, the context is with the owners of the Brecqhou tenement offering to purchase Sark: “It was revealed last week that Sir David Barclay had last year offered to buy the island’s lease and the seigneur’s title, but relinquish the feudal rights associated with it” (*This is Guernsey*, 2011: online). The influence of money is further highlighted in the following:

The Barclay Case is interesting from an historical and a constitutional perspective. It is also instructive, however, in demonstrating the ability of those with sufficient interest and money to challenge, through the English Courts, laws passed by an apparently autonomous legislature in another jurisdiction. Litigation of this sort will probably remain the preserve of billionaires living on their own islands, but who knows! (Cushing, 2010: online)

In this context, therefore, money can offer a means of leverage, whether relating to the financial wellbeing of those working on Sark, or by having the power to challenge an island’s parliamentary system in the courts of other islands (ie Guernsey and the UK). But the nature of that power, which is attempting to overturn feudalism on Sark, relates to what one commentator has called “financial feudalism” on the part of the Barclays themselves (Henry, 2012).

Conclusion

This article has offered a history of Sark and Brecqhou in terms of some of the ways ownership of Brecqhou has been contested as a result of a complex and sometimes confusing historical relationship. A study of the Sark/Brecqhou binary offers an example of the complicated nature of island relationships and their geopolitical space of jurisdiction and power relations. For Sark, its jurisdiction is part of a much more complex spatial area that also includes sea, rocks, islets and two islands (ie Sark and Brecqhou). The political identity of Sark also emanates into the Channel Islands as part of the Bailiwick of Guernsey and beyond.

The word “Sark”, therefore, has a dual meaning. It refers both to Sark as an island, and to Sark’s jurisdiction, which includes Brecqhou. This small British island context in the English Channel and close to France provides an example of contestation, and in more recent years has been a struggle with power at its core. While the spatial dynamics of two very close islands has much to do with the nurturing of tensions, especially when one island is much larger than the other, both in physical and population terms, antagonism has re-surfaced over the past few decades on both Sark and Brecqhou. From the Sark perspective, Brecqhou has always been a part of Sark’s jurisdiction, and this has been confirmed at various stages in the islands’ legal history. The Brecqhou perspective has a counter opinion, and further challenges the legality of Sark’s political structure in the modern era. But power emerges from both islands. Sark’s seigneur and Chief Pleas have a legal obligation to look after the interests of Brecqhou, and the Brecqhou tenement’s billionaire owners have done much to fight their cases in the highest of British courts.

The theme of contestation is one that reveals much about the geopolitical and spatial dynamics of islands and island relations. In the Sark and Brecqhou setting, the fact that a small island is geographically very close to a relatively larger island has offered one perspective that Brecqhou is a part of Sark’s jurisdiction. Contrarily, the argument that Brecqhou is a private island and historically considered detached from Sark offers a perspective that its island identity is separate to Sark.

The history of Sark and Brecqhou relations has seen ownership of both islands being challenged from different perspectives. What is clear is that not only does the size of these two islands along with their relative geographic proximity next to each other and within the larger island cluster of the Bailiwick of Guernsey offer a unique context for studying how and why the ownership of islands might be challenged, but also how and why notions of space, politics and power relations sometimes have much to do with generating such challenges in the first place.

Endnotes

¹ I am especially grateful to Richard Axton for his comments on an earlier draft of this article, and to Christian Fleury for the information he provided on fishing limits in the Channel Islands.

² In the historical linguistic context of Sark, the name for the island has included Sèr or Cerq (Sercquiais – Sark’s version of the Norman language) and Sercq (French).

³ Various spellings and names for Brecqhou include Brechou and l’Ile des Marchands.

⁴ www.commons.wikimedia.org/wiki/File:Channel_Islands_location_map_%28%2Bparishes%29.svg – accessed 13 October 2013.

⁵ Channel Islands, September 17th 2005 (used under *Creative Commons* license, www.flickr.com – accessed 13 October 2013).

⁶ The nearby Chausey Islands belong to France. While geographically the Chausey Islands might be included as part of the Channel Islands, the term ‘Channel Islands’ in this island setting usually refers to the British bailiwicks of Jersey and Guernsey.

⁷ Some writers have erroneously noted Great Sark and Little Sark as two separate islands. For example:

The Bailiwick of Guernsey, which forms a crown dependency independent of the British government, is made up of the major island of Guernsey and the dependencies of Alderney, Herm, Great Sark, Little Sark, Brechou, Jetou, and Lihou. (Minahan, 2000: 305)

⁸ Rivett (2002, 14) notes that the islands are four hundred yards (366 metres) apart.

⁹ “The majority of Sark’s property is purchased by way of secure leasehold” (Sark Estate Agents, 2013: online). However:

There is no true freehold; all land being held in perpetual fief from the Seigneur. Each of the forty properties (tenements) . . . can only pass as intact blocks of land by inheritance to one heir, unless sold outside of the family. (Sark Tourism, 2013: online)

¹⁰ Sark has its own fishing limit of 0-3 nm (nautical miles), but can also access the 3-12 nm around the three islands (Alderney, Guernsey, Sark) as agreed within the Bailiwick of Guernsey (see further Commerce and Employment Department, 2013; Fleury, 2011; 2013).

¹¹ The use of the term ‘mainland’ to refer to the largest island in an archipelago is also found elsewhere. For example, the largest of the Orkney Islands is known as ‘the mainland’, although unlike the binary of Sark and Brecqhou, there are around 70 islands in the Orkney Islands.

¹² There has been much discussion about securing a permanent site for an emergency helicopter on Sark. The company owned by the Barclay brothers, Sark Estate Management, has offered such a site, but this has not been approved by Chief Pleas (Chief Pleas, 2008).

¹³ *The Sark Newsletter* (2011: 1) noted that the Barclays owned 22.7% of the total land area of the island of Sark in 2011.

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