

# On Island of Sark, Twin British Brothers Joust With Feudalism

Barclays Enjoy Castle Life, But Hate Medieval Laws; An Appeal to the Queen

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SARK, Channel Islands -- Europe's last feudal state is fighting a rebellion, but its unruly subjects aren't peasants. They're billionaires.

About 20 miles off the coast of Normandy, France, sits Sark, one of the Channel Islands and home to fewer than 600 residents. The rocky and windblown island is ruled by the Seigneur, the local title for the feudal lord, who collects a large transfer tax every time one of the island's 40 properties is sold. The Seigneur in turn pays rent to Queen Elizabeth II to maintain his fiefdom. The annual rent remains at about \$3, unchanged since 1565.

The system worked well for almost five centuries -- until the British brothers David and Frederick Barclay moved in next door.



**David Barclay**

The identical twins, 70 years old, built their fortune buying and selling companies and currently are owners of London's Ritz Hotel and the Daily Telegraph newspaper. In 1993, they paid &#pound;2.3 million, or around \$3.5 million at the time, for Brecqhou, a private island just a stone's throw off Sark's shore. The island is part of Sark's territory.

The Barclay twins built a huge castle, replete with spires and towers, and called it Fort Brecqhou (pronounced Bre-KOO). They issued their own postage stamps and sewed their family crest on the Seigneur's flag to make it their own. Supplies are ferried to the

rocky outcrop by a boat called the Brecqhou Warrior.

They also began picking fights against Sark's long-held traditions and laws, including its rules of inheritance, its tax code, and even Sark's claim of sovereignty over their tiny island.

Some island residents say the Barclays are disrupting a tranquil and unique way of life. The brothers "thought they could roll all over us and they can't," says Jennifer Cochrane, who has lived on Sark for 30 years and publishes its monthly newsletter, *La Vouair de Sercq* (The Sark Voice). "They can't and they're furious."

Yet a campaign of lawsuits and demands by the Barclays has already led to far-reaching changes on Sark. Their aim, it now seems, is nothing less than the end of feudalism itself. "Sark should be governed by a democratic process, a parliament wholly elected by its people and not a parliament whose majority is appointed by an inherited feudal lord and through a payment of money to him," says Michael Seal, a representative of the twins. "It beggars belief that we are living in the 21st century."

Under Sark's feudal system, every landowner is entitled to a seat in the Chief Pleas, the island's tiny legislature, which since the 1920's has also included some elected residents. Feudalism's supporters argue the system ensures the smooth running of an island with just three civil servants (a secretary, a tourism officer and an assistant constable), little bureaucracy -- and almost no paved roads, for that matter.



**Frederick Barclay**

Sark did have a brush with modernity a few years ago, when it became a haven for offshore "shell" companies. But that business dried up after the Channel Islands, which are part of British Commonwealth, imposed tougher banking rules in the late 1990s. Today, the 5-square-mile island is principally a tourist destination.

Accessible only by passenger ferry, Sark doesn't allow cars. So each summer, thousands of visitors, along with the island's residents -- many of them farmers and retirees from Britain -- walk, bicycle or take horse-drawn carriages to get around.

The Barclays' campaign against Sark's ancient regime began in the mid-1990s, when the brothers petitioned the European Court of Human Rights in Strasbourg, France, challenging Sark's inheritance law, which mandated their island be left to Sir David's oldest son. The brothers wanted to will their estate equally to their four children.

The human-rights body bars discrimination based on "sex, race, colour, language, religion" as well as on birth order. Even so, more than 60% of Sark's residents signed petitions posted in local shops urging the human-rights court to drop the case, says Ms. Cochrane.

Instead, Sark's legislature decided to amend the inheritance law, allowing residents to leave property to any one of their children. The case made it clear that many of the island's laws couldn't withstand legal challenge, says Sark's Seigneur, Michael Beaumont.

Mr. Beaumont, a regal 77-year-old who inherited the title from his grandmother in 1974, believes the old feudal rules are more "fair." But, he notes, "just about everything in Sark was not human-rights compliant."

As a result, Mr. Beaumont says, members of the Chief Pleas organized into groups that met at kitchen tables across the island and began drafting a new constitution, a process that so far has taken five years.



Jason Singer

David and Frederick Barclay's private island, Brecqhou, and the Fort Brecqhou castle.

The Barclays continued to make other demands. In 2002, they took on the local tax

system. The elderly twins claimed their property tax was too high, particularly since they maintained Brecqhou's paths and dock. Fearing more litigation, Sark officials cut the Barclays' tax rate.

The Barclays' approach hasn't helped their cause among locals. Sir David, as the elder of the twins, holds a seat in the Chief Pleas. Yet since gaining that seat with the Brecqhou purchase 12 years ago, Mr. Barclay has yet to appear at any of its sessions, according to several Sark officials.

Mr. Seal declined to comment on Sir David's attendance. Through Mr. Seal, the Barclay brothers declined to be interviewed.

Mr. Beaumont recalls seeing the Barclays just a few times. Once he met them for a courtesy coffee at a restaurant at the top of a steep hill leading from the ferry dock. The Barclays didn't venture further onto the island, Mr. Beaumont says, because "they're not as fit as all that."

Tensions flared again in February, when Sark's legislature finally agreed to an overhaul of its constitution. Among the changes: cutting the number of seats held by landowners in the Chief Pleas to 16 from 40, and increasing the number of elected representatives to 16 from 12. Even the Seigneur agreed to relinquish his right to a vote.

Sark's No. 2 official, Lt. Col. Reginald Guille, says shortly after he sent the proposed changes to the Queen he received an email from London law firm Addleshaw Goddard on behalf of the Barclays.

The letter laid out entirely new demands, including for even more elected representatives. The Barclays also took aim at the £179,000 transfer tax they paid to Mr. Beaumont when they acquired their property, which was then the equivalent of about \$269,000. "Our clients believe that such a levy has no place in today's world," said the letter.

Last month, the Queen's advisers sided with the Barclay twins. A royal emissary dispatched to Sark told officials their reforms didn't go far enough. On Oct. 5, the Chief Pleas decided to withdraw the constitutional changes, and Mr. Beaumont says his island now has no choice but to try again.

"We're very annoyed," says Ms. Cochrane, who last week was printing up copies of the decision to pass around Sark. She says "practically everyone" on the island was in agreement, but now "a couple of guys with too much money have caused us to do it all over again."

She said it's likely to be 18 months or longer before a new version of the constitution is ready to send to the Queen's advisers. "We're not rushing anything," she said. "After all, it took us 400 years to get this far."

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