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17 September 2010

Dear ,

Thank you, as my elected representative, for having agreed to take part in the public meeting at the Island Hall on 27 September 2010 to discuss the Michaelmas Chief Pleas Agenda with your constituents such as myself. In order to present my thoughts to you more coherently and to take up less of your time, I am putting my thoughts down on paper.

Items 8, 17 and 28: Renewable energy & Electricity. I would like to draw your attention to the articles listed in the references below about thorium-fuelled nuclear power. To cite [2]:

If Barack Obama were to marshal America's vast scientific and strategic resources behind a new Manhattan Project, he might reasonably hope to reinvent the global energy landscape and sketch an end to our dependence on fossil fuels within three to five years. ... We could then stop arguing about wind mills, deepwater drilling, IPCC hockey sticks, or strategic reliance on the Kremlin. History will move on fast.

... work by Nobel laureate Carlo Rubbia at CERN (European Organization for Nuclear Research) on the use of thorium as a cheap, clean and safe alternative to uranium in reactors may be the magic bullet we have all been hoping for, though we have barely begun to crack the potential of solar power. ... Dr Rubbia says a tonne of the silvery metal ... produces as much energy as 200 tonnes of uranium, or 3,500,000 tonnes of coal. A mere fistful would light London for a week.

Thorium eats its own hazardous waste. It can even scavenge the plutonium left by uranium reactors, acting as an eco-cleaner. "It's the Big One," said Kirk Sorensen, a former NASA rocket engineer and now chief nuclear technologist at Teledyne Brown Engineering.

"Once you start looking more closely, it blows your mind away. You can run civilisation on thorium for hundreds of thousands of years, and it's essentially free. You don't have to deal with uranium cartels," he said.

Thorium is so common that miners treat it as a nuisance, a radioactive by-product if they try to dig up rare earth metals. The US and Australia are full of the stuff. So are the granite rocks of

Cornwall. You do not need much: all is potentially usable as fuel, compared to just 0.7pc for uranium.

After the Manhattan Project, US physicists in the late 1940s were tempted by thorium for use in civil reactors. It has a higher neutron yield per neutron absorbed. It does not require isotope separation, a big cost saving. But by then America needed the plutonium residue from uranium to build bombs.

"They were really going after the weapons," said Professor Egil Lillestol, a world authority on the thorium fuel-cycle at CERN. "It is almost impossible make nuclear weapons out of thorium because it is too difficult to handle. It wouldn't be worth trying." It emits too many high gamma rays.

We have very little time to waste because the world is running out of fossil fuels. Renewables can't replace them. Nuclear fusion is not going work for a century, if ever ...

The Norwegian group Aker Solutions has bought Dr Rubbia's patent for the thorium fuel-cycle, and is working on his design for a proton accelerator at its UK operation.

Victoria Ashley, the project manager, said it could lead to a network of pint-sized 600MW reactors that are lodged underground, can supply small grids, and do not require a safety citadel.

[1] further says:

Because [thorium is] so plentiful in nature, it's virtually inexhaustible. It's also one of only a few substances ... creating enough new fuel as it breaks down to sustain a high-temperature chain reaction indefinitely. And it would be virtually impossible for the byproducts of a thorium reactor to be used by terrorists or anyone else to make nuclear weapons.

Weinberg and his men proved the efficacy of thorium reactors in hundreds of tests at Oak Ridge from the '50s through the early '70s. But thorium hit a dead end. Locked in a struggle with a nuclear-armed Soviet Union, the US government in the '60s chose to build uranium-fueled reactors – in part because they produce plutonium that can be refined into weapons-grade material.

Today, however, ... Industry players are looking into thorium, and governments from Dubai to Beijing are funding research. India is betting heavily on the element.

The concept of nuclear power without waste or proliferation has obvious political appeal ... The threat of climate change has created

an urgent demand for carbon-free electricity, and the 52,000 tons of spent, toxic material that has piled up around the country makes traditional nuclear power less attractive. President Obama and his energy secretary, Steven Chu, have expressed general support for a nuclear renaissance. ... It is only thorium ... that can move the country toward a new era of safe, clean, affordable energy.

... thorium ... [is] only slightly radioactive; you could carry a lump of it in your pocket without harm.

In 1965, Weinberg and his team built a working reactor, one that suspended the byproducts of thorium in a molten salt bath, and he spent the rest of his 18-year tenure trying to make thorium the heart of the nation's atomic power effort. He failed. Uranium reactors had already been established, and Hyman Rickover, de facto head of the US nuclear program, wanted the plutonium from uranium-powered nuclear plants to make bombs.

Given that nuclear power plants are clearly far too expensive for Sark to build (today and in the foreseeable future, at least), what is the relevance of this to us?

Governments the world over have been realizing that the only way to make environmentally clean electricity in the near to medium term future is nuclear power (nuclear power is considered "clean" because it does not cause any emissions; but of course using uranium power plants there is nuclear waste and the risk of a nuclear accident, both of which are polluting). France derives more than 75% of its energy from nuclear power.

What the above articles tell us is that nuclear power can be generated in a way which is truly clean - without nuclear waste and with no risk of a nuclear accident, using thorium - an abundant, ubiquitous, nuclear fuel - instead of uranium; that the reason uranium historically won is that the military wanted its byproduct, plutonium, for weapons production, which a thorium based plant cannot provide; and that thorium power is a realistic technology - working reactors have already been built.

Everywhere wind turbines have been tried, they have proven to be noisy, unreliable, dangerous to bird life and an eyesore on the landscape. They have proven not to work if there is too little wind, or too much wind. They are therefore unable to generate power most of the time - in many places, that means 2/3 of the time! To generate the same amount of energy - and even then only when there is just the right amount of wind - as a small nuclear power plant with a small geographical footprint, requires a wind farm covering vast swathes of countryside, swathes of scarce land which become unusable for any other purpose, which become unsafe for birds to fly through, and unsightly for people to set our eyes on. Because it is so weather dependent and therefore down a large part of the time, wind power, while an interesting hobby, is incapable, and will never be capable, or

replacing conventional power sources. Although it does not create emissions, because of its danger to birds, its noisiness, and its unsightly and bulky nature, it can hardly be said to be environmentally friendly and not to have a negative environmental impact. Would you want *your* garden covered with 50 wind turbines, clapping their noisy wings next to your bedroom window?

Similarly, environmental analyses of existing tidal power plants have found them to cause extensive changes to marine ecosystems, to affect water salinity, to lead to disappearance of sandbanks, to affect underwater currents (with high speed currents developing near sluices, for example), and to be harmful to marine life (fish attempt to swim through turbines and 15% of them die doing so). Tidal power turbines impact marine vessel navigation channels and are, just like wind turbines, an eyesore - it is impossible to keep them wholly underwater. Do we want tourists travelling to Sark to be subjected to the eyesore of a tidal plant on their way here?

Wind power makes for a nice hobby if you are doing it in your private garden - and hopefully you have a large one, so you are not disturbing your neighbours - but as commercial proposition, it owes its existence entirely to government subsidies and is entirely unviable without them. If the extensive media reporting earlier this month (e.g. the Daily Telegraph [3], [4]) is to be believed, the only places in Italy where wind turbine are commonly installed is where the Mafia has been installing them for the sole purpose of getting their hands on European Union subsidies. On a large scale, it is not only unviable, but is horrendously damaging to the environment. As for tidal power, we cannot even give it that much credit: it is not a nice hobby you can pursue in your own back garden, it is not commercially viable and it is horrifically environmentally damaging. Furthermore, all the indications are that neither technology will, in the foreseeable future, if ever, be viable. Once government subsidies are gone - and they will be, as a consequence of the global financial crisis and the consequent cost cutting, if for no other reason - wind and tidal farms, and further investment in them, will be gone, too.

Solar power is perhaps a more promising renewable technology in the long term (but bear in mind that solar panels also have a limited useful life and the materials used in their construction are therefore also "consumed" over the lifetime of the plant, so nothing is entirely renewable). It also has the benefit that it is both visually and otherwise largely unobtrusive and has no obvious negative environmental impact. Photovoltaics at present are horrifically expensive and inefficient and are not viable, other than as an expensive hobbyist solution. They are, however, improving, and may become viable in the long term.

May I suggest therefore that the future of power generation globally from today's perspective looks most likely to be: fossil fuels and traditional nuclear power in the short to medium term, with thorium nuclear power, solar power, or another technology we don't yet know about, gradually

replacing them in the long term. Nowhere is there - I believe - any room or any past, present or future in either the short, medium, or the long run for either wind or tidal power.

Where does Sark fit in all of this?

Clearly, Sark is far too small to have our own nuclear power plant, at least given the state of nuclear technology today, and in the foreseeable future. However, while we are at it, we might as well also admit that Sark is far too small for our fossil fuel burning emissions to matter on any sort of global scale. Any country which is too small to have its own nuclear plant is too small to matter in terms of emissions and can happily afford to keep burning oil - in fact, will cause less environmental damage by keeping on burning oil - until renewable technology matures and a clear winner with no significant negative environmental impact emerges, and any country which is big enough for nuclear, is best off using nuclear, today.

Do we even need to be spending any resources at all at this stage looking at renewable energy? Not in my opinion. Renewable energy is a research, not a commercially viable, pursuit, at the moment, and Sark is not fit to contribute in any way to that research. If and when a clear renewable commercial winner emerges - even if I am proven wrong and by some miracle that turns out to be wind or tidal power - we are nimble enough to be able to quickly adopt it at that point. Until then, we will cause far less environmental damage if we continue burning oil for the foreseeable future, than if we start digging up our waters or start installing wind turbines all over the place.

In my view, it makes no sense at all for Chief Pleas to be spending any money or effort at all exploring renewable energy alternatives which are not clearly and obviously better for us - in terms of fuel costs, self-sufficiency, environmental impact - than burning oil. Today, there clearly aren't any such alternatives - and I don't believe it requires conducting detailed studies to see this, because it is plain and obvious for all to see from the stratosphere that this is so.

If some private individual enjoys researching renewable energy as a private hobby on their own private time and at their own private expense, however, I believe that is very commendable.

To summarize, I would suggest that the most sensible future for our power generation looks today likely to be: fossil fuels for the foreseeable (and quite considerable) future, with, in the longer term, us either importing thorium nuclear power, or each of our homes generating its own solar power using its own photovoltaics (for self-sufficiency), or using some other super new technology which will emerge in due course.

If we get ourselves involved in either wind or tidal power we will merely succeed in blighting our landscape - whether on land or sea - with useless

eyesores which will cost a fortune, which will not fulfill our energy needs and which will become entirely obsolete the moment the world transitions to clean nuclear power or once solar power has developed to the point that is becomes viable, which may not be that far away (and which can be installed by home owners individually, without any Chief Pleas involvement, and indeed the proposed law does not propose Chief Pleas to get involved in such under-20kW installations).

This brings me to my question to you: why is Chief Pleas getting involved in power generation at all? Electrical power on Sark has always been fully provided by the private sector. Indeed, I understand that when electricity was first introduced by the original owner of Sark Electricity, there was quite some opposition to its introduction. The service provided by the private sector has been of a remarkably high standard, in my opinion. You may think our electricity is expensive, and indeed, compared to England, or even Guernsey, it is. But England and Guernsey are much larger and enjoy many economies of scale which we do not. Given the size of Sark, our electricity is not expensive. Also, the service provided is remarkably reliable. I have lived in many much larger places where we had constant power cuts. Sark is a small island where you might imagine it would be prohibitively expensive for the power station to maintain equipment redundancy, to maintain backup generators, and you might expect many power cuts, yet we hardly experience any. The service we receive, I believe, is one we can be really proud of. If it works so well without any Chief Pleas involvement, why does Chief Pleas want to get involved at all? It will only result in more work for members of Chief Pleas, who already have far too much work to do. Furthermore, everywhere in the world, experience has shown that where the government gets involved in a part of the economy which is well provided by the private sector, that part of the economy invariably starts working and serving its consumers less well.

Secondly: is Chief Pleas trying to encourage the introduction of renewable energy to Sark, or discourage it? Reading your papers, I have been getting the impression that your intent is to encourage, or at least, not to discourage, it. Yet the law you are proposing is imposing regulation and licensing restrictions on a sector which currently is not subject to any regulations or restrictions. Is this is going to encourage or discourage the sector from developing? Historically, it has been the case in every case known to man, that imposing additional regulations and licensing restrictions on a sector of the economy invariably and always results in discouraging the development of that sector, not in encouraging it. In any event, if you want to encourage renewable energy investment, not only do you not want to tie up potential investors in red tape, but moreover nowhere in the world does any company invest in renewable energy absent government subsidies, so unless you are planning to introduce the same, I am highly skeptical that this sector will ever take off here.

I believe therefore that Proposition in Item 8 is a bad idea.

Likewise I consider Proposition 2 in Item 17 to be a bad use of taxpayers' money. I believe that many voters / taxpayers think the same, and that the future will with hindsight confirm this view.

I hope you will seriously consider why you consider this law to be beneficial and this expenditure to be worthwhile before voting to approve them and that you will indulge your taxpayers and future generations who will have to live with the consequences of your decision with a written record of your vote by asking for a named vote on these Propositions.

As my elected representative, I would like to ask you if you would please consider bringing up the above issues for public debate at Michaelmas Chief Pleas, acknowledging, if you so wish, that you are so doing because you were asked by a constituent.

Item 25: Dark Skies. I support Sark being, remaining, or becoming, free of light, noise and chemical pollution. So long as the code of light pollution remains voluntary, as Conseiller Williams says in his report it is proposed to be, I believe it is a good idea and I support it. I would also support future legislation which protects private property rights against light trespass, i.e. for inhabitants (private individuals) being able to enforce the right of their property to be free of light trespass by their neighbours and other residents. I do not, however, support any new powers of compulsion being granted to Chief Pleas or any of its Committees (including the DCC) to control lighting conditions on any private property as I believe the downside of the encroachment of our personal liberty would far outweigh any upside.

IDA conditions seem geared towards combatting the kind of light pollution which is a nuisance to astronomers. This may not necessarily be the same kind of light pollution which may be a nuisance to the rest of us and which we may want to reduce. For example, IDA standards seem mostly concerned with light pollution of the sort resulting from light being directed straight towards the horizon or higher up towards the sky, which is particularly disturbing to astronomers. Light which does not go in those directions is only of concern to them to the extent that it bounces off secondary surfaces in those directions. Yet it is not clear that such light is less of a nuisance to the rest of us, e.g. to the neighbour of a property installing such lighting.

Before embarking on any compulsory legislation which is inconvenient to Islanders (i.e. granting legally binding powers to Chief Pleas or its Committees to regulate our light emissions), I hope Chief Pleas will set clear objectives of what such legislation is aiming to achieve, seek public consultation on whether those objectives are worthwhile, likely to be achieved, whether the sacrifices that need to be made are worth making in pursuit of those objectives, and reverse such legislation if it turns out the objectives which had been set had not been achieved.

For example, I believe the Dark Skies initiative has the potential to benefit all residents in that it may result in the retention of the low level of light pollution we currently enjoy or even in its reduction (although I believe what we have is already generally very good). To me, for example, this benefit is both achievable, likely to be potentially worthwhile to all residents, and achievable using a voluntary code (hence without interfering with our liberties and without downside).

On the other hand, while I hope that tourism based on amateur astronomy will turn out to be a great economic boon to the Island, I remain to be convinced that it will. If this is the objective, a target should be set for how much financial contribution to the tourism sector we consider to be worthwhile to justify going through the rigmarole we shall have to go through to achieve it. In my experience, amateur astronomy is a very special interest, not pursued by very many people. Having myself been an amateur astronomer and a member of numerous astronomy societies, and having attended several geek-only astronomy camps, it has also been my experience that amateur astronomers tend neither to have, nor to spend, much money on tourist facilities. While the Dark Skies initiative may be useful to those wishing to pursue amateur astronomy on the Island, I believe this to be a benefit so small and to so few that I believe this objective alone does not justify the extent of the present effort, or any additional inconvenience in addition to the above first mentioned objective, particularly in the form of any compulsory legislation or DCC requirements.

Item 23: Smoke and Carbon Monoxide Detectors in Rented Accommodation.

I agree with the Seneschal's report that it is a good idea that smoke and carbon monoxide detectors should be widely installed in living accommodation. I would agree with Islanders being informed and encouraged to install such detectors, I would hope landlords would install them everywhere and I would hope that where they did not, the tenant would do so. However, should Chief Pleas consider enacting new legislation on this matter, creating any new compulsory obligations, in my view, this would not be the right way to go about it. It would only cause the government to intrude in yet another area of people's lives, and to what end? If the prospect of dying in a fire does not cause one to install a detector, why would a law and the possibility of receiving a government fine?

Items 7 and 8. Item 7 asks Chief Pleas to enact an Ordinance which is 156 pages long and Item 8 asks Chief Pleas to enact an Ordinance which is 78 pages long. Am I alone in thinking this is ridiculous? Even our Reform Law - our entire Constitution, a very complex law - is only 58 pages long. On an Island with one practicing lawyer, two lay judges and two part time professional judges (neither of whom keeps up with Sark legislation as a matter of course), nobody will ever read, understand, or know the content of these laws. Hence, necessarily, no resident will follow them, no one will know if the law is being followed or being broken, and no official

will enforce it.

To illustrate: have you read these laws in full? Have you fully understood them? Do you understand all their provisions? Has any Conseiller? Has the Seneschal?

What is the point of having such laws on our statute books?

I believe both these laws should be rejected on these grounds alone, and their proposers should be instructed to redraft them in a way which is short and simple enough that at least one resident of Sark will be able to read, understand and remember what they say, so at least one resident on Sark will at any point in the future be able to know if what we are doing is legal or not.

Items 10 and 12: Tax increases, expenditure increases. While appreciating that our taxes are still low by world standards, I am concerned that the proposed budget expenditure has gone up again this year (from £1.07 million to £1.17 million, an increase of +9.3%). My expenditure sometimes goes up, and sometimes goes down, depending on whether I had a good year or a bad year. I suspect the same is the case of all taxpayers. Yet, Chief Pleas expenditure appears to go up every year, never down, regardless of whether the Island's economy has had a good year or a bad year. +9.3% is way above inflation, coming on the heel of further such well-above-inflation increases over a number of years. Furthermore, this expense increase is coming in a year in which governments the world over are recognizing that the public sector has been overspending and they are **all** cutting expenditure - except us. While the whole world is recognizing that government profligacy, over-spending and over-borrowing has caused a near total collapse of the global financial system, we continue spending more and more. Is this a good idea? Since the Island administration managed to live well on a lot less during a lot more prosperous years (when there wasn't a global financial crisis and tourism was booming), why is this additional expenditure necessary, or even justified? If the trend continues, we will soon become just as profligate as the rest of the world's public sector.

Item 18: Additional Tax Assessor. The proposer has given no explanation of why an *additional* (rather than, say, replacement) Assistant Tax Assessor is required. I believe Chief Pleas should be wary of increasing our bureaucracy unless a very good reason is given for it. I also believe the public should be given such a reason publicly and be invited to comment on it (such as at the forthcoming public meeting) before any such a proposal is voted on. Yet here, we are given no explanation at all. The tax law has not changed, why do we need to expand our bureaucracy?

Item 26: Company registry. Firstly, I would like to say I agree entirely with the proposer that Sark has been passing far too many pieces of Financial Services legislation over the past several years in order to

accommodate Guernsey. I believe we should not have passed any of it, nor should we pass any more in future. Furthermore, Sark has been extremely poor at obtaining anything in return in exchange for doing Guernsey the favour of passing these laws - which in many cases encroach on our independence by giving us opt-outs, rather than opt-ins to Guernsey's powers to amend the law by Ordinance. The absolute minimum we could, and should have insisted on, is to be given opt-ins, in return for passing those laws which were absolutely not in our interest (indeed they were detrimental to Sark) and which Guernsey badly needed. Further concessions we could have extracted in return might have included, for example, the waiving of charges by St. James' Chambers for charging for drafting of our legislation, the prohibition of Guernsey airplanes flying in our airspace (not merely having to fly above a certain height), etc. The latter would have benefitted our tourist industry which has been suffering in part also because of the presence of finance industry high fliers who commute between London and Guernsey, keeping the cost of flight tickets high, and our tourists out.

I have in the past (actively) lobbied for the creation of a Sark Company Registry. It would be a great source of government revenue and indeed, in the past, during the heyday of offshore industry, could have allowed Sark's to fully fund government expenditure in this way, relieving the Sark taxpayer of all other taxes.

Having said that, I have my doubts that the timing is right at the moment for creating a company registry. To a large extent, the opportunity is gone. Offshore finance is in decline. There is a financial crisis going on and high-taxing countries are looking for ways everywhere to squeeze more tax revenue out of their taxpayers. Offshore finance centres are under attack. Legislation is being passed which is making it less interesting for residents of high tax countries to use offshore finance centres. So the amount of likely business we would be able to generate today - particularly legitimate business - must be small.

In addition to the opportunity now being smaller, the risks are also greater. If accused of being a tax haven, Sark today can argue truthfully, successfully and convincingly that we have neither a company registry, nor trust law, nor secrecy law, and that therefore - while we have low taxes for residents - we (as an Island, not necessarily specific individuals) are necessarily not involved in any way in assisting tax evasion by residents of other countries, money laundering, terrorist financing, drug money, or other criminal activities.

For this reason, it is likely that larger countries will leave us alone as we are, but if we were to get involved in offshore finance now, this is unlikely to remain so. Do we want to come under the sort of attack Liechtenstein and Switzerland came under?

Furthermore, I do not believe Sark is capable of establishing the sort

of offshore finance centre we would have to in order to comply with the raft of regulations, legislation and red tape we approved in order to please Guernsey, the UK and international institutions. One of the reasons this legislation is so complex is because those institutions deliberately want to make it so complex as to make it unviable for offshore finance centres to be able to continue, or for their clients to want to continue going through all the red tape to engage in business there. Largely, they are succeeding - in centres much bigger than Sark. The existing legislation is simply too complex and expensive to administer and we do not have the resources to do it. How many people on the Island have even read all the laws we would have to comply with? How many are even capable of reading, understanding, and following them all, on a daily basis? If we did establish our own company registry, I believe we would first have to repeal all those laws and set up a new, simpler and leaner, regulatory framework.

So, to conclude, I believe that having a company registry on Sark could be a very good idea. But I also believe that (i) right now, timing could not be worse, and (ii) Chief Pleas needs to proceed carefully in order that any registry you create will be an asset, not a liability to the Island, both in terms of the amount of registration and bureaucracy required, and the international pressure it will subject us to.

I believe again, targets and objectives would need to be set: how many companies do we anticipate we will incorporate? How much revenue will this generate for the Island? How much will the administration cost? The risk and reward should, I believe, be studied and opened for public comment. How realistic is it that those targets will be achieved? How worthwhile are those objectives that can be realistically achieved, and how much risk will they expose us to?

Should Chief Pleas proceed down this route, I hope the additional revenue raised by it will be used to cut our other taxes, not to further expand the Island's administration and expenditure.

Item 14: Dual Role of the Seneschal. I grew up in a country then called the Socialist Federal Republic of Yugoslavia. In Yugoslavia, our leader was chosen by delegates sitting in a federal assembly. Those delegates were in turn elected by a lower level assembly, whose members were in turn elected by the delegates in a yet lower level assembly, and so on ad infinitum, the members of some low level assembly were directly elected by us (although in practice only members of one political option tended to stand, and more often than not, we had the option to vote for only one candidate). The higher up in the hierarchy of assemblies one went, the less fluid and the more entrenched was their composition and the murkier and less well publicly understood was the manner in which their members were elected/appointed/chosen. Nevertheless, our government would tell us on every possible occasion how democratic our system of government was. The system used in Soviet Russia was almost exactly the same, and precisely the same model has now been adopted wholesale verbatim by the

European Union ([5] gives a description which in my direct personal experience is highly accurate).

There has hardly ever been a political system in existence, no matter how despotic - where the leader of a nation has not been "elected" by somebody. The key difference is, by whom was he "elected"?

To put it simply, in democratic regimes, the leader is someone who has been given a direct democratic popular mandate and in despotic regimes, he is not.

It makes very little difference in practice if the leader is appointed by a wholly unelected elite, as in the Holy Roman Empire, where the Emperor was chosen by the Prince Electors or in the Holy See where the Pope is "elected" by the Cardinals (whom he, in turn, appoints), or whether the leader is chosen indirectly by members of an (albeit elected) political class, without himself having received a direct democratic mandate, such as was the case in Yugoslavia, the Soviet Union, or the European Union. In contrast, in the United Kingdom, Australia, Canada, Anguilla, Cayman Islands, etc., both the Speaker and the Prime Minister are required to be MPs and must therefore be directly elected; in the USA, the President is (essentially) directly elected - i.e. although he is formally appointed by the electoral College, the latter follows the will of the electorate and the voters know exactly who they are voting for.

Where there exists a hierarchy of indirect elections, particularly where the top leader is someone chosen without having received a direct popular mandate, history teaches us that it invariably follows that the higher up the indirectly "elected" hierarchy you go, the more entrenched, the less mobile and the more self-perpetuating the higher level "elite" is, and the more subservient it is to the leader and the less accountable it is to the electorate. The leader himself is, or becomes, completely entrenched and it becomes impossible for the electorate to appoint or remove him. Although there is only level of electoral indirection, the system you appear to be proposing for Sark is likely to suffer from the same deficiency, in my opinion.

None of the above is secret and I was therefore surprised by the model you have proposed for Sark and by Conseiller Maitland's assertion that "no one can now argue that the President of Chief Pleas is unelected". Under the tabled proposal, in which the elected Conseillers appoint some person as Speaker who can be anybody except an elected person, not only can one argue (as, indeed, I do) that the Speaker of Chief Pleas is unelected, it is in fact plain for all to see that he is clearly legally required to be unelected.

The report being presented to you argues that this proposal will "enhance the prestige" of the Speaker of Chief Pleas. But will copying the discredited models mentioned above really have such an effect? Lenin,

Stalin, Tito, Milošević and Mugabe all, in their time, sincerely intended for history to remember them as heroes and to increase their own prestige. Yet history has not remembered them in the way they intended. Moreover, in the case of most, if not all, of them, the world recognized them as what they were during their lifetimes and none of them were happy to receive such attention. Stalin was paranoid all his life and was eventually (probably) assassinated by his aide. Mugabe has been going to great pains to try to wash the stains off his hands and to try to be remembered by history in a more positive light, without success. Will our own Speaker's prestige (and that of the Island) really be enhanced if the Speaker is chosen using a system based on the same, or similar, model which produced those other leaders? Or will history record this period in Sark's history as a dark one in which Sark strayed from a 450 year history of a highly democratic feudal regime to a despotic one?

Will whoever becomes Speaker not be better served by receiving a full and proper popular mandate?

Next, I do not agree that if a Speaker is directly elected, he cannot be politically neutral. The Speaker in the United Kingdom is a directly elected MP and yet he is required to be, and has - perhaps with one exception very recently who departed from the long-held tradition -always been so.

I do not understand why the Speaker's role is proposed to be to represent the Island to the outside world, particularly so if he does not have a direct democratic mandate. This is not currently his role, and moreover this is not generally the Speaker's role anywhere: this job generally falls either to the Head of State or Head of Government, which in our case most closely correspond to the Seigneur and the Chairman of the GP&A.

Why is the Speaker to be an Island Trustee? Surely the task of controlling the Island assets belongs to the elected members of Chief Pleas, or to a Chief Pleas Committee appointed by them.

I cannot understand why the Speaker's role is proposed to be paid. As he cannot sit on Chief Pleas Committees, he will have a much smaller workload than the Conseillers do. How do you justify the role being paid (the Seneschal may indeed be paid at present, but he performs judicial duties which the other - judicial - role will continue to do on a paid basis) and the Sark taxpayer being burdened with the expense?

Why, indeed, all the rigmarole about the Speaker? It is a very simple job. In your report, you propose that for the purpose of presiding over a Chief Pleas meeting on an ad hoc basis, the Conseillers could elect one from among themselves to so preside. Why is there any need for any more complication involving the Speaker than for the Conseillers to elect one from amongst themselves to be Chairman and otherwise to merely be one of

them (while being required to be politically neutral and not sitting on Committees)?

The Speaker being an influential role, I suggest it would be a good idea - contrary to your report - for him to be subject to term limits, with Conseillers perhaps electing a Chairman and a Deputy Chairman from among themselves for the period of a year, at which point they retire and rotate, perhaps in the same way as the Vigntenier and Constable do.

Thank you for reading.

Yours sincerely,

Tomaž Slivnik

References

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