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British High-Seas' Sovereignty: A 'Fisherman's Tale'[1]

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Abstract

Dr David Robinson is the Editor-in-Chief of The MHR and an Honorary Post-Doctoral Fellow of the University of Nottingham. In this Spotlight article, he discusses Britain's shifting (shifty?) presentation of history over fishing rights…

[1] A boastful or exaggerated claim

For the past five years, sovereignty has been the dominant feature of British public discourse. In particular, its gradual erosion since the UK joined the European Community in 1973. Nowhere was the apparent decline in Britain's ability to maximise its advantages and strategic resources more apparent than in the fishing industry. The nation's once-proud and dominant trawler fleet, the argument was advanced, was dealt an iniquitous losing hand from the bottom of the deck, by faceless sleight-of-hand Eurocrat croupiers, in the guise of the European Fisheries Policy.

Tensions arose recently when French fisherman attempted a blockade of Jersey, angry at what they saw as the late imposition of licencing requirements by Jersey, under the new UK-EU Trade and Cooperation Agreement (TCA). When British Prime Minister, Boris Johnson, dispatched the Royal Navy, the popular British tabloid newspaper, *The Sun*, responded in fine form with the headline, 'Take Sprat! Jersey fishing: Royal Navy warships see off blockade and send 56-strong fleet of French boats packing!'

For Brexiteers, the decimation of the British fishing industry has long been a direct result of the restrictions placed on British vessels fishing their own territorial waters. At the same time, foreign incursions were encouraged and EU quotas allowed them to land far bigger catches.

Despite representing just 0.12% of the British economy, fishing was presented as a paradigmatic symbol of the European yoke. And Britain was not to be yoked, particularly by a continent that owed its freedom to the sacrifices made, twice, by the flower of British youth. Arch-Brexiteers frequently suggested parallels between two world wars and Britain's exit from the EU. Nigel Farage, for example, was pictured in the right-wing press standing next to posters advertising Christopher Nolan's latest movie and extolling Britain's Remain-supporting youth 'to go out and watch #Dunkirk'!

This was a powerful argument, as it offered an example of why Britain should leave the EU that went beyond simple economics. Broad Remain counter-arguments that focused on the loss of a few percentage points of GDP over a couple of decades were a brittle defence of EU membership, especially when British seadogs were left muzzled and tied to the pier stanchions of Grimsby and Hull, whilst Spanish and French armadas ruled the North and Irish Seas as well as our Channel waters. When the referendum cards went down, symbolic beat shambolic; the only way the Remain campaign can really be summarised. Besides, it was argued, leaving the EU would mean an economic resurgence for the British fishing industry. EU boats would be banished for good from UK territorial waters, Britain would reassert its traditional sovereignty and fish 'a sea of opportunity'.

As it has transpired, however, negotiations with the EU have not concluded as well as British fisherman and Brexit voters had hoped. For a variety of reasons, which could be grouped under the heading 'reality', the British fishing industry's hopes have foundered on the rocks of political and economic expediency, and they have taken to the media, post-Brexit, crying 'betrayal!'.

That, however, is not the point of this article.

What is, instead, is a selective version of history, successfully deployed to persuade British voters that their future lay in the past. Or, rather, a return to a previous state of 'sovereignty' that never really existed. The broader lesson is that sovereign and economic interests are best served not by looking backwards to an imagined past, but by a realistic appreciation of a nations' current tactical and geo-political strengths.

The historical irony is that the British government's claims over sovereignty and territorial waters are the very opposite of the traditional case made by British fisherman and governments defending their interests since the nineteenth century. Central to this evolving story has been Britain's fishing rivalry with Iceland.

In the late 1890s, the accepted limit of territorial coastal sovereignty was three miles. For reasons that went beyond fishing rights, Britain's official position, defending its dominance of the high seas, was that the three-mile limit was 'a principle on which we might be prepared to go to war with the strongest power in the world.'[2] So when Iceland got uppity around 1890 and banned foreign trawlers from fishing within four miles of its coast, bays, and fjords to protect dwindling fish stocks, a Royal Naval display of 'gunboat diplomacy' put them back in their place. This display of 'might is right' held until the early 1950s, by which time the Americans were mightier. When the United States asserted its right to defend its fisheries well beyond the three mile limit, Iceland followed suit and, despite strenuous British diplomatic and legal efforts, it was forced to accept Iceland's enforcement of a four-mile exclusion zone.[3]

Iceland, however, had played the smart game. Unable to depend on naval power, it leveraged its strategically important geographical position, its membership of NATO, coupled with an oil-for-fish agreement with the Soviet Union, to persuade the broader Western powers that, excuse the pun, there were bigger fish to fry. Concerned about a potential Icelandic pivot eastward, Britain was persuaded to acquiesce.[4]

Some turned to history to vent their frustration at Britain's inability to enforce its 'rights' through military means. In 1955, senior Foreign Office civil servant, Jack

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[2] The National Archives of the U.K.: Public Record Office, MAF 41/674, Grey to Findlay, Oslo, 26 June 1911
[3] G. T. Johannesson, 'How "cod war" came: the origins of the Anglo-Icelandic fisheries dispute, 1958–61', *Historical Research*, 77 (2004), pp. 544-74, pp. 545-9.
[4] Johannesson, 'How "cod war" came', 548-9.

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Ward, lamented a government reluctance to sink the Icelandic coastguard as 'sadly lacking in the Nelson touch.'[5] The British also reminded Iceland that, 'they had been fishing in Icelandic waters since the early fifteenth century and therefore had traditional rights to fish there.'[6] Sixty years later, such arguments from history failed to impress British negotiators when Olivier Leprêtre, the president of the northern France fisheries committee, noted that 'fishermen have always followed the fish. At the start of the last century, my great grandfather fished in the Thames estuary.'

The 50's skirmish was the prelude to further conflict between the two nations, dubbed the Cod Wars. In 1958, Iceland declared a twelve-mile territorial limit, from which British trawlers were to be excluded. After two years of hostilities which saw the Icelandic coastguard, British trawlers and Royal naval warships exchange boarding parties, the British backed down once again.

Emboldened by their successes, Iceland continued to extend its territorial claims. To fifty miles in 1972, and to 200 miles in 1975. This time, the threat to life was real, with several deliberate and accidental collisions between trawlers, British warships and the Icelandic coastguard. Britain even deployed the Royal Air Force in an intimidatory capacity. Good sense prevailed when attempts by Halifax aircraft to use trailing cables (communication aerials) to rip the aerials from Icelandic trawlers passing the positions of their British counterparts to the Icelandic coastguard were aborted due to the serious threat to the lives of Icelandic seamen.[7]

Once again Iceland understood their tactical strengths, leveraging broader support by threatening to leave NATO and expel the US military from their key strategic base at Keflavik. These second and third Cod Wars were, again, concluded on favourable terms to Iceland. Britain grudgingly accepted the same 200-mile territorial limit it has, more recently, vociferously defended, citing the red line of 'taking back control' of its 'historically' sovereign waters.[8]

Interestingly, like Britain recently, internal politics played a significant part in Iceland's approach to negotiations. Whilst many in their government were minded to be less belligerent, the popular Icelandic Communist Party forced their hand by whipping up populist support for strongly opposing the British.[9] Here is one lesson: all external conflict is, to some degree, interconnected with internal politics.

In a recent ironic twist which has slipped beneath the radar, the Royal Air Force has just named one of its new Poseidon MRA1 maritime patrol aircraft '*Spirit of Reykjavik*' in honour of the role played by the Icelandic capital and its people in

[5] T.N.A.: P.R.O., FO 371/116445/NL1351/186, F.O. draft submission, Sept. 1955.
[6] G. J. Gudmundsson, 'The Cod and the Cold War,' *Scandinavian Journal of History*, 31 (2006), pp. 97-118, p. 100.
[7] My thanks to Sqn. Ldr. R. P. Robinson (retd.) for his remembrances.
[8] Gudmundsson, 'The Cod and the Cold War', pp. 108-10.
[9] Gudmundsson, 'The Cod and the Cold War', 102.

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enabling the Allied victory during the Battle of the Atlantic.[10] You couldn't make it up.

Perhaps we might dub recent negotiations some kind of fourth Cod War, albeit less dramatic. Who won the latest round? In terms of internal politics, the powerful bloc of 'Vote Leave' politicians that now control the British government, hands down. Their recourse to history, however fallacious and disingenuous (fishy?), was strongly persuasive. Of course, there were many different motivations for leaving the EU. As a good friend of mine pointed out, 'were I to know that the UK would, economically, sink into the sea, I'd still have voted Brexit!' Repeating that to other Leave-supporting friends has resulted in enthusiastic agreement. One has to wonder if the future of the fishing industry was really their top priority.

The problem with this interpretation is that the long-standing, structural issues facing Britain's fishing industry lie not in EU unfairness or belligerence, but in decades of underinvestment and neglect by the British government. European fishers long ago bought up British trawler quotas as long term investments, whereas the latter, unsupported by their government, were happy to sell for a short term killing and redeploy their boats in the North Sea oil industry. The British 'fishing industry' is as much an international trade in quotas, controlled by foreign interests and a few wealthy British families as it is concerned with actually catching fish. This was no basis for a strong negotiating position with EU officials who were never to be influenced by the arguments about Britain's 'historic sovereignty' of the seas, which have reversed over a century, however persuasive they were to English 'patriots'.

So, the trawlermen of Hull, Grimsby and Peterhead feel betrayed with a mostly as-you-were agreement on fishing with the EU. As John Lichfield puts it, 'conclusion…You can win a political argument with lies and myths. Governing or negotiating with them is as useful as fishing without nets.'

Still, all may not be lost. An internal DEFRA email recently noted that, to protect their fishing waters, Britain has just '12 vessels that need to monitor a space three times the size of the surface area of the UK.' Iceland was successful with less. In 1958, they 'had no navy and the Icelandic coast guard had only seven small ships with one gun each.'[11] The difference is that Iceland had a better appreciation of where its strengths lay and a genuine commitment to its fishing industry. And, despite internal political disagreements, they were able to unite around their nation's practical interests. Britain's perceived aggression and intractability in the Cod Wars 'united the Icelandic nation, from Left to Right', despite their internal political fractures.[12] It

[10] Once again, I am indebted to Sqn. Ldr. R. P Robinson for drawing my attention to this point..

[11] M. Kurlansky, *Cod: A Biography of the Fish that Changed the World* (New York, 1997), p. 162.

[12] Johannesson, 'How "cod war" came', 564.

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seems this is a lesson Britain has failed to learn as a similar belligerence has united a traditionally divided EU.

Domestic political victory is somewhat pyrrhic when it fails to achieve its broader economic aims and leaves many of its supporters feeling betrayed. In 1951, the Icelandic press noted that Britain appeared to think it was still 'living in the seventeenth or eighteenth century.'[13] In many ways, it seems it still does. In any reasonable assessment, Britain stands in the first rank of nations. It is a danger to itself and a loss to the broader international community that it continually insists on looking backwards to its past to find its future.

[13] *Vísir* (Icelandic Daily), 5 June 1958.

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