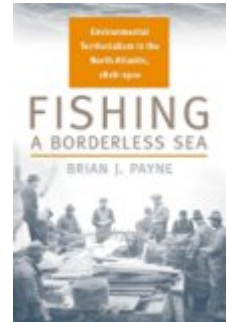


**Brian J. Payne.** *Fishing a Borderless Sea: Environmental Territorialism in the North Atlantic, 1818-1910.* East Lansing: Michigan State University Press, 2010. xxiv + 164 pp. \$29.95, paper, ISBN 978-0-87013-874-4.



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In *Fishing a Borderless Sea*, Brian J. Payne argues that a “complex system of locally defined codes of conduct” trumped international agreements in the struggle to regulate near-shore fishing commodities in Atlantic Canada (p. xxiv). The nearly century-long diplomatic controversy (1818-1910) over access to baitfish initiated by British, American, and Canadian authorities provides the backdrop for what Payne terms “environmental territorialism,” codes of conduct created and enforced by local Canadian and American fishermen (p. 128). Payne envisions Atlantic Canada as a borderland, and perhaps more appropriately a “border-sea,” “in which a politically constructed border divided a region that would have otherwise shared some communal sense of identity” (p. xvii). Drawing upon environmental history, labor history, and diplomatic history, this work seeks to place the efforts of working people to assert control over local resources within a broader context involving the international trade in fishing commodities and the multinational interest in North Atlantic fisheries.

Success for nineteenth-century American-based fishing fleets depended on access to fresh bait. Until the growth of purse seine and trawling methods of fishing by the early twentieth century, foreign vessels needed to enter Canadian waters in order to obtain baitfish. Informal codes of conduct dictated that in return for exclusive rights to market bait to foreign fishing operations, Canadians gained access to much-desired American provisions and manufactured goods. For Canadian fishermen and local merchants, American trade presented an alternative to the monopoly exercised by British mercantile interests. British merchants relied on the “truck” or “clientage” system in order to pay fishermen, an arrangement similar to receiving credit at a company store. Well-financed American ships traded goods directly for bait, ice, and codfish. Canadian ports also allowed American operations to take on local crew. Payne cites figures estimating that four thousand Canadian nationals worked aboard American vessels by 1880 (p. 27). Certain ports, such as Prince Edward Island, actively encouraged the transship-

ment of fishing commodities in exchange for American goods. Transshipment allowed American fleets to obtain codfish, bait, and supplies while Canadians avoided the customs house. Canadians acquired desired items, at prices better than those offered by British merchants, and their catch entered the American market without import fees attached.

Payne details how Canadian fishermen customarily restricted “outsiders” from taking baitfish in near-shore waters. Anyone who did not reside in the locality in which the bait was taken was considered an outsider, regardless of nationality. Retaining control over local resources sometimes necessitated the use of violence by locals against outsiders. For example, Payne cites a case from Long Harbor, Newfoundland in 1876 in which two hundred locals confronted Americans attempting to catch baitfish in near-shore waters. In the case involving the American ship *Victor* in 1880, Canadian fishermen cut lines and forced the Americans to purchase bait from locals. Canadian fishermen also petitioned their government to prevent vessels from violating the informal and formal codes of conduct for taking baitfish. In part because of the demands of local fishermen and merchants, twenty-seven American vessels were seized between 1839 and 1851 (p. 26). Payne considers this figure but a fraction of the vessels during the period in violation of some informal or formal code.

Payne’s goal is to illuminate the role of working-class fishermen in the controversy over multinational access to Canadian waters. Other than during two periods of legalized free trade (1854-66 and 1871-85), in which inshore waters were open to foreign fishermen, Canadian-American agreements in the nineteenth century limited resource extraction to locals. Any baitfish taken by outsiders was considered smuggling. Even though outsiders like the Americans had the legal right to fish inshore waters during the periods of

free trade, local Canadians felt this violated the informal and traditional codes of conduct.

Rather than seek to exhaust resources purely in search of profit, as ample opportunity existed to trade with well-backed New England-based fishing fleets, Payne argues that Canadians instead restricted access to and resisted external control over what they considered was for locals only. For Canadian fishermen, according to Payne, exercising stewardship over resources was intimately connected with cultural identity. The author specifically takes issue with environmental historians such as Donald Worster for creating monolithic portrayals of working-class people as major agents of environmental despoliation.[1] Instead of being driven by the cultural of capitalism to exploit the commons for profit, Canadian fishermen, in Payne’s analysis, were determined to preserve their traditional labor on American vessels and as suppliers of baitfish to primarily American-owned commercial fishing fleets. Fisherman in the Canadian Atlantic also opposed the highly capitalized trawling and purse seine net operations that, after their deployment in the second half of the nineteenth century, increasingly compromised near-shore baitfish populations, and hence, the market niche of local line fishermen.

Payne places his critique of Worster prominently in his introduction, but does not develop this argument fully in later chapters. He convincingly shows that Canadians actively sought to control access to near-shore fishing commodities; however, he offers just a few sources that attest to the linkage between economy and cultural identity among fishermen. Canadian fishermen certainly desired a monopoly on near-shore resources and their behavior indicates that they aimed to profit from their proximity to the fisheries. Restricting foreigners from these waters did not necessarily make Canadian fishermen more conscious about preserving resources than any other nineteenth-century fishermen. Although not fully

convincing in his portrayal of Canadian fishermen as stewards of the sea, Payne's insistence on their agency in the exploitation of marine resources is an important point that reorients the diplomatic controversy over North Atlantic fisheries towards their origins in labor and environmental issues.

When government officials intervened in multinational relationships among fishermen, locals and outsiders alike largely ignored international agreements. Canadians advocating centralization and greater autonomy from Great Britain wagered that national resources could serve as a bargaining tool with the Americans for free trade, and perhaps provide leverage with the British. Local Canadian officials and the fishermen, however, preferred that the British and Canadian officials leave the matter to local control. The Americans, content to continue their relationship with local fishermen and merchants, supported the status quo originally established in 1818. The Convention of 1818 stipulated that Americans could enter Canadian ports to make repairs and acquire certain supplies, but "for no other purpose whatsoever," including fishing or the act of "preparing to fish" within three miles of shore. Exactly what was intended by these phrases eventually became the crux of the controversy over access to baitfish in Canadian waters in the late nineteenth century.

Payne devotes the second half of the book to the diplomatic history concerning baitfish in the North Atlantic. By the end of the nineteenth century Payne's story switches focus from the local economy created by fishermen, to the legal battle over American-Canadian access to fisheries. Much of the legal controversy related to the original text of the Convention of 1818, in particular the phrases "for no other purposes whatsoever" and "preparing to fish." Payne gives a detailed description of the arguments advanced by Americans towards a broad interpretation of these words, whereas Canadians favored a narrow reading in an effort to check American access. In an arbitration hear-

ing held at Halifax in 1877, the Canadians earned a settlement totaling \$5.5 million dollars, citing the presence of some 700 to 1,200 American owned vessels operating in Canadian waters, on average, between 1818 and 1870 (p. 48). Ironically, many in these crews were Canadian. Ultimately, the United States had to pay for the right to purchase bait from local Canadians, and the 1877 decision at Halifax reinforced the traditional codes of conduct forged by American and Canadian fishermen. The book concludes with the 1910 arbitration at The Hague, which established that Americans did not enjoy any additional rights to the fisheries in Atlantic Canada, other than those deemed common resources by the Convention of 1818. According to the ruling of The Hague in 1910, the United States could appeal anything it considered to impinge on free trade.

Overall, Payne's framework for understanding the fight to control local marine resource suggests that environmental historians should try to better understand the organic origins of environmental stewardship among working-class people. Payne's case could be made stronger if he committed more of the work to analyzing the arguments advanced by earlier scholars on capitalism, labor, and environmental change. This is only a minor critique of an otherwise polished work. This book will appeal most to historians of nineteenth-century New England, but is relevant far beyond regional appeal. In particular, environmental and labor historians will benefit from Payne's analysis of the linkages between fishing commodities, labor, and regional identity in the creation and unfolding of the controversy over baitfish. The strength of Payne's approach is his attempt to describe the behavior of Canadian and American fishermen despite their less than prominent role in the written record. The conflicts and collaboration on the local level appear mostly through government reports and statistics on the fishing industry. Also documented by Canadian officials were petitions by fishermen and merchants, in particular their complaints about the truck sys-

tem and of outsiders abusing the informal and local defined codes of conduct. Though these events appear largely through the perspective of government officials, Payne gleans just enough of the “voice” of fishermen to present an effective rendition of their agency in extracting and selling fishing commodities to their own advantage, and sometimes to the dismay of government, over the course of the nineteenth century in the fishing borderlands of the North Atlantic.

Note

[1]. Donald Worster, *Dust Bowl: The Southern Plains in the 1930s* (New York: Oxford University Press, 1979).

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