

**Stuart Hill (2014). *Stolen Isles: Shetland's true status*. 2<sup>nd</sup> edition. Forvik: Forvik University Press., pbk, 200pp. No ISBN number. Proceeds to The Sovereign Nation of Shetland. £9.95 stg.** Also available at: <http://www.stolenisles.com>

Readers will be intrigued by the reference to a 'Forvik University Press'. Forvik itself is a rock located between the island of Papa Stour and mainland Shetland. Wikipedia will tell you that the Sovereign State of Forvik, previously referred to as the Crown Dependency of Forvik, is an unrecognized micro-nation run by Stuart 'Captain Calamity' Hill, the author of the book under review.

Hill established Forvik as a sovereign nation in 2008 after he offered Queen Elizabeth II to become its head of state; a reply to this offer has not been received. Hill's position is that Forvik, being part of Shetland, is not really part of Scotland, and so not even part of the United Kingdom: hence his offer to Her Majesty.

Hill and his arguments need to be seen in a context where Scotland has voted in an independence referendum on September 18<sup>th</sup>. Although the result (45% in favour of independence; 55% against) is unequivocal, a powerful wave of devolution and self-determination has been sweeping over the British Isles in recent decades. A reform by the Blair Government from 1998 granting executive powers to Edinburgh, Cardiff and Belfast did not stem nationalist sentiments. A Scottish National Party majority victory in Scotland paved the way to this historic referendum, timed to coincide with the 700 year anniversary celebrations of the Battle of Bannockburn (a Scots victory over the English).

The referendum campaign over Scotland's independence from the United Kingdom, attempting to terminate a 300-year-plus 'union', has however generated other centrifugal forces. These include the 'Our Islands, Our Future' campaign by Shetland, Orkney and the Western Isles. Scotland's three Islands Councils have laid out their vision for a stronger future following the 2014 Independence Referendum, calling for a commitment that, whatever the outcome, the needs and status of island areas need to be clearly recognized.

Hill disapproves, for one main reason: out of the three island councils of Scotland, two are not legally parts of Scotland. Both Shetland and Orkney are, according to Hill, sovereign entities that should not be 'part' of Scotland at all. The Scots had recognized Norwegian sovereignty over Orkney and Shetland as early as 1266, via the Treaty of Perth. The islands were then pawned by the King of Norway to the King of Scotland in 1468 and 1469, with clauses providing the right to redeem the islands back. But, because of a series of events, the islands were never returned. Scottish Kings James fended off all attempts by the Scandinavians to redeem the islands (by formal letter or by special embassies made in 1549, 1550, 1558, 1560, 1585, 1589, 1640, 1660 and other intermediate years), not by contesting the validity of the claim, but by simply avoiding the issue. Moreover, because land in Shetland is held by allodial (and not feudal) title – allodial title constitutes ownership of real property (land, buildings and fixtures) independent of any superior landlord – and the King of Norway only owned outright about 10% of land in Shetland. The remaining 90% was – a presumably still is – owned outright by its residents; who are thus deemed to be sovereign. Scotland has no business in Shetland (and Orkney), and assuming that the islands are part of Scotland is one major swindle. Even the 'appealing' argument of prescription – that Shetland and Orkney have now been *de facto* parts of Scotland for over 500 years – does not fly if one party has been prevented from challenging the matter; nor does it override the very clear original grant and subsequent documents. This is the argument of *Stolen isles*.

The book goes through considerable detail to explain how different episodes and legal documents over time maintain, directly or otherwise, that Shetland was not part of Scotland. The book also has an underlying autobiographical streak, documenting Hill's attempts to get himself convicted of various petty crimes – such as tax evasion, and putting an old Land Rover on the road with Forvik number plates – in order to get his opportunity to prove in court that it has no jurisdiction over his actions. But the fish would not bite. After a series of tribulations, including some days held in a prison cell, Hill gets his moment, in August 2011. But here is, as far as he is concerned, the unanticipated anticlimax. Instead of an assiduously deliberated case, the 'proof' of Shetland being part of Scotland is provided with reference to a published talk by Brian Smith: an opinionated piece, based on lecture notes, and which has no legal basis. Hill's 'analysis' of Smith's article, reproduced in this book, is also available here: <http://www.sovereignshetland.com/Documents/CourtCase/bsnotes.htm>

For Hill, there is still no evidence to show that Shetland is not already independent. He is not alone here: a group of concerned citizens wrote thus (*Shetland News*, 5 March 2014),

The constitutional position of Orkney and Shetland in the UK is unique, not simply because it involved an historic pawning arrangement but because it created an unresolved constitutional conundrum. In particular, it cannot be demonstrated that Scotland/UK ever acquired legal ('de jure') sovereignty over the isles.

*Stolen isles* is an interesting, documented study to justify this position, in the face of the assumed wisdom and legitimacy of the status quo. As retired judge Geoffrey Care writes in the introduction to this book, "whether you agree with Stuart Hill's conclusions or not, he presents a very comprehensive and thoroughly researched survey of just about the extant literature touching on the subject – even back to the 11<sup>th</sup> Century" (p. 10).

As for Hill himself, the same *Shetland News* media release candidly goes on to say,

Sure, Stuart Hill is a maverick, sure, he's (wonderfully) eccentric. And the more we support his campaign, the more we support the Shetland Island Council in their current negotiations with the Scottish and UK governments and encourage them to demand more meaningful concessions of local autonomy.

In his letter to me of 16 May 2014, typed on 'The Sovereign Nation of Shetland' letterhead, with flag and official address, and accompanied by a gifted copy of the book, Hill affirms,

*Stolen isles* is the story of ... court cases and details the lengths to which the Scottish judiciary were prepared to go in order to avoid confronting the question of whether Shetland actually is part of Scotland.

This book is recommended reading, if anything for the alleged 'wonderful eccentricity' on which the premise of Shetland's almost 700-year independence is based.

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Book Reviews: Pages 385 - 402: Atoll island states and international law: Climate change displacement and sovereignty by Lilian Yamamoto & Miguel Esteban (reviewer: Ilan Kelman). Stolen isles: Shetland's true status by Stuart Hill (reviewer: Godfrey Baldacchino). Making Micronesia: A political biography of Tosiwo Nakayama by David Hanlon (reviewer: David Kupferman). Biodiversity and societies in the Pacific Islands by Sébastien Larrue (Ed.) (reviewer: Russell Fielding). Stolen Isles book. Read 2 reviews from the world's largest community for readers. Does the UK or Scotland have any real authority in Shetland? Goodreads helps you keep track of books you want to read. Start by marking "Stolen Isles: Shetland's True Status" as Want to Read: Want to Read saving! Want to Read. Currently Reading. Read. Other editions. Enlarge cover. Books -- Reviews Islands Shetland (Scotland) -- Economic conditions. Issue Date: 2014. A review of a the book "Stolen Isles: Shetland's true status", by Stuart Hill. URI: <https://www.um.edu.mt/library/oar//handle/123456789/33071>. Find helpful customer reviews and review ratings for Shetland: Season 1 and Two at Amazon.com. Read honest and unbiased product reviews from our users. I've attached a map of the Shetland Islands, showing Lerwick, the largest city (where DCI Perez is based). It doesn't show Fair Isle, unfortunately, because that little isle is way south of Mainland, half way to the Orkneys, So I added a photo of little Fair Isle itself. Known for its wool and traditional knitting patterns, it is only 3 miles square - which still makes it the 10th largest of the Shetland Islands. The Sovereign Nation of Shetland of Shetland is a free and just society. It stands for true democracy, small government, voluntary taxes, fair money and interest free banking. It stands for our elected representatives being our servants, not our masters. The Sovereign Nation of Shetland of Shetland is a free and just society. The Sovereign Nation of Shetland is a free and just society. It stands for true democracy, small government, voluntary taxes, fair money and interest free banking. It stands for our elected representatives being our servants, not our masters. The Sovereign Nation of Shetland is a free and just society.