

in 1703 that "the jurisdiction of a coastal state should extend seaward as far as the effective range of land-based weapons." If we were, in fact, to follow that principle today what use would a few miles be. In days of guided missiles, jet aircraft and other long range land-based weapons it would be necessary to extend the coastal sea for thousands of miles. In fact, there would be no free sea left for anybody. Another interesting reference has been made to this subject in the discussions here. There has been some suggestion that powerful nations are making this claim for their own selfish purposes. I must say that I fail to see the slightest sign of any evidence to support such a claim. No person who has read history will argue that in days gone by great naval powers did not seek to assert very broad claims based upon that power. However, the new principle under which we have lived for 300 years was settled in the 17th century following the argument based upon the contending claims of Seldon and Grotius who had written their classic works "Mare Clausum" and "Mare Liberum." It was the doctrine of Mare Liberum which prevailed. Over the long years since that decisive turning point in history the tendency has been to extend the freedom of the seas more and more. The extension of full freedom of the high seas to within 3 miles of a coastal state has been the ultimate development of that principle. What a tragedy it would be if we now turned backwards after that steady march of progress.

Now I come to the suggestion that every state should be free by its own declaration to determine that the territorial sea adjacent to its coast may be anywhere from 3 to 12 miles. Nothing is said about the distinction between a contiguous zone covering fishing and other important matters of that kind and the measurement of the territorial sea which carries with it entirely different consequences. I hope that every delegate here, and particularly the delegates from states with limited coastlines and perhaps no coastlines at all, whose main interest would seem to be to assure the widest possible freedom of the sea, will consider carefully the distinction between full control over fishing in a contiguous zone, and also the other important rights which can be embraced in such a clearly defined zone, without at the same time placing the territorial sea upon the same basis and making it subject to some variable rule such as has been suggested. However sincere the purpose may be, however convincing the arguments may have seemed, I do urge the most careful consideration of what the adoption of this proposal would mean. The acceptance by this conference of the doctrine that any state may at any time according to its own passing whim establish a zone for any purpose of 3 to 12 miles from the baseline along its coast would result in nothing short of legalized anarchy. It would not be law. It would be chaos. We came here to make law, not to destroy it. Let no one underestimate the seriousness of the situation if such casual juggling of territorial boundaries were cloaked with the sanctity of international law. Unfortunately past experience has demonstrated only too clearly that uncertainty of that kind is not conducive to peace.