

If the question is asked by a state which has asserted claim to more than a 3-mile territorial limit, "What do we get by going back to 3 miles when we are already well beyond that?", I believe the answer is that instead of uncertainty and increasing chaos, we all take back to our own people a regime of law. Surely not one of us can be in any doubt about the practical value of regime of law. Once that has been achieved, then we will have established a solid foundation upon which to build a constantly improving code of international laws. The first code might not be satisfactory in every detail to any single delegation. It is hardly likely that this would be possible. But let us see what happens in the case of our domestic laws. Once we adopt a law like a highway traffic act, a real estate act, or any similar law affecting the daily lives of our people, the practice is usually adopted of making a periodic re-examination of those laws so that improvements may be made on the basis of actual experience.

If there should be no agreement, another conference will be very difficult to arrange. It has taken 28 years to bring this one together since the collapse of The Hague conference in 1930. Remembering all the many claims which have already been made, and to which new claims are being added day by day, it needs no great stretch of the imagination to realize how soon we would find ourselves in a state of hopeless confusion. If for no other reason and there are many other excellent reasons we should do everything within our power to agree upon a workable code which will establish a regime of settled law.

To the distinguished delegates of those states which might appear to be giving up what they already have for the purpose of reaching agreement may I submit that this would certainly not be the first time the same course has been followed with great advantage for everyone. When the principle of *mare liberum* advocated so successfully by the great Grotius did finally receive general acceptance three hundred years ago many nations not only agreed to freedom of the seas far closer to their shores than had been known for many centuries but some even gave up broad claims they had made to the control of the whole area of some particular seas. The results more than justified the course they followed. It is true that since that time very extensive claims have been made from time to time which bore some resemblance to those made in recent years. For instance in 1821 Russia declared that their sea boundaries would extend to a distance of 100 Italian miles from the Asiatic and American continents. That claim was later adjusted by treaty. Other substantial claims have been made from time to time but until comparatively recent years there has been a steady extension of the principle of the freedom of the seas until the 3-mile territorial limit had been recognized by nations doing about 80 per cent of the maritime traffic of the world.