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Law of the Sea: Oceanic Resources

Erin Bain Jones

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Book Review

LAW OF THE SEA: OCEANIC RESOURCES. By Erin Bain Jones.
Dallas: Southern Methodist University Press. 1972. Pp. 162.
\$7.95.†

In a relatively slender volume, Dr. Erin Bain Jones has assembled a great deal of useful and relevant material on a tormentingly significant and crucial topic, the multitudinous legal questions arising with respect to the rights of exploration, ownership and juridical control of the resources of the ocean. While not exhaustive, the study is nevertheless a highly useful contribution to the literature of one of the most difficult and controversial legal areas facing the world today.

The author first describes the advanced technology of oceanic exploitation and reviews the various laws governing oceanic areas from the ancient Roman dictum that the world of water was free to all, and its common use destined for all men, to the modern assertion that all riparian states possess rights in the areas of the sea adjacent to their shores, "although there is not and has not been general agreement as to the exact nature of those rights or as to the dimensions of the sea belt which may be so appropriated."

In tracing the results of various international conferences which have examined the law of the sea and have attempted to codify this law, Dr. Jones pays particular tribute to the contributions of the Geneva Conferences of 1958 and 1960, but admits that in practice states have not conformed to the spirit of these conferences. She also traces the origin and development of the three-mile limit, the six-mile limit and the twelve-mile limit, and points out the psychological, economic and political aspects which have led to modern claims of territorial sea zones up to 200 miles.

Discussing the necessity of developing an international law of the seas which will serve to achieve an "equilibrium between special exclusive claims of coastal states and the inclusive claims of all other states in the international community," the author ends her

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study with a realistic although somewhat sad recognition that "it seems doubtful that a viable design can soon be formulated for a regime with multinational acceptance to regulate the use of the indivisible common resource—the ocean world."

I have only skimmed the surface of the rich contents of this enormously interesting volume. As Lieutenant Commander Scott Carpenter states in his preface, "The present status of the law of the sea is of vital importance not only to the international lawyer or those interested in national defense or foreign affairs, but also to scientists, ecologists, explorers of the deep, and business entrepreneurs."

All of these will be grateful to Dr. Jones for a book which makes possible a better understanding of the complexities of the international law of the sea, its evolution and its application to oceanic resources. The author is to be highly commended for her intelligent and conscientious handling of difficult but fascinating materials.

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