

BOOK REVIEWS

Ocean Policy and Law: The Case of Brazil

by *Michael A. Morris**

EDITOR'S NOTE

This article previews a forthcoming book by this author, *INTERNATIONAL POLITICS AND THE SEA: THE CASE OF BRAZIL* (Boulder, Colorado: Westview Press, 1979, Frederick A. Praeger, Editor). Two long chapters in the book should be of particular interest to our readers.

Chapter 3, "Brazilian Ocean Policy in Historical Perspective," surveys Brazilian participation in regional and global maritime conferences up to the Third United Nations Conference on the Law of the Sea (UNCLOS III). Particular attention is given to Brazilian interaction with other Latin American States and with the United States. A host of unilateral, bilateral, sub-regional, regional and global measures and conferences are surveyed to discern the essential features shaping Brazilian ocean policy up to the 1970s. To date no studies have dealt explicitly with the historical background conditioning the emergence of Brazilian ocean policy, and those which have implicitly addressed some related questions have reached different conclusions than those reached here. By setting out the historical record, any misunderstandings about the contemporary performance of Brazil, a leader in Latin America, will be lessened. Ocean policy may be a relatively new facet of national development in developing States, but there is already a considerable historical record which conditions policy initiatives. These policy initiatives acquire considerable importance in the case of an emerging major power such as Brazil. The important and distinctive position of Brazil leads to a serious qualification of revisionist interpretations of the evolution of the law of the sea.

Chapter 4, "Brazil at the Third United Nations Conference on the Law of the Sea," brings the legal narrative up to date. Brazil affects and is affected by the on-going global law of the sea negotiations in significant ways. As Brazil began to emerge as a major power in the years leading up to UNCLOS III, its national ocean policy has had a dramatic impact on global law of the sea negotiations. Brazil's participation in UNCLOS III offers a particularly good vantage point from which to analyze its more prominent international role as an emerging major power and its significant contribution to international law and organization.

UNCLOS III, in turn, affects Brazil. The conference is concerned with establishing a revised global regime for the oceans within which Brazil must operate as well as with some specific legal rules which will affect the major Brazilian maritime sectors. Chapter 4 accordingly focuses on the broad implications of the emerging ocean order for both national and international zone issues within which Brazilian ocean policy must operate. More specific implications of UNCLOS III for the major maritime sectors — naval affairs, ocean resources, and shipping — are also given some attention, in order to complement more detailed discussions of these sectors in subsequent chapters of the book.

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Together, Chapters 3 and 4 may present the most comprehensive profile of a major developing State at international maritime conferences and negotiations. The legal analysis of Brazilian ocean policy in these two chapters is complemented by the exposition of historical, political, economic, and military perspectives in other chapters. The legal viewpoint is interwoven throughout with the other perspectives because the global legal regime for the oceans affects all maritime activities. The rest of this preview puts the legal position of Brazilian ocean policy in its larger foreign policy context and examines the implications therefrom.

I. INTRODUCTION: THE FOREIGN POLICY CONTEXT

Brazil is one of the few viable Third World candidates for a relatively rapid transition from developing, somewhat dependent status to developed, major power status. Not only does Brazil appear to be crossing the threshold from underdevelopment to development, but it also seems headed toward the rank of a major power.¹

Progress toward developed, major power status ultimately depends on Brazil's own continuing domestic and international growth, although developments in the international system and in key diplomatic relationships with other states also set limits on growth and upward mobility. Brazil's gradual movement upward in international status has coincided with some fundamental changes in the international system and in key diplomatic relations with other states, especially the United States. U.S.-Brazilian relations traditionally have been close, with the United States occupying a central position in Brazil's diplomatic constellation. More recently, fundamental changes in U.S. global strategy and hemispheric policy have coincided with changes in Brazilian policy to alter considerably the traditional contour of bilateral relations. Changes in the international system have reinforced these developments. Changes on each of these international dimensions, all relatively favorable to Brazil's rise, may be characterized as follows: 1) the international system has been evolving from a bipolar toward a multipolar order; 2) Brazilian foreign policy has been evolving from a position of weakness toward a position of strength; and 3) U.S.-Brazilian relations have been evolving from a state of relative dependency and inequality towards one of greater independence and equality.

Change in each area, however, has been uneven: the international system is still largely bipolar in the military sphere; Brazilian foreign policy is still hampered by important areas of weakness; and U.S.-Brazilian relations are still influenced by a legacy of dependency. In addition some other changes have tended to brake Brazil's growth.

1. Considerable attention has been focused in recent years on the emergence of Brazil as a major power. See, e.g., W. PERRY, *CONTEMPORARY BRAZILIAN FOREIGN POLICY: THE INTERNATIONAL STRATEGY OF AN EMERGING POWER* (Foreign Policy Papers 1976); R.M. SCHNEIDER, *BRAZIL: FOREIGN POLICY OF A FUTURE WORLD POWER* (1976). For an analysis by the author of Brazil's emergence as a major power, particularly into international affairs and some of the consequences of this new role, see Morris, *A Nova Posição do Brasil no Mundo*, *GEOGRAFIA E PLANEJAMENTO* 11 (Univ. of São Paulo Occasional Paper 1974).

Change and continuity in this foreign policy environment therefore have affected Brazil's rise in complex ways. The position of Brazil in the world is improving, in the sense of being more extensive and independent than previously, but change and continuity intermingle. In order to clarify these relationships, key factors of change and continuity in the international system and their economic, political, and military implications for Brazil will be noted briefly. The trends in Brazilian foreign policy have been shaped by and also have shaped this international environment, and will be subsequently analyzed. Key characteristics of the international system and of Brazilian foreign policy constitute the setting for the topic of the book, *i.e.*, trends in Brazilian ocean policy. In a final section of this preview Brazilian ocean policy is related to this larger policy setting and the organization and rationale of the book are set forth.

II. CHANGE AND CONTINUITY IN THE INTERNATIONAL SYSTEM

Certain aspects of the international system remain unaltered: the nuclear balance is still shaped by the two superpowers; the Soviet Union and the People's Republic of China are still basically antagonistic to the United States; and Japan and Western Europe are still the United States' most valued allies. Nevertheless the international system is shifting gradually from a bipolar order toward a multipolar one. The resurgence of Japan and a united Europe have contributed toward economic multipolarity and the new pragmatism of the P.R.C. has contributed to political multipolarity. The achievement by the Soviet Union of nuclear parity, the commercial challenge posed by Japan and the European Common Market, and the gradual expansion of Chinese influence have all contributed to a relative decline of U.S. power. The emergence of multipolarity has involved changes in the positions of all five major poles of power in the international system — the United States, the Soviet Union, Japan, a united Europe, and the P.R.C.

Some aspects of the emerging new order augur well for peace. The United States and the Soviet Union have eased their cold war competition by seeking détente and the United States and the P.R.C. have moved toward rapprochement. Other aspects of the evolving international system are ridden with conflicts. Serious problems have arisen between the Soviet Union and its former ally, China, just as U.S. relations with Japan and the European Common Market have been troubled by failure to forge mutually satisfactory economic relations. And Third World States generally are growing more restive with the existing order.

The shift from a bipolar system toward a multipolar one has important economic, political, and security implications for Brazil's position in the world.

A. *Economic Implications*

The international economy has been relatively congenial to Brazil's gradual emergence as a developed State, although there have been increasing difficulties in sustaining growth since the 1973-74 oil crisis. A growing world economy and consequent availability of capital have been a positive effect on Brazil's economy. Greater world economic multipolarity has provided additional foreign sources of trade, investment, and finance, which played a key role in the 1968-73 economic boom and have helped sustain growth since then. The United States is still Brazil's largest single trading partner and foreign investor and trade and investment between Brazil and the United States have been growing in absolute terms, but at a slower rate than that between Brazil and Japan and Western Europe. The U.S. share of cumulative foreign investment in Brazil has declined from about one-half in the early 1960s to about one-third of total foreign investment in the country at present and the U.S. share of Brazilian trade fell from 33.7 per cent in 1964 to between a fourth and a fifth of the total in recent years. Western Europe and Japan together now share over one-third of Brazilian trade and about half of foreign investment in Brazil. In recent years, petroleum has averaged about a quarter of total imports, mostly from the Middle East.²

The declining U.S. share of trade and foreign investment is, in part, simply a natural concomitant of greater economic multipolarity. However, the decline also reflects problems in the bilateral relationship. For Brazil, important aspects of present bilateral relations were shaped during the period of greater Brazilian dependence on the United States, so that greater economic multipolarity, by lessening reliance on its traditionally dominant ally, has been welcomed.

Brazilian vulnerability to external economic conditions still remains considerable, and the Brazilian ability to shape these conditions continues to be relatively limited. Recent external developments with unfavorable implications for Brazil include uncertain economic conditions in the developed States and soaring oil prices. In fact, the increasing openness of Brazil's economy and greater reliance on foreign investment, commerce, and technology tend to make it more vulnerable than previously to such adverse developments in the international economy.

2. See, e.g., U.S. DEP'T OF STATE, BACKGROUND NOTES: BRAZIL (1977); U.S. DEP'T OF COMMERCE, FOREIGN ECONOMIC TRENDS AND THEIR IMPLICATIONS FOR THE UNITED STATES (1978); see also Baer & Von Doellinger, *Determinants of Brazil's Economic Policy*, in *LATIN AMERICA AND WORLD ECONOMY: A CHANGING INTERNATIONAL ORDER* 147 (J. Grunwald ed. 1978). U.S. aid is not discussed here, since the United States is phasing out its bilateral development assistance programs to Brazil. Increased Brazilian capabilities and greater U.S. aid emphasis on multilateral rather than bilateral channels are responsible for this change. The United States does remain the largest donor to multilateral lending institutions, from which Brazil is a major recipient of assistance, but this has not presented problems for bilateral relations with Brazil, in part because the U.S. exercises much less control over multilateral aid than bilateral aid.

New forms of dependency, however, may be more acceptable than the traditional ones. Brazil's economic dependency is much more diffuse than previously, since no one State occupies a dominant position in its foreign economic relations. Rapid transition to developed status in a multipolar order still involves national reliance on the world economy. The Brazilian economic model places great emphasis on external economic relations as an engine for domestic growth. However, most developed States are themselves subject to similar vulnerabilities because of increasing global interdependence. Some recent studies have recognized that Brazilian dependence in general and on the United States in particular has varied over time on a number of levels. Viewed from such a dynamic perspective, Brazilian dependence has tended to decrease in recent years as national economic power and diversification of foreign economic relations have accelerated.³

Domestic developments have complemented the relatively favorable global setting to project Brazil into a more prominent international position. An impressive array of natural and human resources is being mobilized to support increasingly diversified industrial and agricultural production. Brazil's potential for major power status long has been acknowledged, but this appears to be attainable only with increasing mobilization of national resources. Brazil's annual gross national product is over 100 billion dollars. This is about three times that of the nearest South American competitor, larger than that of any other developing State, and ranks tenth in the world. Greater economic power is supporting an increasingly active foreign policy with resultant expansion of Brazilian influence in the international arena.

However, the transition to developed, major power status, even if relatively rapid, promises to last until at least the end of this century. Brazil's internal development has been uneven with rapid industrial growth in south-central Brazil taking priority over balanced regional development and income redistribution. Per capita national income of somewhat over 1,000 dollars falls short of that in leading industrial States. Domestic development and international influence will be hindered as long as fundamental disparities in the economy are not corrected.

B. *Political Implications*

Multipolarity has tended to increase diplomatic flexibility for Third World States, especially the larger, more dynamic ones, such as Brazil. New poles of power have increased alternatives. In addition, cold war competition has become more diffuse and has shifted from the military to the economic and

3. Packenham, *Trends in Brazilian National Dependency Since 1964*, in *BRAZIL IN THE SEVENTIES* 89 (R. Roett ed. 1976); Trevorton, *Latin America in World Politics: The Next Decade*, in *ADELPHI PAPERS*, Summer 1977, at 31.

political spheres. As Brazil emerges as a major power in this setting, it occupies a distinctive position between the First and Third Worlds. Nonetheless, Brazilian access to key decisions affecting the contours of the global order remains difficult. As an aspiring major power, Brazil has objected to this lack of access or "freezing of [the structures of] world power."⁴

The United States has recognized Brazil's new status as the predominant power in Latin America and has sought to adjust the bilateral relationship accordingly. Since the United States and Brazil continue to share important common interests and both sides favor compromise in resolving differences, the transition to greater Brazilian independence and equality in the bilateral relationship has been facilitated. However, differences in perspective continue about the implications of Brazil's growth and emergence as a major power for the United States.

Brazilian policy-makers continue to value close relations with the United States, but recognize that national growth tends to diversify foreign relations, lessen dependency, and lead to distinctive Brazilian interests, which do not necessarily correspond with those of the U.S. Increasingly vigorous pursuit of distinctive Brazilian interests contribute to a regional order, and indeed to a world order, unlike that envisaged by U.S. policy.

U.S. policy, in contrast, still harbours a paternalistic attitude since Brazil's growth seems to be regarded in terms of relieving U.S. responsibilities on U.S. terms rather than as an autonomous process of national self-assertion. A key implication of the Nixon Doctrine's emphasis on accommodation between the five major world power centers and relative U.S. disengagement from the Third World was the encouragement of regional orders compatible with U.S. interests.⁵ In this scheme, Brazil, as the only emerging major power in Latin America, would be delegated regional responsibilities by the U.S. and would assist the integration of a stable regional order into a five power world order. Subsequent U.S. administrations have continued to stress order in the Third World on U.S. terms while finding it difficult to commit sufficient resources to assist the evolution of compatible regional systems. Accordingly, the U.S. has continued to look (with uneven results) for strong regional allies, including Brazil, for support as regional poles of power and stability.

4. De Araújo Castro, *O Congelamento do Poder Mundial*, 1972 REVISTA BRASILEIRA DE ESTUDOS POLÍTICOS 33.

5. George Liska acknowledged that the Nixon Doctrine was deliberately ambiguous about this point, but that its logic led it to be vitally concerned with the emergence of stable regional orders in the developing world which would dovetail with entente between the five major world powers. Liska concluded that these U.S. policy preferences very likely would survive the Nixon administration, since the Nixon Doctrine retained important aspects of past administrations' foreign policies while reshaping policy in response to new world events. Liska, *The Third World: Regional Systems and Global Order*, in *RETREAT FROM EMPIRE?: THE FIRST NIXON ADMINISTRATION* 279 (R.E. Osgood ed. 1973).

C. *Military Implications*

Security considerations, especially cold war competition between the two superpowers, tended to shape international politics during the bipolar era. The Third World acquired considerable importance as a cold war battleground. As a result, security interests seemed to require a substantial U.S. commitment to economic development of developing States, *e.g.*, bilateral relations both before and after the 1964 *coup* included close collaboration between the Brazilian and American militaries and sizable assistance for development. Superpower détente and the emergence of multipolarity have contributed to subsequent U.S. reassessment of its global security interests and commitment to Third World development. Superpower military competition has become less prominent and traditional American concern with communist threats in the Third World has been deemphasized. As on the economic front, bilateral military ties have declined relative to other international military contacts. Compatible regional powers, as noted, are still encouraged to take up the slack left from a diminished U.S. world role to establish stable regional orders.

Brazilian policy-makers have welcomed a more benign international security environment, but they have explicitly rejected regional implications of recent U.S. policy. Instead, they have moved to diversify military contacts envisaging self-sufficiency in the long run. The development of a mutually acceptable image of Brazil's influential position in the world is perhaps the most basic challenge posed for the bilateral relationship.

III. TRENDS IN BRAZILIAN FOREIGN POLICY

In spite of differences in emphasis, all military governments since the 1964 *coup* have shared certain common aims, which differ in several important respects from those held by preceding civilian governments. A more active foreign policy has been promoted to assist domestic economic development and enhance national security.⁶ Although this foreign policy orientation is primarily concerned with supporting domestic concerns, especially economic development and national security, correction of uneven regional development and income disparities is not stressed. In sum, "foreign policy has become a conscious instrument of an increasingly conscious national development policy."⁷ In the long run, the attainment of major power status is ex-

6. The Escola Superior de Guerra (National War College) doctrine linking development and security — development is necessary to overcome national weaknesses which ultimately threaten security, while security provides the necessary stability for development — has had a profound impact on policymakers. See Chapters 2, 5 and 6 of *INTERNATIONAL POLITICS AND THE SEA: THE CASE OF BRAZIL* for more details on ESG doctrine as related to ocean affairs.

7. Tyson, *Brazil*, in *LATIN AMERICAN FOREIGN POLICIES: AN ANALYSIS* 223 (H.E. Davis & L. Wilson eds. 1975).

has emphasized its affinity of interests with Third World States in forging a more equitable international system. More recently some radical Third World interpretations of the New International Economic Order have posed awkward policy dilemmas for Brazil which favors more moderate, pragmatic approaches to change.⁹

Policy dilemmas posed for an emerging major power, such as Brazil, situated between the First and Third Worlds have been evident in bilateral dealings with developed States. Greater assertiveness of Brazilian interests has been directed toward reshaping traditional relationships with the United States, and toward gaining greater access to, and influence on, the international order. Brazil's desire for change is relative since the bulk of Brazil's international relationships have been and are likely to remain with developed States even with diversification. Accordingly, pressure for change tends to be limited to modifying the rules of the game to permit easier access to the "rich men's club" rather than overturning the rules as some Third World States less well endowed than Brazil appear to want.

Some initiatives in foreign policy by civilian governments in the early 1960s resemble the above foreign policy developments — diversification, expansion of interests, and greater assertiveness of interests — more in appearance than in substance. In the early 1960s, Brazil was in a position of relative economic weakness so that foreign policy initiatives were sustained largely by rhetoric or ideology. A successful broadening and defense of Brazilian interests internationally had to be undertaken from the position of strength which had developed from the 1960s and early 1970s.

D. *Pragmatism*

Pragmatism has increasingly displaced ideology as a foreign policy consideration. During the first years of military government after the 1964 *coup* there was great concern with alleged communist subversion from Cuba and elsewhere, just as leftist ideological considerations tended to influence foreign policy during the last years of civilian government. The subsequent decline of the notion of "ideological frontiers" permitted a reassertion of Itamaraty's (the Brazilian foreign ministry) traditional low-key, moderate approach to diplomacy. While the Geisel administration has been more avowedly pragmatic and less ideological than the preceding military governments, they also tended to take pragmatic foreign policy postures on non-cold war matters.

9. W.A. SELCHER, *BRAZIL'S MULTILATERAL RELATIONS: BETWEEN FIRST AND THIRD WORLDS* 16-17, 75-76 (1978); see also Chapter 4 of *INTERNATIONAL POLITICS AND THE SEA: THE CASE OF BRAZIL*.

IV. TRENDS IN BRAZILIAN OCEAN POLICY

The international aspects of Brazilian ocean affairs fall within the purview of Brazilian foreign policy, so Brazilian ocean policy reflects the four foreign policy characteristics sketched above and operates within the constraints and opportunities of the international system. The applicability of the four foreign policy characteristics to Brazilian ocean policy may be noted explicitly.

First, Brazil's international maritime relations, long involving primarily the United States, have been diversifying rapidly over the past decade. Second, over the past decade, Brazilian maritime interests have likewise expanded quite rapidly and Brazil has emerged as a significant maritime power. Third, this rise in maritime status internationally has not been easy and has required greater assertiveness of maritime interests. The traditional ocean order includes "freedom of the seas" and liner conferences, which have appeared as examples of "freezing of power" from the perspective of an aspirant power such as Brazil. This required changing the existing ocean order and reshaping maritime relations with developed States. At the same time, Brazil has been reluctant to endorse radical planks or interpretations of the New International Economic Order as they apply to the maritime sphere, particularly the deep seabed.¹⁰ For example, Brazilian policy-makers have cited opposition of developed States to a strong international deep seabed authority as an example of the freezing of power. However, Brazil has been willing to compromise, in contrast to the radical less developed States, by favoring a major role for multinational corporations as well.

So in applying the first three foreign policy characteristics (diversification, expansion of interests, and greater assertiveness of interests), Brazilian ocean policy has generally been pragmatic. Another example of pragmatism in ocean affairs is the extension of the territorial sea to 200 miles in 1970. This has been considered as "a true archetype of a new style of foreign policy" since distinctive Brazilian interests were subsequently asserted successfully, without a confrontation with the United States.¹¹ It is significant that this analysis by a left-leaning critic of the military regime scores current Brazilian foreign policy pragmatism as "opportunism," but still acknowledges the change in Brazilian posture vis-à-vis the United States from deference to assertiveness of interests and the positive results achieved therefrom.

Brazil's emergence as a maritime power therefore parallels and is part of broader Brazilian emergence as a major power. This thesis is examined in

10. See Comment, *The United States' Legislative Response to the Third United Nations Conference on the Law of the Sea Deadlock*, 2 B.C. INT'L & COMP. L. REV. 409 (1979).

11. C. ESTEVAN MARTINS, BRASIL — ESTADOS UNIDOS DOS 60 AOS 70, at 56-58 (São Paulo 1972); C. LAFER & F. PEÑA, ARGENTINA Y BRASIL EN EL SISTEMA DE RELACIONES INTERNACIONALES 114 (Buenos Aires 1973).

detail in *INTERNATIONAL POLITICS AND THE LAW OF THE SEA: THE CASE OF BRAZIL*. Ocean affairs are also distinctive, so that trends in Brazilian ocean policy are not derived merely from trends in Brazilian foreign policy as affected by the international system.

The analysis of Brazilian ocean affairs in the book calls attention to maritime trends and events which are distinctive, as well as those which are derivative in nature or linked to broader issues. Ocean affairs in general, like Brazilian ocean policy in particular, are distinctive in at least five ways, justifying a separate and independent focus.

First, ocean affairs overlap both domestic and foreign policy and constitute a relatively cohesive, distinguishable universe or sub-system of national events. Domestically, a maritime community manages interrelated maritime interests, including naval affairs, shipping, and ocean resources, with the navy involved in all aspects of maritime affairs. Internationally, defense and pursuit of maritime interests involve interaction between national ocean policies and participation in international maritime conferences and negotiations, all with their own particular traditions and dynamics. Therefore a maritime environment often conditions ocean politics in ways distinctive from politics involving land masses. Ocean policy not only exhibits distinctive patterns, but also is having an increasing impact on both national and foreign affairs.

Second, the increasing importance of ocean policy for domestic affairs justifies extended examination of Brazilian maritime affairs. The growth of naval and merchant marine power, more intensive exploitation of ocean resources, and a 200-mile territorial sea since 1970, have had an increasing impact on national development. The navy's responsibility for development and security of the country's extensive riverine network has linked maritime affairs to national integration as well.

Third, the increasing international importance of maritime affairs justifies an extended examination of ocean policy. Ocean affairs occupy an important position in international politics and in foreign policy because of technological, economic, and political changes. New resources extraction possibilities and greater ocean uses have evoked complex national and international responses. At the global level, changes have been unsettling as demands for a new ocean order have escalated. Developed States, as the primary beneficiaries of the old ocean order, have faced a challenge of accommodating change with traditional policies. Developing States have faced the dual challenge of promoting a new global ocean order more compatible with their interests and forging a national ocean policy, for all practical purposes, for the first time.

Fourth, Brazil is a particularly important example of these challenges for Third World ocean policies because its emergence as a major power is paralleled by its emergence as a maritime power. Ocean affairs have become increasingly important for Brazilian foreign policy, and Brazil, in turn, has

come to occupy a distinctive position in bilateral, regional, and global negotiations for a new ocean order. Although national ocean policy has evolved erratically, Brazil has been prominent among developing States in building maritime capabilities across a broad front. Consequently, Brazil is increasingly coming to stand between the First and Third Worlds in the maritime sphere.¹²

Fifth, the increasing outreach of Brazilian ocean policy involves complex interaction with other national ocean policies of both developed and developing States and invites comparisons with them. The development of a comprehensive profile of Brazilian ocean policy throughout the course of the book hopefully will encourage other overviews of national ocean policies, especially those of Third World States which have been few and far between, and will generate fruitful comparisons. Many Third World States have been too burdened with other problems to develop an ocean policy or only have very limited maritime potential. The book is one of the first, if not the first, comprehensive profile of the ocean policy of a significant Third World State.

A comprehensive survey is made in the book of all aspects of Brazilian ocean policy, including domestic influences, participation at international maritime conferences, naval affairs, ocean resources, and shipping. The first portion of the study presents a general overview of Brazilian ocean policy (Chapters 2 through 6), with later chapters presenting more specific profiles of major maritime sectors (Chapters 5 through 8). Chapters 5 and 6 on the navy overlap both portions of the study since the navy at once is responsible for overall coordination of maritime affairs and is itself a major maritime sector. The two parts of the study are further integrated, because the first, general portion of the study presents many findings on which the later, sectoral chapters build, while the latter part of the study indicates how ocean policy is expressed through specific sectors. A final chapter compares findings about Brazilian ocean policy with other States, both developing and developed.†

12. The Brazilian Navy's representative on the Brazilian delegation to the Third United Nations Conference on the Law of the Sea has emphasized that Brazilian maritime interests are not typical of either those of developing or developed States, so that Brazil should not identify exclusively with either group. Souto Maior de Castro, *O Direito do Mar e o Problema do Mar Territorial*, REVISTA MARÍTIMA BRASILEIRA, July-Sept. 1973, at 86; see also *O que se espera da diplomacia brasileira*, O Estado do São Paulo, June 11, 1971, at 3; Fishlow, *Flying Down to Rio: U.S.-Brazil Relations*, 57 FOREIGN AFF. 387 (1978).

† This study is a unique and significant analysis of the approach of a major developing State to the Law of the Sea. It is indispensable reading for anyone seeking to comprehend the deadlock that has obstructed UNCLOS III negotiations and how to best resolve the different interests that created the impasse.