

Government mediator. The actual names of the parties were omitted for compliance issues, and to preserve the confidentiality of the overall identities.

Indian tribes, their social organization, culture, languages, beliefs, and traditions, and their land rights are recognized and protected by the Federal Constitution 1988 (Brasil, 1988, Article 231). Moreover, the Indians, their communities, and organizations may defend legally their interests by the public prosecutor (*Ministério Público*), according to Article 232 (Brasil, 1988).

This article addressed a single case study involving a Military Organization commander, an Indian representative, and a Federal Government Mediator to build an airbase runway, as the unit of analysis (Yin, 1988).

We aimed at providing a new perspective on the Brazilian Government negotiation process with Indian tribes, helpful to (i) negotiators, (ii) policy-makers, (iii) scholars, (iv) decision-makers, (v) course instructors, and (vi) other practitioners. The topic has been investigated in recent works (Sartori, S.; Jantsch, M. Dias, M. Navarro, R., 2020; Dias & Navarro, 2017; Dias, 2020, 2019; Dias, M.; Andrade, S.; Silva, M. R.; Teles, G.; Mello, B.; Moura, R.; Salazar, A.; Sotoriva, L.M.; Mariotti, A; Filho, C., 2021; Dias, Lopes, Teles, Pereira, and Castro, 2020; Dias & Lopes, 2019; Dias & Teles, 2018; Dias and Duzert, 2017; Sotoriva, L.M.; Leitão, R.; Dias, M.; Marques, R.; Araújo, P.; Machado, F., 2021; Leitão, R.; Rosales Jr, O; Machado, F; Corrêa, J.V; Dias, M., Costa, D., 2021; Dias, M.; Netto, P.C; Oliveira, F.; Melo, L.; Cavalcanti, S.; Marques, A.; Silveira, F.M., Bastos, E.H.; Pitangueira, A.L;Vaz, H.; Filho, C.C., 2021).

The negotiation process has attracted scholar attention over the past decades (Dias, Duzert, and Lopes, 2021; Sartori, S.; Jantsch, M. Dias, M. Navarro, R. 2020; Dias, 2020, 2020b, 2019; Salacuse, 2008; Ury, 2015; Cohen, 1980; Sebenius, 1992; Duzert and Zerunyan, 2015; Moore, 2003; Fisher Ury and Patton, 1981; Susskind & Cruikshank, 1987; Susskind and Field, 1996; Raiffa, 1982). Negotiation is defined as a "form of decision making in which two or more parties talk with one another to resolve their opposing interests." (Pruitt, 1981, p. xi). This article followed the Four-Type Negotiation Matrix rationale Dias (2020), depicted in the following Figure 1:



Figure 1: The Four-Type Negotiation Matrix. Source: Dias, 2020. Reprinted under permission.

In the next section, the research limitations and methods are disclosed.

RESEARCH LIMITATIONS AND METHODS: -

The research combined an inductive rationale and interpretive approach. The Indian tribe's negotiation to build a runway is the unit of analysis (Yin, 1988). The single descriptive case involved direct participation, and direct observation. The research is limited to the Brazilian Federal Constitution 1988, Articles 145 and 146 regarding Brazilian citizenship, as well as Articles 231 and 232, observing the Indians rights (Brasil, 1988), and the Indian Statute - Law 6.001 from 19 December 1973 (Brasil, 1973). The study is also limited to the Type IV negotiation on the Brazilian negotiation with Indigenous peoples. Other countries and types of negotiation may convey incorrect understandings and should be investigated in separate studies. In the next section, the case is presented.

BACKGROUND:-

The case related an airbase runway construction, located in the central region of the tropical forest in Brasil, designed for support of the Indian Health Secretariat and the Military Border Groups. The project scope regarded twelve thousand cubic meters of gravel, in addition to raw materials such as cement and sand, because the runway was being built entirely in concrete.

This region is particularly known for the scarcity of rocky deposits for most of its extension. In addition, two kilometers away from the airfield, there is a quarry that had already been explored by the Air Force, only for the construction of the runway. However, due to budgetary constraints, this project had been paralyzed for approximately five years. In addition, it should be clarified that both the runway within the Indian tribe. Therefore, there was a need to re-explore the quarry of the region, with the proper consent of local indigenous leaders.

The alternative at stake, if the negotiation was not successful, would be to bring the gravel from the next municipality, which would imply the need to overcome two stretches of rivers, with the proper transshipment operations, which would make the work much more expensive, and consequently, unfeasible. Therefore, the Air Force commander (AFC) decided to conduct the first approach with local indigenous leaders, to explore the quarry properly and to finish the project that started five years ago.

After this initial election, the AFC was also willing to listen to the possible demands of the local leaders, which was done by several members of the indigenous community. After completing the presentations of the Indian tribe's leaders, the AFC received a formal document typed and printed on standard-sized paper, handed in two copies, dated that day, with all the demands that had been presented orally, and petitioned by the approximately twenty-something indigenous people present. Surprisingly, the Indian representatives were very well prepared to deal with the AFC. The Indian representative requested the receipt of the second copy dated and signed by all the participants of the meeting. Moreover, the Indians' demands were quite complex, such as the opening of roads up to sixty kilometers long, and the paving of the streets of the center of the municipality, and others simpler, such as the donation of aluminum boats and outboard engines.

Regardless of the level of complexity of the requests, the fact is that none of this was contemplated in the original scope and, mainly, in the budget of the work, which would require authorization from the Federal Administration Board to continue the negotiations.

After the meeting with local leaders, the Office was forwarded to the General Command of the Aircraft Force (CGFA), requesting instructions and autonomy to continue the negotiations. The following month, in compliance with the schedule of visits to the construction sites, there was a new meeting in the municipality, followed by lunch with the various Indian tribes' leaders. The Federal Administration Board

had not yet responded to the document, therefore, the AFC would not be able to commit to carrying out any of the requested considerations.

To the commander's new surprise, some leaders had changed and, in the new formal document presented – following the expected two-copy protocol printed and the request to acknowledge receipt in the second copy – the demands did not fully coincide with the content presented in the first document. The second document had more requests than the first one.

Imagining that this negotiation would not easily come to a good conclusion, the AFC made arrangements for bringing a Federal Government Mediator (FGM).

In the following weeks, a new meeting was scheduled to resume the negotiation, this time, involving the Federal Government Mediator. The negotiations took place in a festive atmosphere, welcomed by three hundred indigenous peoples in the municipality's sports court decorated with welcome banners and posters. It was the first time the president of the institution visited the region. The expectation of the indigenous community was enormous. The Mayor of the municipality, Indian, was also present, along with various local leaders who expressed themselves, forwarding various demands to the authorities present, before the word was given to the FGM. The mediator, a Brazilian officer, opened the discussions in the native Indians' language, which was very welcomed by the local leaders. As it had been discussed at length the day before, he discussed the importance of the work, the difficulties faced by the AFC, the budgetary constraints to which it was subjected, and the need to exploit the local quarry. Finishing his words, he said that AFC could, in return, carry out the reform of the community's main port – the most important demand presented – and provide the aluminum dinghies, outboard engines, computers, and printer requested.

The Mediator was applauded after his speech. All matters dealt with were recorded in minutes, and then signed by the main leaders involved.

DISCUSSION AND IMPLICATIONS:-

The case was designed to describe a single case involving the Brazilian Federal Government and an Indian tribe to build an airbase runway, explore the existing quarry, and to attend the indigenous peoples' demands.

The case has implications in other negotiation scenarios such as (i) indigenous peoples land acquisition negotiation (Sartori, S.; Jantsch, M. Dias, M. Navarro, R., 2020); (ii) business negotiations (Dias, et al. 2015; Dias and Navarro, 2013) (iii) dealing with stereotypes in negotiations (Dias and Lopes, 2020); (iv) Military negotiations (Dias, M; Madureira, A; Lima, M; Mororó, C; Leite, A; Prates, W; Salvador, G; Araújo, H; Souza, A; Oliveira, M; Marques Filho, C., 2021; Dias, M; Madureira, A; Lima, M; Mororó, C; Leite, A; Prates, W; Salvador, G; Araújo, H; Souza, A; Oliveira, M; Marques Filho, C.; 2021; Sotoriva, L.M.; Leitão, R.; Dias, M.; Marques, R.; Araújo, P.; Machado, F., 2021); (v) contract bidding negotiation (Dias, M., Nascimento, C.; Lima, M.; Santos, A.; Duarte, M.; Rocha, M.; Martins, M.; Mendes, F.; Filho, R.; Marques, L.; Filho, C.C., 2021); (vi) land invasion negotiation (Dias, M. et al, 2021); (vii) trust between negotiators; (Dias and Lopes 2021; Dias, 2018; 2016); (viii) negotiation strategy (Dias and Navarro, 2020; Dias, 2021, 2020, 2020b; 2019, 2018); (ix) negotiations with cooperatives (Dias, 2019; Dias, M.; Silva, Cleber A.; Lund, Myrian; 2019; Dias and Craveiro, 2019; Dalacosta, R.; Dias, M.; Meirelles, M., 2019); (x) buyer-seller negotiation (Dias, M.; Andrade, S.; Silva, M. R.; Teles, G.; Mello, B.; Moura, R.; Salazar, A.; Sotoriva, L.M.; Mariotti, A; Filho, C., 2021), among others.

The requested counterparts that required civil works competed for raw materials and human resources that would eventually shift the focus of the reconstruction of the runway. On the other hand, the supply of items such as boats and computers generated a greater administrative burden but did not impact the progress of the work.

It was also noticed that the local community had benefited, over the years, with the presence of the construction site of CRAFA, because there was always the possibility of getting small favors, such as the regularization of unpaved roads, the supply of a lot of landfills, among others.

Despite the scarcity of dominant resources, the logistical difficulties involved and the possibility of further resource contingencies in the years to come favored long-term cooperation. The fact that it did not need to seek profit allowed the realization of concessions within reasonable limits.

The Zone of a Possible Agreement (ZOPA) therefore included the execution of the maximum counterparts for the benefit of the community, provided that it did not compromise the schedule and budget of the track's work.

The alternatives at stake – bringing the gravel from the neighboring municipality – would imply the need to unload the ferries in a remote town of the municipality, beat the rapids with the empty ferries, transport the gravel from one port to another in buckets mobilized exclusively for this purpose and reload the ferries. The same process should be done in the stretch of the two rivers.

The options offered by AFC involved the implementation of the project of reform of the main port of the municipality, according to the needs set out by the local community.

As soon as the agreement was signed, the mobilization of drills, pickling of the ground, and acquisition of explosives began. The dismantling of all the rock necessary for the completion of the work was programmed to occur in two detonations.

The first detonation occurred late last year. While the dismantled stones were transported to the crusher area, to enable the second detonation, the execution of the main port reform began. The second detonation occurred earlier this year, being fulfilled the last counterpart with the delivery of aluminum boats, outboard motors, computers, and printers.

Even with the local leaders showing no interest in its conclusion, because the permanence of AFC personnel, machinery, and equipment in the municipality generated numerous benefits to the community, the work was completed.

The negotiation model adopted was of Type IV (Dias, 2020), involving multiple parties and multiple issues. The completed work and the runway in the municipality are in operation. Among the numerous demands of the community, those included in the agreement were met, bringing greater comfort and well-being to the community.

LESSONS LEARNED:-

The greater the knowledge about stakeholders, the greater the chances of achieving success in trading. In this case, prior knowledge of the level of organization of the indigenous lideranças would possibly have accelerated the negotiations by at least one month.

The presence of the Mediator's highest authority at the place of negotiation, rather than solving the problem itself, brought psychological comfort to the local population, accustomed to the authorities' dismay at their demands.

The Mediator in the local language generated empathy with the indigenous population and favored the establishment of an agreement.

LIMITATIONS AND FUTURE RESEARCH:-

This research is limited to Type IV Negotiation (Dias, 2020). Other Types of Negotiation are encouraged to be investigated in future studies. The current article investigated a Negotiation process involving a third party (i.e. a Mediator) between the Brazilian Federal Government and an Indian tribe, under Federal Constitution 1988, limited o Articles 231 and 232 (Brasil 1988). Other countries, laws, and regulations should be investigated in future studies.

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