

*A Master of light or Knight of the shadows?*

Review of the book "A Brief Theory of Power" by Ives Gandra da Silva Martins

*By Ana Paula Arendt\**

*"A wise governor judges his people; the government of a sensible man will be stable. Such is the judge of the people, such are his ministers; such is the governor of the city, such are its inhabitants. A king deprived of judgment loses his people; cities are populated by the common sense of those who govern." (Ecclesiasticus 10, 1-3)*

This is a review of Dr. Ives Gandra da Silva Martins' book titled "*A Brief Theory of Power*" (*Cultural Resistance Bookstore, São Luís, 2021, 319p.*). I thank this excellent friend for the gift and privilege of reading this valuable work.

### **Context**

In his extensive collection of writings, this book seems to stand out with a preface by Dr. Ney Prado, secretary-general of the Afonso Arinos Commission, and, like Dr. Ives Gandra, a professor at the War School, author of the book "*The Remarkable Errors of the Remarkable Men*", *Forense Publishing, 1987*. The preface seems particularly relevant because the book "The Remarkable Errors of the Remarkable Men" led to the submission of the Arinos Commission report to the National Congress – reviewed by Dr. Ives Gandra in an article published on 1/5/1987 in the Estado de S. Paulo, an article preserved in the historical archive of the Federal Senate as a critique of Dr. Ney Prado's book.

*(Interestingly enough, that this review has a prosaic connection with that newspaper article. If the Arinos Commission report had not been sent to Congress earlier to broaden the debate on the Constitution and include the people, as Dr. Ives suggested, Senator Odacir Soares would not have invited my father and uncles, among so many citizens, to visit his home in Porto Velho and participate in the proceedings. I would not have wandered around his house watching all those people coming and going—farmers, workers, unions, and all sorts of people—nor would I have played in the senator's elevator or seen the details of flowers, newspapers, and books adorning the various tables in his home. Thus, I would not have taken an early interest in politics, and I probably would not be writing this review).*

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# “Os notáveis erros dos notáveis”

Prado  
Ney

**IVES GANDRA DA SILVA MARTINS**

Ney Prado, eminente jurista, professor da Escola Superior de Guerra e Secretário Geral da Comissão Afonso Arinos, acaba de lançar livro de indiscutível importância para que se compreenda as origens, os problemas, os fundamentos e as soluções que desaguaram no anteprojeto, ora em discussão na Constituinte (“Os notáveis erros dos notáveis”, Editora Forense, 1987).

O livro oferta análise, ao mesmo tempo correta e preocupante, da realidade brasileira, das tendências mais emocionais que racionais que dominaram o cenário do debate institucional, assim como as pressões de grupos para elaboração do anteprojeto, em que a vocação para o pensamento socialista fez-se presente, menos pela maioria — que não tinham seus defensores — e mais pela disciplina tática de sua presença. De resto, técnica conhecida, pois que os socialistas em todo o mundo não buscam expressar o pensamento da maioria, mas impor sua particular visão do Estado, a partir de admirável organização para assunção do poder.

Ney Prado, em seu livro, retrata tais lutas de bastidores, de forma elegante, mais sugerindo sua existência que afirmando no que prestou colaboração indiscutível à reflexão nacional a partir de tais considerações, posto que, como secretário-geral, foi o maior conhecedor desses problemas.

O eminente jurista vai mais longe, posto que não se furta a apresentar suas posições moderadas, contrárias aos extremismos, assim como roteirizar as lacunas, os defeitos, os conflitos, as divergências do texto, sobre alertar o País da curta duração que o texto poderá ter se não se submeter a uma estruturação ideal.

Tenho defendido teses semelhantes a

de Ney Prado. Entendemos que as Constituições ideológicas tendem a durar pouco, pois que pretendem tudo vincular ao projeto idealizado, mesmo que fora da realidade do País. Como as ideologias passam, as Constituições ideológicas tendem a ter a mesma duração que elas.

As Constituições devem ser neutras, o mais possível. Flexíveis para adaptação às realidades. Hospedeiras de princípios gerais e superiores e não de comandos inferiores. Não devem nem constitucionalizar disposições ordinárias nem ordenar princípios constitucionais.

Duas grandes vertentes de normas superiores necessitam compor um texto maior, a saber: os comandos para definição das formas de Estado, governo, recursos financeiros em sentido amplo, separação de poderes e aqueles outros que garantam os direitos do cidadão, em suas diversas dimensões (política, individual, econômica, social, familiar cultural e educacional). Tudo o mais deve ser deixado à legislação complementar ou ordinária.

Ney Prado assume tal postura demonstrando como o bem intencionado projeto Afonso Arinos longe fica de todo o bom senso necessário para que uma Carta dure no tempo. Se aprovado o anteprojeto, transformar-se-á em um grande desconhecido da população, sobre haver necessidade de reescrever-se o direito pátrio em um modelo que não será sequer autêntico, posto que a Comissão de Notáveis não foi escolhida pelo povo.

O trabalho de Ney Prado merece, porém, séria meditação por parte de constituintes de brasileiros, visto que torna públicas as dificuldades para elaboração de uma Carta Magna, assim como a necessidade de se preparar um texto constitucional muito mais refletido para que não seja substituído, modificado ou simplesmente desrespeitado, em curto espaço de tempo.

Dr. Ives Gandra Martins is turning 90 years old on February 12. Therefore, a short biography of his noble figure is in order. He graduated in Law from the Law School of the University of São Paulo (USP) in Largo, in 1959, where he met his only wife – and love of his life, to whom he dedicated a love sonnet every week, creating a substantial body of sonnets throughout his life. He has 9 children and earned a doctorate in Law from Mackenzie University. An advisor and member of the Brazilian Bar Association (OAB), he is an emeritus president of the Paulista Academy of Letters and member of the Brazilian Academy of Philosophy. He is considered by many to be one of the most prominent figures of conservatism in Brazil, due to his connection with *Opus Dei*. However, at the same time – and this is important – he is part of the American network Atlas Network, an organization that advocates libertarian ideas. He is a professor at several law universities, including the Army Command and General Staff Schools (ECEME). He also presided over the São Paulo directory of the Liberator Party from 1962-1964, when that party proposed a parliamentary system as a solution for Jango to

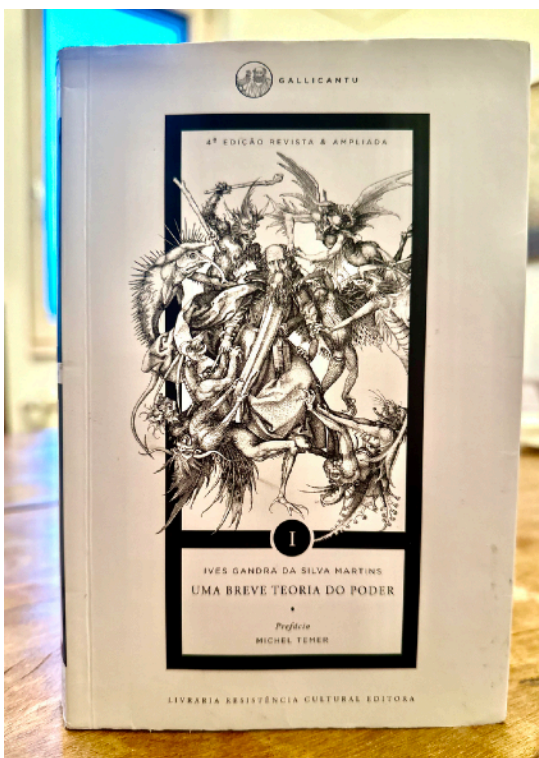
take office – a party that was later dissolved during the military regime. It is worth noting that the symbol of the Liberator Party was a Phrygian cap. He has also been honored by Fernando Henrique Cardoso, Lula, and the Portuguese socialist president Marcelo Rebelo de Sousa – no less than three presidents who value democracy and political stability, all deeming him a great man.



The work "*A Brief Theory of Power*" does not seem to be Dr. Ives' most important book, as his book of Sonnets is certainly much more imposing. However, it brings a mature reflection on human nature, how men conceive degrees and relate to power, and the establishment of mechanisms for exercising power. And, in particular, it brings passing details about the Constituent Assembly and explanations about what he thinks of the Federal Constitution.

The first question the reader will ask me is: why did the author write this book?

It seems to me that, although a book should not be judged by its cover, this edition can be explicative, with the image of Saint Anthony the Great, surrounded by demons. For those who do not yet know this saint, he is one of the founders of the monastic movement, in the Egypt. In the 3rd century, some religious preferred to isolate themselves from the cities in the desert, in caves, due to persecutions, but also due to certain incompatibilities between the secular world and the spiritual life dedicated to sacred matters. This is the case of Saint Anthony. But even living in the desert, he was not free from demons: they found him in the cave and beat him for no reason.



Saint Anthony the Great tormented by demons is a very useful allegory for a book on power: those who are elevated to important decision-making positions increasingly communicate less and find themselves surrounded by demons. The demons make communication a cause of discomfort. We could talk about representations of authoritarianism, pride, egocentrism, vanity, paranoia, and anxiety – and why not? – of the advisors who, occupying proximity to power, inspired by the bad moods of these powers, are always on the lookout to attack anyone who approaches power, fearing that the decision-maker may be exposed or that they may be replaced in their positions. By producing so many difficulties, the demons lead to the damnation of those in positions of power, causing them to lose touch with reality, the sense of making a decision, the spirit of words, and the need for reflection. This is briefly the torment of Saint Anthony

when relating to the world while he was isolated in the desert.

For diplomacy, Saint Anthony the Great tormented by demons is a very pertinent allegory about power. The diplomat's task is to establish friendly relations and derive assistance for maintaining peace among different peoples and cultures; and to do so, it is necessary to reach the heart of the interlocutor, to establish a relationship where friendship is authentic, and the dialogue, the exchange of information and perceptions, is trustworthy and stable. Understanding better where these demons around power come from, which repel closeness, seems to be a fundamental exercise. And the dynamic that makes power a fleeting phenomenon is also of interest to diplomatic activity.

In the end, it is recorded in the hagiography that Saint Anthony the Great survives the demons and is restored by divine miracle, and also with the help of his friends. Many monks followed his hermit lifestyle and gained the advantage of establishing a beneficial connection with reality and with interlocutors. "The number of monks grew, but interestingly, when they went to seek advice from him, many monks would arrive at that place and ask: 'Where is Anthony?' And they would be told: 'Go around and see the most joyful, most smiling, most spontaneous person; that is Anthony.'"



*The torment of Saint Anthony the Great, by Michelangelo.*

The miracle, the smile, and the spontaneity of Saint Anthony, however, are not present in this portrait that adorns the cover of Dr. Ives' book, certainly due to the pessimistic conception

of power in this work and its theme. Only the resigned holy man, troubled by many demons, appears.

I could elaborate a review of this book in light of the most recent studies in political science, or from the perspective of great thinkers of political philosophy, or even according to comparative politics, to evaluate the validity of its premises and assertions in a more systematic way. However, the author states that the book is not meant for that. Thus, I intend to analyze Dr. Ives' book in a carefree manner, for leisure purposes, perhaps in light of the thought and action of good governors, as suggested by Ben Sirach (Ecclesiasticus) and King David (2 Samuel). These shaped the best parameters for governors I have, through the strength of their moral precepts; at least within the framework of what is good according to the Christian faith. It also seemed more appropriate to take these biblical references into account due to the signs contained in the book's endpapers. At the beginning and end of the book, the medal of Saint Benedict is published: it seems to indicate that the book serves a holy purpose.

### *The perspective of a jurist on state affairs*

Entering its pages, Dr. Ives justifies the adjectivation "brief theory", contained in the title of the work: "(...) *in the face of it not being any political, philosophical, sociological, economic, legal, or even historical theory (...). It is merely a theory about human nature in the exercise of dominion over others when one assumes government. (...)*" And that "about human nature in power, I do not believe in theories. Man always seeks dominion, and his greater or lesser power derives exclusively from his greater or lesser strength" (*op. cit. Introduction, p. 45*). This introduction seems to contradict itself: for any theory that deals with human nature necessarily unfolds in politics, philosophy, sociology, economics, law, and history, no matter how it does not declare itself a systematic study.

Initially, the author also denies the possibility of theorizing power as something resulting from diverse human actions, taking this concept as the direct transposition of force to exercise dominion. The reading, however, raises the possibility of seeing multiple facets of this concept throughout the work and problematizing it, so that the analysis of the book cannot be brief at all.

Wisdom seems to be contained in the title: "brief theory". For alongside the word power, everything becomes briefer. As Ecclesiasticus teaches: "*The duration of all power is brief; a prolonged illness tires the doctor. The doctor shortens a brief discomfort; thus, one who is king today will die tomorrow.*" (*Eclo 10, 11-12*). How brief? According to the author of Ecclesiasticus, presumably Ben Sirach, the problem of the brevity of power arises from the growth of pride among rulers. When they deny who gave them power and the origin of all power, they begin to attack the governed and become brief: "*God has toppled the thrones of the proud leaders and has seated peaceful men in their place.*" (*Eclo 10, 17*).

In Dr. Ives' work, one can notice the influence of King Solomon, and his pessimism – unjustified, it must be said, by his good fortune of many children. This pessimism is recognized and emphasized in the preface by Dr. Ney Prado. "*The sun rises, the sun sets, and hurries to return to its place, where it is reborn.*" (*Ecl 1, 5*). And I would venture to say that Dr. Ney Prado prefaces with some concern about this worldview, based on the phrases of Dr. Ives that he chooses and underscores. Unlike the traditional conception of the Sirach (Ecclesiasticus), the author does not argue that the exercise of power can obey different logics, depending on the conduct of each ruler or the quality of institutions. He limits the problem of power as something related to the nature of power as an advantage, and its exercise as something dependent on the nature of each individual who wields it.

Does the author raise the theme to demystify its importance? The book centers on power as the author's main interest. Therefore, it seems that he does not; on the contrary, there is an analytical effort to outline a political scenario that would repeat itself on various occasions in the history of civilizations, but starts from the premise that the objective of power should be the duty to serve; and he strives to understand the limits of reality when it contradicts the duty to be – thus, he explores where it would be possible to act to achieve the common good.

### *Power in the microcosm of the individual and human nature*

Dr. Ives seeks to find the causes that drive individuals to pursue power and to better understand the reasons behind their vicissitudes. Thus, he defines it: *“An authentic theory of power starts from the principle that those who seek it desire it out of a survival instinct that reverberates in a limitless ambition for command and dominion, which is found in all spheres of human life. (...) In other words, power justifies itself by power and not by the duty to serve.”* (op. cit., p. 51).

In this first part, which deals with the cause of power, its attributes, and the origin of law, unlike Ben Sirach, Dr. Ives argues that the problem of converting power into abuse would not be based on a deviation of conduct due to pride. He discards this differentiation between power and abuse: he defines power as the exercise of command. Also, in a different way than the Sirach, he seeks the origin of power in a motivation anchored in human nature, not in a divine source. Power would attract humankind due to its supposed benefits and material advantages.

Is it a pessimistic work? In several passages, it seems so. Dr. Ives brings along Callicles, the philosopher rejected by Socratic philosophy, asserting that the law would not serve to protect the weaker from the stronger or to establish norms of justice; instead, it would reflect norms imposed by the powerful, those who acquired power by virtue of greater strength. The author distinguishes theory from praxis: in theory, one could affirm that the law would serve noble purposes; but in practice, when implemented, it would perpetuate the accumulated power, driven by the survival instinct of those who hold the instruments of law and government. I think this reveals much about the author's thinking, considering that the law and justice proposed by the Socratics could only conform to a theory. Given the immense effort that so many have made for law and justice, and the sacrifice of those who perished, this assertion is, without a doubt, a novelty.

It is not clear to me why the author does not recall the efforts and sacrifices of Christ and the Saints, or even of upright secular men and women, considering the religious signs that mark the book. Christ is mentioned on p. 191, but only to recall his parable about the best strategy of a weaker monarch in capitulating. However, if a ruler must submit to God before assuming his mandate, should not those who study rulers and their governments start from the same principle? Within the Christian perspective, all power and authority are instituted from above: *“Let everyone be subject to the governing authorities, for there is no authority except that which God has established; the authorities that exist have been established by God.”* (Letter of St. Paul to the Romans 13, 1); and also: *“Submit yourselves for the Lord's sake to every human authority: whether to the emperor, as the supreme authority; or to governors, who are sent by him to punish those who do wrong and to commend those who do right. For it is God's will that by doing good you should silence the ignorant talk of foolish people.”* (1 Peter 2, 13-16). Furthermore, one should also see, when discussing the nature of power, its source: *“O Lord, yours is the greatness and the power and the glory and the majesty and the splendor, for everything in heaven and earth is yours. Yours, O Lord, is the kingdom; you are exalted as head over all.”* (1 Chronicles 29, 11). Even in the eschatological horizon, it seems necessary to affirm that power comes from a higher source: *“They sang in a loud voice: ‘Worthy is the Lamb, who was slain, to receive power and wealth and wisdom and strength and honor and glory and praise!’”* (Revelation 5, 12).

And if we take into account that our societies and states were conceived under Christian precepts (the oaths and the Constitution nominally include God), even though it positions itself as secular, to accommodate all religions; how could we reduce the concept of power to mere command over material things, or analyze it adequately without entering the spiritual sphere, or the religious dimension behind the preambles, the oaths in which the authorities submit themselves? Even in Asian cultures – and the author recalls Confucius – it would seem convenient to delve into the principles of justice that elevate and depose officials and governments, a dynamic that resonates with the justice precepts of the Christian faith.

I ponder at this point whether it would be wise to exclude from evidence the practice that aims to affirm the Socratic principles of love for truth. Why does the author dismiss so many historical and everyday examples in which the law has been fundamental in resolving controversies with minimal harm to society? Examples and numbers can always be cited to support any thesis one may have, including that the costly judicial system is useless due to inoperability; but one cannot deny that there are numerous instances where the law protected the weaker party, as in the Dreyfus case or Nuremberg. Also, in the abundant decisions of international courts today, we find rulings that contradict the balance of preponderant forces. The historical record, while it includes wars and confrontations, also favors as references those personalities who committed themselves to ideals of law and justice, no matter how much they were defeated, as proven by the honors given to Tiradentes and other heroes now enshrined in the Pantheon of the Homeland. To this end: I recommend readers visit the Jewish Museum in Rio de Janeiro, where some original letters from Dreyfus can be found, along with ancient artifacts from the time of Herod and items from victims of concentration camps.

Dr. Ives makes an exception to the rule by addressing some men he classifies as wise, suggesting they exercised power for the benefit of others: he considers that Marcus Aurelius, in Rome, De Gaulle, in France, and Fernando Henrique Cardoso, in Brazil, managed to do so. But he suggests that *“knowledge does not represent detachment, altruism, devotion to public service, nor is its ultimate goal always and solely wisdom. Such a Confucian view has been refuted by history.”* (op. cit. p. 129). What makes me hesitate to accept this assertion is the lack of examination of the history of China and the influence that Confucius had on the Chinese public service; and also the lack of abundant names from which one could draw examples of detachment, altruism, and devotion to public service, even if they did not have sufficient training to be called wise. The effects of Confucius' teachings are not limited to the period when he held office in the lands of Lu (op. cit., p. 126, footnote 74).



But pessimism does not prevail throughout the writing: Dr. Ives retains some hope that leads him to deepen the subject, resulting in a differentiation between two classes of rulers, the politician and the statesman. Both would enter public life as idealists; but the former would allow themselves to be corrupted by the benefits of power, making it their ultimate goal. The latter type would be those rulers who do not

enrich themselves and leave with worse personal fortune after occupying a public position, such as Campos Salles and Prestes Maia (op. cit. p. 76). Therefore, there remains a hope throughout the book, although the overall view is pessimistic, that "*Humanity evolves driven by an excess of politicians and a scarcity of statesmen*" (op. cit., p. 77).

At first, it seems to me that the criterion for measuring personal fortune before and after office, although a good measure, would not be sufficient to distinguish a politician from a statesman. The politician, for him, would be someone who acts to remain in power and reap benefits; and a statesman, someone who seeks to implement a vision of the public good, detached from the position. For let us remember that Getúlio Vargas, although he lost much more than his own fortune, ending with his own life, could be argued to be a statesman, but he was a politician who sought to centralize power, perpetuate himself in office, and silence the opposition. Recall when GV dismissed Afonso Arinos de Melo Franco from the Bank of Brazil for the publication of the Mineiro Manifesto of 1931, a mere article suggesting that politics should be conducted more with kindness than with force. So, according to this measure, was he a politician? Or a statesman?

It is not merely a matter of quoting Churchill or De Gaulle, as if only fame and posthumous recognition could offer concessions to this thesis. How can we ignore the memorials dedicated to the Unknown Soldier in various countries, and the countless applauses that adorn these temples of devotion to service? The Unknown Soldier certainly made a much greater effort and personal sacrifice than Churchill and De Gaulle.

Nor could we ignore that Dr. Ives presents an elitist bias regarding the characteristics that differentiate the politician from the statesman. He states, "*racial conflicts, the intellectual underdevelopment of their leaders, and the savagery of the natives seeking power, sometimes without any training or qualification, have once again decimated the population in some regions, as if we were living in the times of caves*" (op. cit., p. 118-119). In several passages, he argues that the statesman is someone who has had training – we assume this includes the distinctions of knowing history, the value of law, and the foundations of government and society.

Now; we know that, even with the best possible intellectual and human training, some rulers with full control of the state apparatus of their countries have recently been poorly evaluated in international courts regarding the protection of human rights of a population under their dominion. We could also recall General Tito: while valued as a statesman endowed with great humanism and vision for the future, his supporters assassinated fellow citizens. Including the grandfather and relatives of the poet Milica Spadjer, whom I recently met. From a patriotic family, they were accused of being Chetniks when they were not. So many other prisoners were sent to Goli Otok. Despite being an enlightened ruler, he kept Djilas, his former minister, imprisoned for many years, not releasing him until after he had translated *Paradise Lost* by Milton into toilet paper.

And let us consider our most recent example, a situation in which even the best military strategists, with excellent training, allowed acts against health measures established by the government itself during a pandemic, infecting children, in contradiction to any ethical principles of pediatrics, but also of humanity, under the perverse thesis of "herd immunity." At that time, ambassadors with excellent training defended the violation of health measures to fulfill the function of defending the government, alongside foreign newspapers that expressed discontent with these events in Brazil – even knowing, with their excellent training, that the contradiction would greatly increase the number of Brazilian citizens killed.

We can only conclude that, even when enlightened and with excellent training, statesmen and strategists are also prone to making mistakes and abuses: they face many pressures to remain in office and do not always manage to control the public machine or other authorities, no matter how well-trained and informed they may be. Therefore, the view that once in power, a statesman would have all the necessary tools to govern well seems quite optimistic, as if good training or his genetic nature endowed him with omniscience or omnipotence.

Furthermore, Dr. Ives states the following: *"I am convinced, however, that the pursuit of power is somehow shaped by the physical and psychological type of each individual"* (op. cit. p. 75). Dr. Ives and I also think differently about this, but I believe that the great diversity of physical types that have reached power could support my defense of this point; as well as the modification of these physical types according to each culture and each advancement of civility.

Ben Sirach would also have a different view from Dr. Ives on some arguments in this first part of the book. For while Dr. Ives emphasizes the advantages of power, we know that, to be truthful, all those who come to power are wretched. *"Do not envy the glory and riches of the sinner, for you do not know how his fall will be. Do not be pleased with the prosperity of the unjust, knowing that they will not go unpunished until they descend to Hades. Stay away from him who has the power to kill, and you will not pass through the fear of death."* (Ecclesiasticus 9:16-18). And still: *"Know that death is near, for you walk among traps, and among the weapons of enraged enemies. As much as possible, distrust those who come close to you, and consult the wise and the prudent."* (Ecclesiasticus 9:20-21).

The author does not seem to consider that the exercise of power is a path full of traps, risky, filled with prejudices, injuries, scrutiny, conspiracies, betrayals, and many other undesirable events. We observe that the attribute of serious risk and the burden of losing privacy, assumed by those who hold power, repels most people from considering taking public office. Those excluded, lacking resources and friendships to bear the weight of this path, are especially averse to power, not only the sensible people who prefer a quiet life. It was thus, let us remember, that Saint Anthony ended up in the desert; and also Saint Benedict, who adorns the beginning and the end of the work written by Dr. Ives. The fact is that even the most powerful kings have a history full of tragedies – and the more power they amassed, or tried to amass, the more tragic their fate was.

## **Power in the Macrocosm of Government and Society**

We also know that individuals and groups that come to power can never govern solely by force; they need ideas, institutions, discourses, and substantive actions that justify the pursuit of power and consolidate the legitimacy to exercise it when they obtain it. However, the author considers that these considerably important elements would be accessories, and power, merely the aim of those who seek it.

But Dr. Ives is more concerned with delving beneath the surface to find a deeper layer of how the State functions. To put it in an analogy: we know that no human being would survive without their epidermis, the surface of delicacy, the characteristics that singularize each face and person; nor would one stand without their skeleton, their structure, or their internal organs, functioning harmoniously. But between the delicate skin and the deep entrails of bones and internal organs, there exists a layer where we find the muscles and blood, the constitutive elements that make the organism move. If this analogy holds, the book seems, in this sense, a longitudinal cut of the State in which this necessary layer of the body, the muscle of the State, is analyzed.

Therefore, perhaps the author dismisses the entrails of the human being, the desire, the dream, and the ideal of change; the bones, so to speak, the law and the application of the law; and the epidermis, the words, institutions, discourses, and affirmative actions? It is not necessarily a choice to restrict the analysis. For him, these other layers of the State would be a simulacrum aimed at the manipulation of the rulers by the ruled. Let us see:

*“In State Theory, political power is a means to serve society, which chooses its governments. (...) However, reality bets contrary to this. Whoever seeks power does so out of love for domination, for the benefits that arise from the exercise of command, not being imperative, unless necessary to the interests of the rulers, to provide public services.” (op. cit., p. 85)*

*“In the face of challenges, those in power end up ‘gaining the upper hand,’ except when their government is so bad that, even exaggerating the little good they have done, it is not enough to keep them. In democracies, with the support of the press, it is more difficult to hide mistakes, persecutions, and the elimination of ‘undesirables,’ since such mechanisms almost always come to the knowledge of the people. In dictatorships, it is easier to hide the wrongdoings. However, there is an element that has become more evident in modern times concerning the struggle for power than in the past. Even among less politically evolved peoples, there comes a moment of awareness. Even in dictatorships, this occurs, implying the need for greater sophistication, to justify those who fight for power, in an attempt to convince the people that they are the best to govern. Clearly, there is a fertile ground for manipulation, especially among less educated populations, who believe in promises, hoping to see improvements in their conditions. The universalization of electronic communication means, where even the illiterate become aware of what happens in the world (radio, TV, internet, etc.), demands an increasingly greater and more elaborate effort in the struggle to preserve power in face of challenges.” (op. cit. p. 117).*

*“When political power assumes the media, it manipulates public opinion for its own benefit.” (op. cit., p. 155).*

It is observed that, from this perspective, there is no possibility for those in power to have, even occasionally, a set of legitimate actions and values and principles that they seek, even through the “monopoly” of the State, to implement as a reason for representing a consensus obtained by the political majority or respect for political minorities. The author also positions himself to limit, only in a specific occurrence, the thesis of manipulation as a primary function of maintaining power:

*“There is also less freedom in Brazil, where legal insecurity and the breach of privacy are hallmarks of the PT government and today’s, starting from the Supreme Federal Court (STF), where 7 of the 11 ministers were chosen by Lula’s party. The PT, when in power, was prodigal in sponsoring cinematographically intimidating operations against citizens, to the point of reaching – according to the press – in a single year, 409,000 wiretaps authorized by the judiciary, with unconvincing denials from the authorities, who never pointed out the true number of wiretaps.”*

In this, Dr. Ives reveals a position within the political-party spectrum. For while the brief theory of power applies to an inherent logic of human nature, one cannot ignore that in the following government, this reduction of freedom may have persisted under other guises or through other instruments. Conversely, if manipulation is inherent to the activity of governments, how can we explain that other governments have not proliferated similar monitoring and wiretaps of individuals who could produce dissent? By centering his criticism of his analysis solely on one of the parties that held power, the reader wonders whether or not to extend this inference.

It is important to note, however, that in the organization of the chapters, Dr. Ives seems concerned with noting certain elements that are indispensable for the health of a democracy, such as laws, dissent, ethics, entrepreneurship, and so on, often supporting the defense of democracy as the best political system, and denouncing the vices of authoritarian regimes, or of democracy built on demagogic acts and the concentration of wealth in the hands of those in power or their friends.

### **The Importance of Law and Justice**

In the chapter addressing law as a reducer of power, after briefly recalling the theory of law in limiting power and the tripartite division of powers between the Executive, Legislative, and Judiciary, the author states that *“this evolution of the importance of law as a factor generating power and inhibiting it, evidently, is often contradicted by practice, for as power does not tolerate vacuums, whenever some conquer it and find they can exceed the limits of established law, they certainly will.”* (op. cit., p. 65).

Despite conceding that the 1988 Constitution in Brazil produced political stability and maintained reasonable balance in the democratic system, he concludes that *“If they succeed [in exceeding the limits of the law], the inhibiting factor of the law disappears, initiating this permanent phenomenon in the history of humanity: the emergence of dictatorships and the breakdown of institutions by those who acquire the necessary force to do so.”* (op. cit., p. 66). For Dr. Ives, the historical records of Rome evidence that obtaining this accumulated force to bypass the law would occur by conferring benefits to allies and soldiers – before being assassinated by those allies, *“by appointing a new imperial general.”* (op. cit. 67). In the reflection of this book, the law seems as relevant, he argues, as the provision of public services: *“it only occurs when there is an interest from those in power in creating a favorable image of their actions.”* (op. cit., p. 67).

At this point, Dr. Ives would be outmatched by Kelsen: he argues that extending the concept of law is necessary to solve difficult cases, such as the punishment of German informants or crimes for which, during World War II, there was no law (the problem of *nulla poena sine lege*). For a traditional positivist, it would be impossible to apply a punishment to someone who has committed immoral, even monstrous, acts if there were no law from which one could gauge the illegality of their actions. In this line, Hart argues that if we consider that law (or jurisprudence) incorporates practices through the persistence and continuity of moral elements, it becomes possible to introduce limitations to conducts, even though the laws that forbade monstrous acts were suspended (HART, Herbert. *The Concept of Law*. Oxford, Oxford University Press, 1961, p. 227-8). For the effect of this argumentation, and its practical application, the question of whether the law has been or has not been formulated by those in power was irrelevant.

Dr. Ives then goes on to discuss the logic of the exercise of power according to the nature and exclusive interest of the ruler, the scenario of confrontations between those who dispute power.

Earlier, when the author addresses Rawls, he presents his view that *“in idealizing a perfect and stable society, he states that it can only be attained through dialogue between reasonable citizens, who understand divergences, respect dissenting opinions, reject overarching theories, and coexist with conflicting theories, with the resulting consensus stemming from the reasonableness of the members who would compose an organized society.”* (op. cit., p. 119). However, Dr. Ives seems to find Rawls’s theory somewhat inapplicable, *“as the multiplicity of currents, aspirations, knowledge, interests, ethnicities, social levels makes it increasingly difficult to arrive at a theory of consensus and increasingly common divergence and the necessity of overlaying public interests.”*

In my view, this is the most complicated passage of his work to analyze. The author does not accept Rawls's hypothesis that in a perfect and stable society, it is possible to have a dialogue between different and conflicting theories; he dismisses this proposal and insists that a theory of consensus is necessary, and that divergence, due to the multiplicity of interests, undermines public interests. Dr. Ives does not understand that a communist, interested in the dictatorship of the proletariat and the monopoly of the State by a single party, can dialog with someone of a conflicting theory, such as a monarchist, who is interested in succession mechanisms for an aristocracy governing the State; without there being a prior, unique theory of consensus that would allow them to mutually respect each other's existence, understand their differences, and establish a dialogue.

In this scenario, rejecting Rawls, to understand Dr. Ives's cosmology, he constructs separate spheres where those in power operate: government on one side; and society on the other. Spheres, it should be emphasized, are opposed to each other for him. In the most evolved humanity, he assumes that society would evolve "*on its own, more or less rapidly, as governments hinder it, seeking to derive the possible benefit for their palace privileges. The cultural, economic, and social development of a country is thus promoted more by society than by governments*" (op. cit., p. 250). His view thus reflects when he states that, for those in power, "*servicing the people is merely a collateral element in their effort to dominate, their creative capacity for the advancement of science and society is small*" (op. cit., p. 250).

Would this then explain the better success or greater failure of rulers, upon becoming holders of power, to leave society free, refraining from interfering in the private lives of citizens as much as possible?

One would notice in this possible absent explanation the problem of representation. In the cultural and entrepreneurial society (Chapter XXIII), we could not fail to see that, as in all times, there exists a bond of delegation between principal and agent. This bond of trust and synchronicity that is established between ruler and ruled is signified in the epigraph of this review: "*Such is the judge of the people, such are his ministers; such is the governor of the city, such are its inhabitants. A king devoid of judgment loses his people; cities thrive through the good sense of those who govern.*" (Ecclesiasticus 10:2-3).

It does not seem prudent to overlook that the acts of those who govern become much more visible than the acts of common citizens and that, by the instruments of authority that shape power, they have a greater impact as a reference for conduct for the governed. If Ben Sirach warns us about the disaster that strikes the people when the ruler loses judgment, Saint Thomas Aquinas also reminds us, in his letter to the King of Cyprus, that a tyrannical king "*serves to expiate the sins of the people*", analyzing the inverse sense of that relationship of representativity that constitutes the ruler.

The consequence of thinking with Helmut Khun (p. 235), defining the State as "*a mere structure of power*", and defending that the State should interfere as little as possible in society, is the isolation of rulers in a state caste that lives detached from the reality of those who are governed. Perhaps the weakening of these ties could indeed explain why state bureaucracies grow against the interests of society, producing the bureaucratic hypertrophy that Dr. Ives denounces.

One could argue the opposite, of course: that greater exposure and interaction between rulers and the ruled creates space for new demands; and that, to remain in power, rulers increasingly seek to enhance their capacity to offer and restrict the resources they extract from

society, to govern it. If we were to examine in greater depth the data that Dr. Ives raises regarding this ideal distancing of the State, that in Brazil the government extracts 36% of GDP, while in OECD countries, we find the US and South Korea around 24%, Japan 29%, Mexico 19% (2012 data), we would see that this proportion does not always come with the same pretext. The US budget primarily targets the defense sector, unlike countries that have a higher tax burden aimed at producing well-being and benefits for families, such as the Nordic countries. Sweden had an average public spending of 53% from 1993 to 2023 (having reached 70% in 1993), a trend also observed in other welfare democracies. In Russia, also a developed country, we observe 34 to 36% of government budget in relation to GDP between 2012 and 2017. What this means is that these aggregated data about the proportion of GDP appropriated by the State do not necessarily reveal the main aspects of its good or poor organization, nor can one infer from this data about the quality of the relationship that the State establishes with its inhabitants.

Regarding public service, I would tend to have a different view from Dr. Ives on this point. He asserts, *“I have tried to show that serving is merely a side effect of the quest for power”* (op. cit., p. 94). Moreover: *“The number of public servants taking public competitive exams, aiming for their personal security, is increasingly larger, showing that the ideal of serving is a minority. Such a mentality that ultimately contaminates the whole society certainly leads the community to justify the holder of power, as they would also like to be part of that elite that commands and obtains the “benefits” of command”* (op. cit., p. 88).

I seek support in the evidence. Firstly, the stability in public service is often a mirage asserted by those who are not part of public service. Public servants have their stability shaken and are often removed to dreaded activities, especially when they disagree with the policy being implemented, or when they annoy the holders of power, or stand between the predators of the public good and the interest of the citizen. Moreover, it should be remembered that the number of trust position holders who earn bonuses in public service is small. We are still very much in the majority, the volume of those who do not have benefits and who focus only on the exercise of their function for the public, with citizens as their superiors, not the holders of power.

When the federal government summoned all public servants who wished to maintain bonuses in trust positions, or obtain appointments, to fill the Ministries against restrictive health measures, or in speeches during the celebrations of September 7, it is true that practically all DAS (Commissioned Positions) servers attended. However, the servers awarded with DAS and medals are a minority. A much more substantive number disapproved of the summons to celebrate public events or the national date in these terms; they remained at home. A significant and larger volume of servants were perplexed by the cries of fanaticism for a ruler in office when he publicly antagonized health measures recommended by his own government, or insulted authorities from the Judiciary, claiming that there would be no elections if they did not conform to his will, or that the ballots would be rigged if they did not announce his victory in the poll.

And a third reason would also exist to prefer an alternative to the overall negative view of the stability of public service. For the author himself, quoting Confucius, does not include any reservation to the idea – which he qualifies as linear – that *“if the level of wisdom is superior to that of the desire to possess money or command, the ambition for knowledge would surpass the ambition for power.”* This is especially true if we observe the State careers. In these relatively well-paid careers, including in universities, wherein autonomy of conduct is granted, there are still servants who end their lives or resign when unjustly accused, or when they make mistakes. In these careers, there are also those who are less concerned with benefits and more interested in influencing and participating in the good results of service by which they judge themselves. Within the State, among career public servants, the collection of good stories, folklore, and good deeds that bring satisfaction to the career servant and enable them to be part of the best circles of friendship, where they find the repose of affectionate coexistence, and make disciples.

## Religion and Power in the Macrocosm

In the book, I felt the absence of the author's religious perspective in his reading of the world. There is a citation from Ecclesiastes about vanity (op. cit. p. 121), which leads him to a valuable pearl of wisdom: "*The vanity of man in power; therefore, makes him who exercises it unreliable*" (op. cit., p. 125). But religions are only briefly mentioned, and their importance is as a historical analytical tool, as an expression of something primitive (p. 200), or as distinguishing elements of civilizations, as he recalls in Toynbee's work (op. cit., p. 201).

It is important to note a particular recurring mention by Dr. Ives regarding the work of Thomas Woods, "How the Catholic Church Built Western Civilization," a bestseller among the Brazilian monarchists. The author also has a work specifically dedicated to this theme, published in 1993, "What is Monarchical Parliamentary." However, the Church's contribution was not limited to the scientific or academic realm. We know that the colonization of continents and the construction of various countries occurred through the work, regulation, and effect of political actions within the Church and through the initiative of monarchs whose source of power was attributed to God. I am therefore referring to the value of religion that exceeds the material world and the regulations established by the Church. A significant part of the affirmative development of societies is based on certain concepts of social well-being related to moral principles, expressions, and religious obligations, and behind this also gestures toward an openness to the unknown and what cannot yet be explained, an essential posture for dialogue and the political development of human societies.

Actions of discoveries, investments, reformulations of society, and political systems have in history, it is true, less focus than war and political disputes. "*All human history begins and ends in war;*" Dr. Ives states in his book (op. cit., p. 202). But that does not mean the record of peaceful times should be less important. For him, "*Power is always the cause of internal struggles and external wars. At the origin of power is the origin of wars, perhaps the most admirable dialectical element of its exercise, since every war generates a period of peace, until a new tension, valued by the ruler, may provoke a new war and a new time of peace, in a dynamic Hegelian process.*" (op. cit. p. 205).

Indeed, the study of history generally tends to privilege the records of wars and conflicts over power in the world and within each country. However, it seems counterintuitive to disregard that commerce has always preferred times of peace, and that certain regions, like Latin America, have had considerable success in maintaining long periods of peace, despite internal domestic conflicts. There are also agreements, alliances, and abundant capitulations in historical records that demarcate and delineate confrontations: there is no war that has not ended. I would not consider these elements lesser than the memorabilia he brings to assert a view that history is a record of conflicts.

Perhaps another missing element in an analysis of the exercise and dynamics of power is the motivation of those seeking power: generally, disputes occur to promote change. These changes may be more important than the shifts of military forces, posts, and strategic sites, or than the frictions that a drive for change entails. Various changes have been made in government and society without the need for wars and armed conflicts, and since republics have been established as a form of government, those changes are debated in parliaments and carried out gradually.

Often, these changes seek to align reality with a set of moral principles that are asserted in a religious context.

But this everyday reality is not included in the book, as that would weaken the main argument concerning power as an expression of force. The result of this perspective seems to be an exacerbated realism focused on the clash between political forces, which excludes the motivations of the actors to accept the risk of an endeavor aimed at exerting dominance, and much of the reality we live in.

Nonetheless, Dr. Ives's view does not conclude with the brief theory stemming from his observations. He also collects, in a footnote, his older and affirmative view, which remedies the analytic gap regarding representation and delegation: "*The exercise of power will be all the more enduring the more a conjunction is made between the ways of governing rulers and the aspirations of the people, as long as these are directed toward the experience of greater values and norms, in a perennial manner, that can only be found in Natural Law.*" (*Studies on Tomorrow, Notebook No. 2, p. 56*).

## The Human Element

The human element also gives way to the force of general arguments. I have the impression that the entrails of power are not limited to this muscular layer of power, where movements and confrontations occur. Within any political system, individuals move by something that goes beyond survival. Dr. Ives eliminates the human element from his brief theory: "*The ethics demand behaviors that in struggles, often savage struggles, for the conquest of government lead, even with a reasonable comfort of conscience, to the thought that the ends justify the means adopted, even though the ends, good in theory, merely reflect the identification of the holder of power with power itself*" (p. 105).

Dr. Ives also states:

*"Charlemagne, however, managed to impose his leadership on the greatest feudal lords of the kingdom, but John Lackland, four hundred years later, was fought by the barons who imposed the first great constitutional model of the present day, with the famous Magna Carta Baronorum. The interesting thing is that this struggle for power, in which a convenient coexistence was achieved for both parties, was regarded by modern constitutionalists as the first great demonstration of popular force in current times, expressed by the barons, with the king being the ruler who bowed before society. In truth, the barons represented their own power; having, notwithstanding the quality for the time, a text that strengthened them and not the people, that is, strengthening the holders of feudal power in their struggle not to submit to the king."* (op. cit., p. 80-81).

The problem of eliminating the human element from history is losing the richness of the events that led to that outcome. Plutarch once wrote: "*The world of man is best captured through the lives of the men who made history.*"

It was the father of King Saint Louis IX who, inspired by the poem directed to him about the model of just government of Charlemagne, written by Gilles of Paris, allied with the barons against King John Lackland. So he, Louis VIII, the king of France, secured the victory of the barons – and obtained in return a large part of present-day France. He was excommunicated for this by Pope Innocent III, who defended John Lackland's primacy; and both the Pope and John Lackland suffered a double death shortly after this extremely traumatic event, in 1216. Recall, similarly to the triple death of De Molay, Philip IV, and Pope Clement V, in 1314, which were also separated by a brief interstice. This did not prevent his son, Saint Louis, a close friend of Saint Thomas Aquinas, from being canonized later. But the fact is that both the jurists' thesis that the Magna Carta of 1215 would be proof of popular triumph and the thesis that the barons achieved the feat alone seem insufficiently investigated. I learned of this through the intercession

of Thomas Aquinas. Charlemagne should also be canonized for his excellent services and good deeds in having recorded good values of governance. The point, returning to the historical record and the review, is that it was the values and principles of just governance of Charlemagne that, translated in the verses of a formidable poet, urged King Louis VIII to action and resulted in the Magna Carta of 1215. Saints Charlemagne and Gilles de Paris: a great duo.

Descending, however, to the objective element. In this theory that overcomes the human element and establishes a general norm for all spaces of power, there seems to be no escape or counterfactual: no matter how a ruler asserts certain values distinct from other rulers, and is not interested in accumulating more power, or in perpetuating in power, or in distributing benefits, this would mean nothing within the proposed logic: it would always be power as the end of power. And if the thesis is incorrect? It is necessary to assume, even hypothetically, that an assumption temporarily may not hold true. For if it is not possible to consider that things could have been different, we are not within the realm of objective knowledge, but simply in the domain of an impression that cannot be questioned.

Regarding the values and principles of justice, as we have seen in this case analysis, they would hardly mean anything. Often, they mean everything: if we examine the biblical record, where the elements that lead to victories in battles are preserved, it is the burden of carrying a precept of Justice that fuels the will to fight and win, even when one counts on an element of unpredictability and novelty.

It is the classic memory of when David defeats Goliath, using a sling, drawing from his knowledge of shepherding; when Absalom, David's rebellious son, gets caught by the head in the branches of a tree, suspended between heaven and earth, while the mule he was riding moves on, and is defeated by the troops defending his father. We could content ourselves with the explanation that David gathered followers and decided his movements based on a survival instinct, due to Saul's persecution. But without a greater commitment to Justice and divine law, he would not have found nor amplified the service of his collaborators. And the belief that he had found favor with God came not only from his military victories: it came above all from his kneeling and praying to God, attributing the merits of divine favor to the good outcomes of his battles.

This is not a call to supernatural forces, nor to a *deus ex machina* explanation, but to the reality that leads a people to see certain rulers as their anointed, as those who carry a mission against the logic of power as an end. The history of the most successful military king of Israel is instructive about the importance of Justice. In those times, it was just who did not celebrate the downfall of rulers, showed mercy to adversaries, and maintained a prophet responsible for correcting and leaving the ruler with a clean conscience for good governance. I compile perhaps a bit long, but worth the attempt, to understand a model of good governance that has not gone out of vogue in thousands of years:

“David said to him: ‘How were you not afraid to stretch out your hand to kill the Lord’s anointed?’ And calling one of his young men, David ordered him: ‘Come here and kill him!’” (2 Samuel 1:14-15, regarding the punishment against someone who killed Saul, his enemy). “All the people heard and approved; whatever the king did pleased the eyes of all the people. And all the people, all Israel knew that day, that the king had not part in the death of Abner, son of Ner.” (2 Samuel 3:36-37, regarding David’s lament for the death of an adversary). “Here we are; we are your bone and your flesh. Previously, when Saul was king, you were the one who would go out and come back with Israel, and the Lord said to you: ‘You shall shepherd my people Israel; you shall be the prince of Israel.’ Thus, all the elders of Israel came to the king at Hebron.” (2

*Samuel 5:1-5, regarding the preference of the elders for a king who related well with neighboring peoples and who did not dedicate himself to confrontation with enemies or adversaries). "David realized that the Lord confirmed him as king over Israel, and had exalted his reign for the sake of his people Israel." (2 Samuel 5:12, regarding the gifts sent by the king of Tyre). "David consulted the Lord, saying: 'Should I go up against the Philistines? Will you give them into my hand?'" (2 Samuel 2:19, regarding the consultations David made to God before entering a battle). "Uzzah was walking beside the ark, and Ahio was walking in front of it. David and all the house of Israel danced before the Lord with all their might, with songs and lyres, harps, tambourines, castanets, and cymbals." (2 Samuel 6:4-5, regarding the occupying of the throne and the transportation of the Ark of the Covenant, with the Jewish laws delivered by God to Moses). "Your house and your kingdom will be made sure forever before me; your throne will be established forever." (2 Samuel 7:16, regarding the end of the oppression of the wicked by the establishment of judges who applied holy law, whom David protected). "And the Lord gave success to David in everything he undertook. (...) King David consecrated them to the Lord, along with the silver and gold he had consecrated from all the nations he had subdued (...) And the Lord gave success to David in everything he undertook." (2 Samuel 8:6; 11; 14, regarding the victory over the Philistines, who had previously offered him asylum after he ascended the throne; and over the Arameans, who accepted his taxes, peoples whom he consecrated following their defeat). "David said: 'Do not be afraid, for I will surely show you kindness for the sake of Jonathan your father. I will restore to you all the land that belonged to your grandfather Saul, and you will always eat at my table.' Bowing down, Mephibosheth said: 'What is your servant, that you should notice a dead dog like me?'" (2 Samuel 9:7-9, regarding the mercy extended to Saul's grandson and Jonathan's son, despite having been pursued by his grandfather, for recalling Jonathan's friendship, and understanding that thanks to misfortune he was made king). "David said to Nathan: 'I have sinned against the Lord'" (2 Samuel 12:13, regarding the admonishment of the prophet Nathan for the death of Uriah and the king's submission to divine law, accepting, from the prophet's voice, as punishment, the death of the first child he had with Uriah's wife). "Long live your soul, my lord the king! It is impossible to escape, neither to the right nor to the left, from everything that my lord the king has said. (...) but you are wise, my lord, like an angel of God, to know everything that happens on earth." (2 Samuel 14:19, regarding David's ability to see people being used by one of his adversaries to reach him). "Whatever the decision my lord the king makes, your servants will be with you." (2 Samuel 15:15, regarding the decision to evade attacks from his son Absalom). "When David reached the summit of the Mount of Worship to God, Hushai came to meet him..." (2 Samuel 15:52, regarding the unusual support of a double agent who also had fervent faith in God, who guaranteed the defeat of Absalom). "Let him curse, for the Lord has told him to. Perhaps the Lord will look upon my misery and restore to me his covenant blessing instead of his curse today." (2 Samuel 16:11-12, regarding the curses of Shimei that David permits as he withdraws to the desert when asked by Abishai if the king allowed them to cut off Shimei's head). "I will do whatever seems best to you." (2 Samuel 18:4, regarding David's submission to his troops when they wanted to protect him in battle). "If I were traitorous to my conscience – and nothing is hidden from the king – you would set yourself against me." (2 Samuel 18:13, regarding a man's refusal to disobey David's orders). "Get up and go speak to your servants' hearts. I swear to you by the Lord: if you do not go out tonight, no one will remain with you this night (...). The king stood up and sat at the gate. It was announced to all the people: 'The king is sitting at the gate,' and all the troops presented themselves before the king." (2 Samuel 19:8-9, regarding the demands of the servants who saved David from the attack of his son Absalom for him to govern them). "David sent word to the priests Zadok and Abiathar: 'Speak to the elders of Judah: Why would you be the last to*

bring the king back to his house? You are my brothers; you are my bone and my flesh. (...) Thus, David gained the hearts of all the elders of Judah, as if they were one man." (2 Samuel 19:12; 15, regarding the fidelity of the alliance with the elders and the reintegration of those who had previously ceased to support him).

Many leaders of that time also sought power as a means of survival, but only David was anointed by the tribe of Judah. He also had a long reign: 33 years. Would the story of David fit into Dr. Ives Gandra's brief theory of power? And would considering this have any relevance, since the record is biblical, made by the scribes of King David himself, and not a historical record made by neutral historians?

Regarding the first question, it seems that, from the reading we have made of the attributes and motives that led David to the throne, his story would not fit into Dr. Ives Gandra's pessimistic perspective; and concerning the second, yes, it would be important, when assessing whether a theory is useful, to check if it applies to the epitome of good governance that has been recorded as a model. The record of David's reign does not shy away from describing the intrigues and mistakes of the king, so that he was probably instructed to make a complete record. Despite being rife with setbacks, David's reign seems immensely important for understanding what works and what does not to have decision-making power over the people and remain on a throne, in the governance that constituted him as the supreme leader.

If we take the biblical record as reliable, we will find that it was not the victories in battles, nor greater military strength that were the factors that granted victories in those battles, nor a relationship of domination. It was a mystical relationship of David consulting God on what to do in these battles, friendship with neighbors, good treatment of enemies in battle, and opening his soul to establish a completely sincere relation with his collaborators: these were the factors that guaranteed him the collaboration of his supporters and sustained him on the throne, the seat of maximum command ("we are your bone and your flesh" (perfect relationship between rulers and the ruled); "long live your soul!" (transparency of sincere friendship); "enthusiasm" (positive agenda of the Jewish law), "I will show mercy" (restoration of what is due); "go speak to your servants' hearts" (vision for the future); "gained the hearts of all" (fidelity), among other aspects). The throne, in Jewish culture and religion, is not merely a place of decision and power, but of greater proximity and friendship with God, who controls and commands all on Earth.

The other rulers who operated under a supposedly realistic view, by addressing only the elements of force and domination, privileges, and corruption, were unable to maintain themselves in power, nor usurp David's throne. I deduce that they had a worse fate; they were brief and unstable governments because they could not include in the political equation the mystery of divine action, as David included, alongside submission to divine law. Submission to divine will, to what is unpredictable, allows for a better assessment of the complete reality, the limits for human action, and to gauge the motives for which governments are constituted.

### **The Application of Dr. Ives' Theory on Power in the Brazilian Reality**

And what about the current Brazilian scenario? Does Dr. Ives Gandra's brief theory of power apply well? It seems so. But it applies well in a reality in which political actors observe this incomplete perspective, that power would be constituted by issues of force, survival, and domination. And is this not what the author proposes?

Yes and no. Yes, because observing the Brazilian reality, Dr. Ives makes very good inferences about the motivations of political actors who briefly succeed each other in command

posts. And at the same time, no, because he does not dedicate himself to investigating what could have contributed to a different history, nor distinguishes the factors that lead to more successful governments from the worse ones, which land in tyranny and dictatorships.

In circumstantial points, Dr. Ives sees the failures of the PT government, but does not find that these failures, present in any other government, would have the same effect of abbreviating the command power. Otherwise, it would be unrealistic to deny that, having occupied 5 terms since the redemocratization, despite one of them being cut short in 2016, the PT achieved greater longevity in power. It should also be noted that the fourth term of the PT was abbreviated when it ceased to observe certain parameters we find in David's reign, of congregation with opponents, after their capitulation. In any case, the abbreviation adds evidence to the factors behind this greater longevity: coalition presidentialism leads to better results when there is the capacity to include opponents in the formation of government; and not when there is a reduction of the State to the logic of the accumulation of power.

Furthermore, the focus on income redistribution and the discourse of social justice should not be underestimated: the discourse of change, respect for the laws, and insistence on redistributive policies constitute an important motive for conferring legitimacy to a claim. These are not merely artifices, in the view of the people, for the words of a ruler are, by the authority conferred to him, his principal acts. Words can endorse or strip the authority of those who enforce the law, but it cannot be said to be irrelevant that the implementation of a minimum income was something substantive in the eyes of the governed.

Dr. Ives' theory applies well, as we argue, to governments that do not escape the perspective of power as an end – and the passage in which he recalls that assassination plots took root in Rome, when there was much distribution of benefits to allies, has the precision of a prophet.

For those who do not conceive the exercise of government as producing well-being for the governed, effectively,

*“the first objective is the demoralization of the adversary before those who can influence their conquest, either through veto or through force. This depreciative process of the adversary necessarily involves the use of weapons, in the best of cases, condemned by ethics and that are always difficult to frame within the general norms of any legal regime, even totalitarian. In other words, the compatibility between power and ethics, in philosophy and law, unfortunately does not reflect in the behavior of the principles of this struggle, where the strongest prevails, making significant the words of Rotrou: ‘All crimes are beautiful when the throne is the price’” (op. cit., p. 103-104, when Dr. Ives Gandra cites Carl Schmitt, the legal ideologue of the Nazi regime).*

While we could perhaps find in this a potential intentional incompatibility with what we know and is widely known. Kelsen was superior to Schmitt, having established control systems in the judicial systems of European countries, notably constitutional courts; and in Nuremberg, the Nazis were hanged, those who did not flee to Latin America. How can we ignore that the doctrine of force and aggressiveness upheld by the Nazis and their ideologues was the cause of their perdition? Dr. Ives Gandra mentions Kelsen in two footnotes (op. cit., p. 86 and 151), and recalls the differentiation of norms when Kelsen proposes that sanction norms be primary and conduct norms be secondary. But he does not deepen his conception of the common consciousness of the State, nor the remarkable effort with which Kelsen, by elaborating his own legal conception, refuted Schmitt's political pamphlet.

Could we then conclude that Dr. Ives Gandra succumbs to a Machiavelli-like cosmology? If Machiavelli never wrote that the ends justify the means. Or does he succumb to realism as a political doctrine boiled down to the pursuit of power as an expression of force? No. And this seemed to me the most pleasing result of reading his book.

Though Dr. Ives presents his pessimistic view that human history is the history of wars, or that power is reduced to a confrontation of forces without any possible ethics, his book is a vast field of epic clashes between good and evil. On various occasions in his book, he asserts that democracy is a fragile good, ethics as a factor of defeat, laws and good public policies as subsidies of idealists and naives... But there is a thin line where he traces his thought – almost a whisper – that it should not be this way. Occasionally he provided examples, albeit brief ones, that in democracies it has been possible to achieve a more stable and enduring system.

In any case, I tend to think differently: far from granting any optimism, I merely do not exclude or concede lesser importance to times when political decisions privileged ethics and well-being, or the good practices of governance; I do not consider that positive occurrences had lesser impact on the formation of governments and the dynamics of power exercise, limiting their evils. From what I see within the government, there are public servants committed to the common good, even if it is true that many have preferred the benefits of declaring cynicism. These survivors perhaps do not have the same brilliance, training, and fame as great statesmen, but they have an effect as powerful on the public machine as a candle in the dark: of fragile flame, little wax, but enough to dissipate darkness and push back those who prefer everything to remain shrouded in shadow.

But the exercise of Dr. Ives has much greater merit: for while he excludes from the book the treatment of this beneficial scenario, where good, law, and ethics persist, he nonetheless does not succumb to the terrible reality he describes. Democracy, the Constitution of 1988, and efforts to limit the excesses of power are timidly brought to attention throughout his book, although he sees a harsh reality as a backdrop; the inertia of authoritarian systems, the defeat of good values as an inevitable fate. He describes the musculature of power to demonstrate how despicable power is when it turns inward as a goal. Therefore, he seemed to me a much more idealistic writer than I, or any other.

Let us see that hope and the value of good are present behind the evil he denounces: *“When an unprepared person gains power, the damage they can cause is much greater than that of others who aspire to it. Almost always, the violence and disintegration of the country are the consequences of their actions. And, decisively, presidentialism facilitates the takeover of power by the unprepared, with a good dose of demagoguery”* (op. cit. p. 141). Now, what Dr. Ives shows us in defending, through this slightly opened door of a dismal scenario, is the greater value of strengthening parliamentary representation and improving the training requirements of those who will be admitted by political parties as candidates. It would therefore not be appropriate to isolate the passages in which Dr. Ives exposes the sewer systems of the Republic in an analysis of his thought, but also to read what he does not say, presuming what ought to be more convenient.

### **Invaluable, Original, and Useful Ideas for Political Science and Legal Sciences**

I believe it is especially worthy of mention Chapter XXXII, *“The Little Impact of Historical Experience.”* Dr. Ives states:

*“The generals who became emperors through the assassination of their predecessors remained emperors for short periods of time in the 3rd century AD, and did not learn the lesson from each of those who preceded them. They monotonously repeated the assassinations in their search for power.”*

*(...) In a Theory of Power, history should serve as a lesson for rulers. However, power is almost always tainted by the experiences of those who assume it, that is, the egocentrism, self-idolatry, and inherent flaws of those who consider themselves super-gifted to govern and thus, in their self-sufficiency, commit the same mistakes made by others, all the greater the more their fascination with the exercise of power. Like alchemists who believe that, by renewing the same experiences, one day they will succeed, holders of power almost always consider themselves above history and capable of changing it, which is why they discard past experiences, when in fact, out of ignorance, they are unaware of them.” (op. cit., p. 228-229).*

This idea of Dr. Ives, regarding the limitation of the ruler once elevated to power to perceive the intervening and determining variables about himself, seems to me to go beyond what Political Science has been developing in the literature of “path dependence.”

Another element that he includes in his analysis, and that is often absent even from the best studies, is the tribute. He asserts, “*Despite the analysis of tribute by various social sciences not having been carried out in a way that manifests its relevance, the truth is that, for the purposes of dominance and power, it is the most important element, reflected in each of them. (...) Power is only maintained by virtue of tribute, which is certainly highly relevant for rulers to feed their current and future government plans.*” (op. cit., p. 214-5).

This is nothing more than the center of the most recent crisis among the Powers of the Republic, regarding who authorizes budgetary expenditures, and how these budgetary expenditures are distributed. Indeed, we do not yet find a satisfactory analysis focusing on the great complexity of the Public Budget. I recall an attempt in this regard to bring more systematic information in training for journalists; the merely descriptive analysis of the budget of the Ministry of Education, very well defined within the Annual Budget Law, was an exhausting exercise.

Another highly relevant idea that Dr. Ives addresses is that of informational asymmetry. But, unlike technical works in this area, he states the problem from a cultural gap that arises in the structure of democracy, preventing the wholehearted choice of rulers: “*There is a permanent level of cultural differentiation, with the vast majority of society not possessing, even in the most organized forms, the capacity to assess the complexity of the exercise of power. The majority is more easily manipulable than the trained minority, which, however, often adheres to its own manipulation in pursuit of benefits arising from proximity to the manipulators of power.*” (op. cit., p. 160).

In this passage, the author creates a new criterion, manipulation (due to the lack of challenge from opponents), to differentiate between different types of government: democratic regimes, for ensuring freedom of opinion to liberals and socialists; socialist regimes, or socialist democracies, which tend to silence their opponents; and dictatorships, regimes in which manipulation is complete. “*The manipulation of the people was therefore in the world of facts, of those holding power, where the truth is worth less than the exalted lie, and promises surpass the prospects of fulfillment. Decidedly, the world of values does not reconcile with the world of facts, in a realistic theory of power.*” (op. cit., p. 161).

I consider that Dr. Ives innovates political thought in this area, assimilating “*exalted lies*” and “*promises that surpass prospects of fulfillment*” as positive facts, two forms of political capital. In Hannah Arendt's thought, unless I am mistaken, the distortion of reason is a negative fact for removing obstacles to the rise of power, it has no factual value.

I also found particularly relevant the development he makes of Alvin Toffler's thought, regarding bureaucrats as “integrators of power.” Dr. Ives states that “In dictatorships, bureaucrats are integrated by those in power. In democracies, they are integrators of power and

often decide and direct more than their own holders” (op. cit., p. 151). This differentiation between dictatorships and democracies based on the passive or active role of bureaucrats seems quite useful to prevent initiatives for the establishment of a dictatorship from taking effect. This means: to prevent the establishment of a dictatorship, it would be wise to ensure that bureaucrats are not integrated, and to generate incentives for them to remain active, integrators.

Lastly, I cannot help but note that the author bestows upon us a reflection on the pervasive effect of ideology, a problem for which I find no answer. He asserts:

*“Why do victorious ideals fail when applied to the exercise of power? First, because those who have never held power suddenly feel they possess absolute power and realize that, although they have almost never commanded, they can now do whatever they want. Secondly, the challengers and ideologists who gain power aim to eliminate those who oppose them – in the case of a dictatorship – by force; in the case of democracies, through processes that verge on immorality and exception. In other words, by understanding that their ideology is the best, they feel compelled to eliminate those who do not share it or oppose it” (op. cit. p. 155).*

This is precisely a domain that, when transposed to supremacist ideas, interests us to resolve, to prevent harm. Why do ideologists, once in power, turn to the objective of eliminating those who do not share the same ideology, and not simply to implement their ideology? Regarding neutralizing those who oppose them, it seems natural that they would dedicate themselves to this if they wished to implement the ideology they advocated; but even so, one could question how to explain that this effort becomes the primary objective. For a winning political coalition, endowed with a majority, would not need to worry about eliminating opposing forces, since, on one hand, opposing forces were defeated, as minorities; and on the other, they would not need to eliminate those who do not share the same ideology, assuming that those who do not share it, no matter how much they reject the ideology, do not exert opposing forces. However, it is indeed abundantly evident that governments elected through ideologies often choose as their primary objective the elimination of competing ideologies from neighbors, or even from distant entities.

Former President Fernando Henrique Cardoso stated, in a certain interview, about a very subtle phenomenon that could perhaps explain this drive. Every ruler, he said, the day after being elected, awakens as if he had lost all his votes; and he needs the entire term to win them back. This phenomenon of vote loss when one assumes the position of government, and no longer as a proponent, is something I do not yet see much studied, and the dynamics well noted by Dr. Ives in different regimes could be deepened.

## **Final Comments**

The abundant quotes and acknowledgments of thinkers throughout his work, extending the reader's thought to vast prairies of knowledge, attest to Dr. Ives's high culture. He makes the reader a companion of his friendship to share his excellent readings, as Cicero said: *“If we have a library and a garden, we have everything.”* The book seems indispensable for gathering and understanding the spirit and impressions of those who seek to appropriate the State, and who simplify the world from a utilitarian perspective of self-interest. Occasionally, the reader might feel suspicious, questioning how Dr. Ives could discourse so well about power if he has not digested it through the entrails of Leviathan. While I do not know many jurists, he is the only one I know who has read properly Euthyphro, Crito, and Phaedo.

At the end of the book, he warns against the holding of plebiscites or referendums that could lead an elected ruler to more terms than planned, due to the advantage of the manipulation

of the people by the Executive Power in conducting such consultations. He also clarifies his thesis regarding Article 142 of the Federal Constitution, which would be similar to Article 239 of Honduras, a country where similar consultations caused significant political confusion, trying to reinstate Zelaya: *"It is inconceivable that in Brazil, a president could declare that he will 'not comply with decisions of the STF, for considering himself above any other power. Only the Legislative, when there is an invasion of its competence, can annul decisions of the Supreme Court (Article 49, XI). In Brazil, it was only in the Constitution of 1957, written by the genius of Francisco Campos – of whom it was said that 'when the lights of his intelligence turned on, they caused a short-circuit in all the fuses of democracy' – that the President of the Republic had the right not to comply with the decisions of the Supreme Court."* (op. cit., p. 274). The fault of including a popular power in the constitutional text of certain Latin American countries, Dr. Ives asserts, lies with the Spanish model adopted by our sister republics, a socialist model.

I consider the book valuable for the subtle way in which he repeatedly makes us understand that power, no matter how noble its intentions may be, must be limited; and for how he suggests it would not be prudent to rely solely on institutions or on the structure installed in the power of the State to do so. Dr. Ives' book does not fail to implicitly discuss Lord Acton's findings, that power corrupts, absolute power corrupts absolutely; or the saying that the Freemasons attributed to Eça de Queiroz (I confess I have not read all of his work), that politicians are like diapers, they need to be changed constantly. But I believe the author takes additional steps, by suggesting, through categorical imperatives about human nature, weaving considerations on the logic of power and the dynamics of the State, that the answers for limiting power do not lie within the legal system, nor within the institutions of control, under the reach of the State's power structure.

On this point, Dr. Ives enters an ambiguous territory. Perhaps the quotes that attributed to him proximity to actors of an authoritarian ideal, which contradict the convictions he asserts throughout his work, the preference for democracy, have placed him under suspicion from those who have not read his work. Could the jurist be leading the reader to doubt that any just government could be expected, and to be certain that no merit should be expected from rulers in the Three Powers, beyond the relentless pursuit of power holders for more power; to ultimately refine an insufficient topical praise for Brazilian democracy, by claiming that the judiciary should never be contested, intentionally provoking a refusal to this conclusion?

I would tend to dismiss conspiratorial theses that Dr. Ives has acted to please both military and parliamentarians in the 1980s, because his convictions that we must pursue the enlightenment and better formation of rulers persist despite his pessimism. In the author, however, I have had the impression of a nurturing sense of responsibility: after all, he has educated several generations of military figures who now hold power. Additionally, I find it very difficult to judge the consciousness and strategy of a jurist. Often, jurists change their views with greater flexibility than politicians, reaping the honest benefits of leading authoritarian personalities, who hide under rigid concepts, to total disgrace. My instinct, therefore, is that Dr. Ives deserves respect, and that we should learn from him.

Is this possible? It seems to me that it is not only possible, but natural, that reading this book from an authoritarian perspective could lead to the worst possible outcomes. For those seeking pretexts to defend a regime based on "Machiavellian" foundations will take from the book only the passages lamenting the sad historical reality, incapable of grasping the subtlety of the moral strength of his arguments. The reading of the book proves that he emphasizes on various occasions that the options of dictatorial and autocratic regimes are a regression and that democracies are preferable. The truth is that today much is deduced from his work based on other convictions that are alien to him, and not on what is contained therein. It does not surprise me: few people today are capable of reading a book. Finding the author's thought will always be

an activity that depends on the very perspective from which one looks, from where our focus does not deviate and the gaze rests.

But even if Dr. Ives claimed that there would be no other option to restore, hypothetically, a balance between Powers than through extrajudicial gestures – which he does not do in his work, and from his work it would not be possible to deduce this... For all that gives me an alternative view on the positive reality of the concrete values that law and justice impose on the exercise of power, and for considering that the same human nature cannot explain or determine such different conducts that we observe among former rulers... I still hold the opinion that the parliamentary and official environment is still the best space to conduct this type of initiative, not only for the immunities contained therein but also for practical common sense. The bills of parliamentarians can be analyzed with greater precision by the elders of the Court of Accounts.

Despite all of this. The political object of Dr. Ives Gandra would place him alongside Machiavelli, Hobbes, and other authors regarded as realists? I find it difficult to classify such complex and distinct reflections into the same box. If we read the play "*Mandragore*" by Machiavelli, we will notice that he satirizes the powerful politician who is driven by self-interest, and as a playwright. Machiavelli retains a very clear moral sense that an individual who adopted the recommendations suggested in his work "*The Prince*" would be someone despicable, the target of society's ridicule, with a certainly unhappy fate. It is essential to look at an author's entire work and life within a context in which the thinker wants to highlight certain ideas – and not always do the ideas emphasized and explored in a book, or the reality described bluntly, define the ideals and objectives of an author in publishing them.

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