FEDERALISM AND MUNICIPALISM IN THE POLITICAL TRAJECTORY OF BRAZIL

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ABSTRACT

Federalism as an administrative system of certain states tends to have types of scales in the management of power that allow a more efficient running of the territory. The (de)centralization of power impacts on different administrative aspects of federative entities. Based on this premise, this text seeks to discuss what Federalism is, as a model of political organization of national states, and its impacts on the different territorial scales in the Brazilian case, with an emphasis on the role of the municipality. From a bibliographical survey on the topics under discussion, it is observed that the alternations in administrative competencies between the municipality, state and union have impacted on the distribution and possibilities of creating and implementing policies in several areas of society. This work demonstrates that Brazilian federalism is marked by clientelistic relationships with rugosities in policies from previous centuries and requires improved discussions regarding municipal and intergovernmental administration practices.

Keywords: Federalism; Municipality; State; Centralization; Decentralization.

RESUMO / RESUMEN

FEDERALISMO E MUNICIPALISMO NA TRAJETÓRIA POLÍTICA DO BRASIL

O Federalismo enquanto sistema de administração de determinados Estados tende a possuir tipos de escalas de gestão de poder que possibilitam um gerenciamento mais eficiente do território. A (des)centralização do poder impacta em diferentes aspectos administrativos dos entes federativos. A partir dessa premissa, o texto busca discutir o que é o Federalismo, enquanto modelo de organização política dos Estados nacionais, e seus impactos nas diferentes escalas territoriais no caso brasileiro, com destaque para o papel do município. A partir de levantamento bibliográfico sobre os temas em discussão, observa-se que as alternâncias nas competências administrativas entre município, estado e União impactaram na distribuição e possibilidades de criação e implementação de políticas em diversas áreas da sociedade.

Palavras chaves: Federalismo; Município; Estado; Centralização; Descentralização.

FEDERALISMO Y MUNICIPALISMO EN LA TRAYECTORIA POLITICA DEL BRASIL

El federalismo como sistema de administración de ciertos Estados tiende a tener tipos de escalas de poder de gestión que permitan una gestión más eficiente del territorio. La (des) centralización del poder impacta en diferentes aspectos administrativos de las entidades federativas. El presente artículo pretende discutir lo que es el federalismo, mientras que un modelo de organización política de los Estados nacionales, y sus impactos en las diferentes escalas territoriales en el caso brasileño. También destacamos el papel del municipio en el país. A partir de una encuesta bibliográfica sobre los temas discutidos, aprehendemos los cambios en las competencias administrativas entre municipio, estado y gobierno federal impactados en la distribución y posibilidades de creación e implementación de políticas en diversas áreas de la sociedad.

Palabras Claves: Federalismo; Municipio; Estado; Centralización; Descentralización.

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INTRODUCTION

Based on some reflections on the understanding of Federalism, the present text seeks to examine how the centralization and decentralization of power has been diffused along the trajectory of the Brazilian State, emphasizing how the municipality is perceived by the Brazilian Constitutions, extending from the Imperial era to the Federal Constitution of 1988. First, there is a review of politics considered as State theory and the elements that compose it, based on various theorists of political science. Thus, the meanings of the policy in Geography are considered for a subsequent understanding of Federalism.

One of the main contemporary exponents of the policy of State theory is Kelsen (2000),[1] who considers the State to be a legal order of a normative type, which governs a politically organized society where coercion is used as an instrument of control. Azambuja (1997), in turn, perceives the State as a natural society, the product of the intelligence and aspiration of the members of a certain social group or of the agents that govern or influence it. For Habermas (1997), the State is an institution that exercises the bureaucracy of legal domination, which acts with the power of organization, sanction and execution that can only be developed from an institutionalized legal code. To a greater or lesser extent, these concepts are similar to the discussions about the formal State in geography, which views the State as a community that resides in a given territory. From the aforementioned theorists, it is possible to consider the State as a politically organized society in which sovereignty, people and territory are configured as fundamental elements for its consolidation.

The people can be seen as the set of citizens who make up the State, subject to the same laws and holders of rights and duties. The territory is defined as a space delimited by the jurisdictional power of the State, comprising both the landmass, which includes the subsoil and water bodies, as well as the marine territory and airspace. For Ratzel (1990), it is not possible for the State to exist without the territory, given its relevance as a living space endowed with resources for human needs. Therefore, the territory is an inexorable element for the existence of the State, given the possibility of appropriation of its natural resources.

Sovereignty is linked to the political power of legal organization that the State has over its territory and its people. According to Campos (2005), sovereignty can be understood as the "legal rationality of power", which can transform force into the legitimation power of the state. Based on Foucault (2015), sovereignty can be understood as a form of power linked to the appropriation of the territory's resources by certain actors. In this sense, sovereignty

> [...] is linked to a form of power that is exercised much more over the land and its products than on bodies and their acts: it refers to the extraction and appropriation by the power of goods and wealth and not labor (...) This new type of power, which can no longer be transcribed in terms of sovereignty, is one of the great inventions of bourgeois society. It was a fundamental instrument for the constitution of industrial capitalism and the type of society that corresponds to it; this non-sovereign power, unrelated to the form of sovereignty, is disciplinary power (Foucault, 2015, 291).

The concept of power has gained momentum in the field of political geography since it became important for the understanding of the interests and conflicts in the territory that consequently shape the organization of space, as Castro (2014) points out. For the author, power is relational and is a means to attaining a purpose. Agnew (1999 apud Castro, 2014) argues that power is spatial, as it is exercised in the social relations circumscribed in the territory. For Raffestin (1993), power appears as much in the control of institutions, the State apparatus and the dominion of the resources in its

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(1) The other concepts concerning State theory are those of an organicist character, which consider the State as a living organism to be understood in its totality, and ones based on contractualism that contemplate the State as an organization originating from human work. For more on these meanings, see Abbagnano (2012).

territory as in the limited power circumscribed in micro-relationships, an idea conceived from Foucault (2015), which is explained by the multiplicity of power relationships that characterize society.

Regarding the status quo of power in geography, Allen (2007) emphasizes that it is about power and consequently, political geography studies the use of power to manage, control and order territories. Castro (2012) expounds on the notion of political space when conceiving a political concept applicable to geography from the concepts of Hannah Arendt, for whom political space can be thought of as a product that has the attributes of metrics, scale and substance related to social conflicts. According to Gomes (2012), public space is the place where tensions and conflicts occur, where social life is problematized and the prominent place of social transformation. Circumscribed as an "arena of debates" (Gomes, 2012, 24), public space is the place for the signification of the discourse that exists so that its occurrence becomes public. Although it is the place where there is the active participation of individuals subject to norms and institutions, as Gomes writes (2012, p.25), "the notion of political space goes beyond the concept of public space, as it considers the relationship between institution and instituted in the political dynamic".

In this sense, it can be stated that political space is based on the actions of political institutions and the forces that institute them. Thus, the political space:

> Is delimited by the rules and strategies of political power; it is a space of interests and their conflicts, of the norm, of the control and the coercion legitimized by social actors. In other words, a political space demarcates a territory where interests are organized, actions have necessarily broad effects in relation to society and its space and where there is the possibility of recourse to coercion, through the law or through legitimate force (CASTRO, 2012, pp. 66-67).

Castro (2012) emphasizes that political space emerges from a territorial centrality endowed with relevant norms for the resolution of the society's conflicts. It thus emerges owing to contemporary democratic societies. From this idea, we can consider the different forms of political systems constituted throughout history as political spaces, especially when taking into account the variable of (de)centrality. Several national States have sought more appropriate forms of management and based their territorial order on these premises. The following topic presents and discusses the configurations of States from this perspective.

FEDERALIST STATES AND CONCEPTS OF (DE)CENTRALIZATION

According to Campos (2005), national states tend to organize in a unitary or composite format. The unitary format is defined by the Executive, Legislative and Judiciary powers as centralized units of national power. The unitary state does not legitimize the autonomy of any of its constituent parts. According to Rabat (2002), even if there is a decentralization of power, its origin comes from the center. Cohesion and internal homogeneity, as well as the administration and decision making exercised by a single power center are some of the relevant characteristics of the unitary state format.

The composite format is characterized by the sum of states that unite for the emergence of a new type of unit, the most widespread types are confederation and federation. The confederation, according to Jellinek (1913, apud Azambuja, 1990, p. 368), is defined as "the permanent and contractual union of independent states that unite with the objective of defending the territory of the confederation and ensuring internal peace as well as other purposes that can be agreed". Therefore, the confederation is the product of a treaty between different sovereign states to manage functions agreed in common. In general, these functions include peace and war agreements, the conclusion of treaties, etc., such as the United States and Switzerland (the Swiss Confederation), which subsequently became federations.

Table 1 presents the political-administrative configuration of some countries within the scope of the type of State and its constituent organization. There is no standard when comparing Russia to Pakistan, for example. Russia has a territorial area 21 times greater than Pakistan, while the Pakistani population has 50 million inhabitants more than the Russian territory. Both are federations, however, with regard to the organization of their subdivisions, there is a complete incongruity due to the variety of typologies adopted in Russia and the seemingly simplified way in which Pakistan is ordered.

Table 1 - Selected countries - type of State and the denomination of constituent units.

Country	Types of subdivisions	Total of selected subdivisions	Area (in km²)	Est. population in 2015 (in millions)	Type of State	
					Federative	Unitary
South Africa	Provinces	9	1,219,090	53,67	X	
Argentina	Provinces	23 e Autonomous City	2,780,400	43,4	X	
Brazil	States	26 e Federal District	8,515,770	204,2	X	
China	Provinces; Autonomous regions	23 provinces; 5 autonomous regions	9,596,960	1,367,4		X
Colombia	Departments	32 e Capital District	1,138,910	46,7		X
United States of America	States; counties*; dependent areas	50 states; 3.141 counties; Federal District	9,833,517	321,3	X	
France	Regions; departments	27 regions; 101 departments	643,801	66,5		X
Indonesia	Provinces; Autonomous provinces; special region	31 e District of the National Capital	1,904,569	255,9		X
Italy	Regions; autonomous regions	15 regions e 5 autonomous regions	301,340	61,8		X
Japan	Prefectures	47	377,915	126,9		X
Pakistan	Provinces	4 e Territory Capital	796,095	199,0	X	
Russia	Provinces; republics; autonomous areas; territories	46 provinces; 21 republics; 4 autonomous regions; 9 territories; 1 autonomous province e 2 federal cities	17,098,242	142,4	X	

Source: Anderson (2009); Central Intelligence Agency (CIA) (2016).

States with a unitary regime, such as China and Indonesia, are similar to Russia in terms of subdivision, which leads one to think that even in centralizing countries there are demands for a decentralization of power. This fact may be linked to the administrative difficulties over the China's large territorial extension and the 17,508 islands of the Indonesian territory, in addition to the high demographic set of both countries. Moreover, as Anderson (2009) points out, there are recurrent regional political pressures that have directed countries with a unitary tradition, such as France, which shall be addressed below on the subject of decentralization. Thus, there is no pattern that shows where the adoption and consolidation of federalism is appropriate. As Anderson (2009) discusses,

> Federalism seems particularly appropriate to democracies with large populations or extensive territories, or to populations that are markedly diversified and regionally concentrated. Over time, federalism demands that a significant part of the population maintain a sense of identity with the country and also that political communities are motivated and engaged at the regional level (Anderson, 2009, 28-29).

Anderson (2009) also points out that federalism is not a system indicated for all countries because it is a democratic model, based on constitutionalism and the rule of law. Undemocratic countries may face negative consequences when they adhere to federalism because they do not take

into account their local and regional disparities. Federations arise as a way of sharing power and dissolve the centralizing model of the state. In this sense, federalism is seen as a model of State decentralization, in which the most notable example is the transformation of the Confederation of 13 States, successors of the former English colonies in North America, into a Federation. The main differences in relation to the Confederation are the absence of a treaty, but the presence of a Constitution that guarantees the sovereignty of a State and the existence of different centers of power that constitute it.

According to Soares (1998), the Federal State is composed of the union of several states that lose their sovereignty for the benefit of the central power of the Federal Union, which holds sovereignty and political representation over the other nation States. It is also an organization in which there is a division of competences between national, state and local government, but the Union is superior to its member states. Unlike the unitary state, the member states have constitutional autonomy before the Union. Thus, the federal state is characterized by the action of governments on different power scales within the same territory.

Federalization emerges in countries from different contexts. Anderson (2009) points out that, in general, the system emerges from a political choice that arises, in some cases, from historical reasons. The aggregation process has proved to be fundamental in the union of independent states or colonies that had similar interests and identities and adopted federalization to preserve autonomy and benefit from an integrated state system. These are the cases of Nigeria and Micronesia, for example. Another example is the creation of countries due to popular pressure on a unitary, authoritarian and undemocratic government, which in response, proposes a democratic regime that grants regional powers and observes ethnic, linguistic and economic differences, such as South Africa.

For Rabat (2002), the Federation is a kind of intermediary State between the Confederation and Unitary States, and this classification is intrinsic to how political powers are distributed in the state's territory. In this way, the way in which States are constituted is closely linked to the way they are spatially organized, which has been constituted in the context of centralization and decentralization. Lobo (1988, p.17) comments that decentralization is configured as the "most adequate distribution of financial and functional powers between levels of government". From this perspective, centralization is linked to a concentration of financial and functional powers between the scales of government.

For Vieira (1971), the debate between centralization and decentralization has great implications in a democratic system. Using the example of the United States, the author writes about how technology, industrialization and urbanization have contributed to the growth of its population and intense mobility. This debate, therefore, should not only remain in the political field,

> [...] all these factors contribute to the increasing complexity of American economic, social, and political life today. To further accentuate the intensity of this drama, all the forces we have mentioned are dynamic, not static. The process of change, given its speed and violence, becomes intensely dramatic. In short, complexity, diversity, and change are factors that reflect in the most complete and faithful way the American scenario today. All this has led to an equally complex, diversified and frenetic government. Public administration in the United States presents complexities almost beyond the reach of human understanding (VIEIRA, 1971, p.74).

As has been emphasized, in addition to the political sphere, culture and ideological aspects must also be taken into account in the problematization of centralization and decentralization of a national State. Hence, reflection on this debate alone does not automatically imply a pragmatic solution for governments. Allen (2007), in this context, considers power "as a distributive means to different localities from a certain center, which corroborates the idea that the power can be "diffuse, decentralized and in networks"' (ALLEN, 2007, p.95).

Vieira (1971) considers decentralization as a non-static but dynamic phenomenon that presupposes its connection with centralization, implying the conjuncture of most governments as mixed and moving systems. In this sense, the author reiterates that the concepts of centralization and decentralization should be studied in complementarity rather than as opposites, as if the consideration of one of both were the solution to better political management.

> Decentralization tends to emerge as the positive pole, to which values such as individual freedom and democratic self-government are associated, as opposed to centralization, seen as the negative pole, usually associated with totalitarianism and autocracy. The political analysis of the problem has generally been based on an aprioristic doctrinal position: decentralization is good; centralization is bad (VIEIRA, 1971, p.76).

For Kerbauy (2007), decentralization may mean "the transfer of competence from direct to indirect or private management, between levels of government and the state to civil society" (Kerbery, 2007: 51). The author understands the term as a transfer of decision-making power to municipalities or local authorities. This transfer is linked to popular participation and processes of administrative modernization of public management.

France's trajectory can be seen as an example of what Vieira (1971) and Kerbauy (2007) treat as the unitary State that has adopted decentralization measures. Bellon (1984) writes that the administrative reform in France sought a more effective organization of the French public service, so that decentralization appeared as a central point. The Act of March 2, 1982, of the French Constitution proposes policies to empower French regional and local governments, assigning the autonomy of administration to communes, departments and regions, with power being transferred to elected representatives of regions and departments.[2] In 1990, inter-municipal cooperation was included in the French decentralization law, which resulted in a deconcentration of services. In 2003, Article 1 of the French Constitution stated that France is a decentralized republic. Since 2009, France has carried out reforms in the territorial administration of the State in the ambit of decentralization, in order to guarantee a more adequate management of the State.

The French example shows the importance of decentralizing and centralizing globally, given the presence of different elements in national States. Most importantly, it seems, is for national states to seek to ascertain which decentralization factors can lead to democracy rather than holding the view that only decentralization will ensure the existence and functioning of their democratic institutions. In this sense, there is a reciprocal relationship in which federalism is only consolidated according to its democratic conditions and the federalist system is a necessary condition for the validity of democracy in certain contexts of territorial pluralities.

Regarding the federative system, the American example appears to be the one that has most influenced other states. According to Soares (1998), the current federal system is based on the American commitment to ensuring that its thirteen colonies had autonomy but guaranteeing national unity through a federative pact governed by a constitution. This context was due to external and internal factors. According to Rabat (2002), external factors were linked to the elimination of the possibility of wars and the ease of a common defense against Great Britain. As for the internal factors, there was the intention to facilitate the circulation of products between the colonies for commercial development. In this way, federalisation in the US case was aimed at solutions to political and economic problems.

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(2) Loi n ° 82-213 du 2 mars 1982 relative to droits et libertés des communes, dé départements et des régions. Original text available from <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000880039>.

THE CONTEXTS OF THE INSTITUTION OF THE MUNICIPALITY IN BRAZIL AND FEDERALISM

Brazil, formerly an Empire and considered a legal unitary State, was organized by division into provinces. Since the sixteenth century, Brazil has been governed via administrative divisions. It is enough to note the example of the captaincies and general governments to verify that Brazil would soon become a federation, given the pre-existing form of government. This division, on the part of the Portuguese metropole, refers to the huge size of the territory and to the different ethnic groups, factors that justified this political decentralization.

For Campos (2005: 118), there is no consensus on the introduction of Federalism in Brazil, because "for some, it was the product of copying the American model; for others, it resulted from a vision of territorial diversity and the need to address the heterogeneity of regions and to manage an empty space". However, it was the 1891 Constitution that structured Brazilian federalism. In the system adopted, member states, even with autonomy, had to organize themselves similarly to the Union, so that their constitutions were based on the Federal Constitution. It can be stated, based on Furtado (1998), that Brazilian federalism emerged as an unfolding of the imperial government's incapacity to carry out administrative actions in a territory with increasingly attenuated disparities in public services, education and health. As a result,

> [if the] republican decentralization gave greater political-administrative flexibility to the government in the economic field, benefiting large agricultural-exporting interests, on the other hand the political rise of new social groups, of incomes not derived from property - facilitated by the republican regime - substantially reduced the control formerly exercised by those agricultural export groups on the central government. Thus, began a period of tension between the two levels of government - state and federal - that will continue in the first decades of the present century (FURTADO 1998: 172-173).

Campos (2005) points out that federalism in Brazil has served the self-interest of the ruling classes dating back to the Old Republic (1889 - 1930). In this period, federalism meant the surrender of the formerly autonomous states to the constitution and the colonels who administered it. The result of this policy at the local level was the concentration of local institutions in the figure of the colonels. The consequences included vote-rigging, known as the "votos de cabresto", as discussed by Leal (2012).

It is important to emphasize the agreement on the part of the Brazilian government, specifically from the Campos Sales government in 1898, with international businessmen and bankers aiming at political and economic stability, which resulted in a new design for Brazilian politics. It was the so-called "State Policy", in which state governors became spokesmen for the Presidency of the Republic, aiming to contribute to the strengthening of the Federal Government. However, this "governors' policy" served as an incentive for the colonelist policy already consolidated in the states. This policy gave more power to the holders of power in the states, allowing each governor to carry out state management without interference from the federal government, and represented a "distortion of federalism", according to Iglésias (apud CAMPOS, 2005), since there was a hierarchy of states in the priorities of the federal government.

Despite the adoption of federalism as a form of government ruled in Article 1, specifically from 1930 onwards, there was a change in the type of distribution of powers and type of government (Table 2), as explained by Campos (2005). A centralization of power is observed, marked by authoritarianism in relation to the popular classes and their movements and parties, resulting from the Revolution of 1930. This fact meant a subordination of the states in relation to the federal power, which came to be governed by federal intervenors who, in turn, chose the mayors of their municipalities.

Table 2 - Trajectory of the Brazilian Federation from 1930.

Period	Type of distribution of power	Type of government
1930 - 1945	Centralization	Authoritarianism
1945 - 1964	Decentralization	Federalism
1964 - 1985	Centralization	Authoritarianism
1985 – Currently	Decentralization	Federalism

Source: Campos (2005). Adaptation and elaboration: Bruno Carneiro de Oliveira.

After 1945, in the post-war context, state powers were restored, and the national State returned to a decentralized character. According to Pinto (2002), in this period there was an increase in the municipalities' autonomy, when the democratic election of mayors and councilors was guaranteed. Another relevant issue involved the municipality being able to collect taxes, levies and special assessments, as well as the regulation of municipal interventions.

From 1964, with the military regime, the Brazilian national State took on a centralizing and authoritarian character, and the states even lost the autonomy to elect their governors. For Pinto (2002), the conquests acquired in the 1940s and 1950s were stifled by the regime. In this period, municipalities (mainly capitals, municipalities on borders and those considered part of national security) had their mayors appointed by the Union and there was a limitation of the functions of the municipal councils, which were now governed by the Executive Branch. It is important to emphasize that periods between constitutions were marked by the emancipation, incorporation and dismemberment of both states and territories.[3]

These aspects reveal the disparities that have existed throughout the territorial formation of Brazil. The desire for emancipation promoted by regions of different states / provinces showed that local political and economic demands had not been met, and autonomy by means of dismemberment was perceived as a solution to these inadequacies – as in the case of Amazonas and Cisplatin (which later became Uruguay) in 1850 and 1828, respectively. The division of Goiás, which gave origin to the state of Tocantins in 1990, and that of Mato Grosso in 1977, which resulted in the creation of Mato Grosso do Sul, also reveals, in part, the difficulty in managing large territorial areas. This regional imbalance resulted in disputes of local governments with state / provincial and federal / imperial governments, which resulted in the struggle for municipal autonomy over the decades.

Understanding the issues surrounding federalism is beyond the conceptual aspect, as Campos (2005) points out. Its importance is related to how party and electoral issues unfold, as well as the relationship with the management of public policies. These are some of the reasons why the municipality and its role (as local power) vis-à-vis the states and the Union has been a well-studied agenda, especially after the redefinitions laid down by the 1988 Constitution.

The forms of municipality conceived of today are not recent. According to Cigolini (2002), the term municipality refers to "a designation of a type of Roman city, which eventually denominated any city endowed with a municipal constitution". According to Marco (2005), municipality comes from Latin municipium: munus eris, which means gifts, privileges, and capere (capio, is, cepi, captum, ere), which means to receive. Etymologically speaking, municipality means an entity that obtained privileges.

Based on the Roman context, Tavares (1997) explains that the etymology of municipality corresponded to the possession of a conquered area. The municipality in Rome was instituted by general Sila, in the year 80 BC, a period of crisis of the republic, in order to better manage conquered territories. Later, these territories received organizational directives through the Lex Julia Municipalis, in 49 A.D., in Julius Caesar's empire. This law granted some kind of power or recognition

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(3) The federal territories are integrated directly with the federal government. Notable examples are Amapá and Roraima, which went from this category to the status of federative states from the 1988 Constitution.

to the annexed territories and made a peaceful administration of the empire possible. This system collapsed after the barbarian invasions and with the consolidation of the fiefdoms in the Middle Ages.

Tavares (1997) also argues that it is only with the emergence of the burgs, in the Renaissance period (late fourteenth century - late seventeenth century) that municipalism developed, especially in England in the year 1450, at the end of the Hundred Years War. The municipal precepts of Rome were applied by Spain and Portugal, when elected assemblies emerged to govern the cities. Consequently, the States of the Iberian Peninsula applied these norms to the conquered territories, with the installation of municipal councils, as in the case of the colony of Brazil.

According to Abreu (1934) apud LEAL, 2012), the municipal chambers in Brazil could only be installed in towns, a title that allowed the autonomy of municipal business. So that an agglomeration could be called a town: the territory should represent the seat of government; there should be a pillory as the standard of jurisdiction and symbol of municipal liberty; and authorization of the king of Portugal. According to Azevedo (1994), it is possible to consider São Vicente, the first town established, as the first capital of Brazil if it is considered that its founder, Martim Afonso de Sousa, had the title of "Captain-mor and governor of the Lands of Brazil".

Table 3 - Number of towns and cities created in Brazil Colônia (1500-1822).

Period	Number of created villages	Number of created cities
Until 1600	14	3
1601-1700	37	4
1701-1800	118	3
1801-1822	44	2
Total	213	12

Source: Azevedo (1994). Elaboration: Bruno Carneiro de Oliveira.

The municipal chambers (also called "municipal councils") had legislative, executive and judicial functions and there was no head, such as the figure of the mayor in the present time. Its members were called "officers" and their attributions were followed by means of the Ordinances of the Kingdom, a document that governed the organization of the city councils and the election procedures for these positions. An interesting fact discussed by Ferreira (1980) is that these Royal Ordinances were used until 1916, when the first Brazilian Civil Code was created. The municipal councils represented perhaps the greatest power that the local scale had in the Brazilian territory, conferring acts like granting possession to governors of captaincies (by order of the king) and representing the king in case of disorder.

When examining the first articles of the 1824 Constitution until the Federal Constitution of 1967/69, it is evident that there is no mention of local power in the composition of the Brazilian State. Article 2 of the Constitution of the Empire of Brazil describes the Brazilian territory as follows: "its territory is divided into Provinces in their current form, which may be subdivided, as requested for the good of the State" (BRAZIL, 1824). It is noted that there is only an implicit mention that local power would become the municipal entity as it is currently consolidated in Brazil. While in Brazil Colônia power on the local scale is valued, in Brazil Empire there is a diminution of its role. Only in Brazil Republic, since the 1988 Constitution, has there been an attempt of equity on the scales of municipal, state and federal power.

Table 4 - Brazil's constitutional trajectory, type of government and administrative divisions.

Year of promulgation	Validity (in years)	Type of government	Administrative divisions	Provinces/States
1824	65	Monarchy, Constitutional and Representative Entity	Provinces, Cities, Villages, Neutral municipality	19
1891	39	Federative Republic and presidentialist	States, Municipalities and Federal District	21
1934	3	Federative Republic and presidentialist	States, Territories	21
1937	8	Federative Republic and presidentialist	States, Territories	21
1946	21	Federative Republic and presidentialist	States, Territories	26
1967	2	Federative Republic and presidentialist	States, Territories	24 and Federal District
1988	Currently	Federative Republic and presidentialist	States, Municipalities and Federal District	26 and Federal District

Source: BRASIL (1824; 1891; 1934; 1937; 1946; 1988). Elaboration: Bruno Carneiro de Oliveira

CONSIDERATIONS ON THE MUNICIPALITY AFTER THE FEDERAL CONSTITUTION OF 1988

Mention of local power, in the figure of the municipality, is only made in Article 1 of the Federal Constitution of 1988: "The Federative Republic of Brazil, formed by the indissoluble union of States and Municipalities and the Federal District, constitutes a Democratic State [...]" (BRAZIL, 1988). The legislation promoted the consolidation of the national federation and the definition of resolutions regarding the resources to be passed on to the states. Furthermore, the elevation of the municipality to the same level as the states and the Union is remarkable. According to Pinto (2002), the 1988 Constitution guaranteed to municipalities:

[...] The competencies of each of the governmental spheres that are part of the Federation. It also guarantees their autonomy to the municipalities, by stipulating that these will be governed by their own Organic Law, promulgated by the respective Municipal Councils. This means that, when dealing with matters of exclusive competence, the municipality is not subordinated to the federal or state authorities (PINTO, 2002, p.7).

After redemocratization, however, a range of impasses emerged between the scales of government because of the distribution of powers and resources to states and municipalities. Thus, the understanding of issues involving federalism goes beyond the conceptual aspect, as Campos (2005) points out. Its importance is related to the unfolding of party and electoral issues, as well as its relationship with the management of public policies. These are some of the reasons why the municipality and its role (as a local power) vis-à-vis the states and the Union has been a well-studied agenda, especially after the redefinitions laid down by the 1988 Constitution.

For Campos (2005), the resumption of the democratic process after 1985 and the promulgation of the 1988 Constitution were fundamental in the political scenario, since they salvaged the decentralized and democratic character of the country and placed the municipality as a federal actor alongside the states and the Union. This process led to a greater articulation of social policies and allowed municipalities to obtain more resources and greater autonomy in the management of their competencies. For Melo (1993), the municipalist debate in the history of Brazil

[...] ideologically and programmatically informed fundamental projects associated with the modernization of the country. From a critique of political centralization and the absence of participation and representation, it associated itself with the authoritarian-modernizing critique of agrarianism in the socio-political system of the Old Republic, which in the Estado Novo saw in the municipality a plebiscitary and pre-political space par excellence (MELO, 1993, p.85).

The theme of local power had little relevance in Brazil until the early 1980s. This lack of relevance was mainly due to the insignificance of the figure of the municipality before the configuration of power existing in the country. In addition, the political structure of municipalities was linked to forms of traditional domination - such as coronelismo - which have negative implications for the political and developmental actions of municipalities. In this context, Carvalho (1997) points out that clientelism corresponds to "the relationship between political actors that involves granting public benefits, in the form of jobs, tax benefits and exemptions, in exchange for political support, especially the vote".

For some authors such as Leal (2012), the municipality is understood comprised of the dimension where the population and the municipality had an agrarian character and the city was integrated with the rural world, considering the municipality as fragile, without autonomy, with few resources and subordinated to the Union. The figure of the colonel is responsible for the impossibility of municipal autonomy, mainly due to the relationships that were created through favors in exchange of support, both in the political scope. Another line considers the city as a center of political articulation in which urbanization figures as the vector of this process. As Campos points out (2005), the state apparatuses of the municipality - city hall, council and bureaucracy - are reinforced by councils and social institutions. In this view, civil society plays a relevant role in local power, because through its actions, several issues can enter the political agenda, with the possibility of resulting in public policies.

Farah (2001) argues that up to the beginning of the 1980s, Brazilian public policies had three basic characteristics: the centralization of decision making and finances in the Union and the exchange of favors of a clientelist nature; institutional fragmentation, marked by the lack of coordination between different government agencies, which impacted on the efficiency and effectiveness of public policies; and their sectorial nature, which resulted in a disarticulation between the different areas of government management (health, education, housing, etc.). In addition, there was the withdrawal of civil society from the formulation and decision making on public policies. This process, according to the author, occasioned exclusive and selective policies, since it benefited restricted portions of society and the interests of national and international capital. Therefore, the municipality can be seen as a federative body inserted into the taking of actions linked to public policies.

Local power has gained strength in the academic and political scene, most notably from the 1988 Constitution, in the context of the redemocratization of the Brazilian State and the resumption of a certain autonomy of the municipalities. For Castro (2014), the growing demands of organized movements in municipalities, related in part to citizenship, have made the local scale more visible, since it is on this scale that social relationships and practices are noticed. In the scope of political geography, the municipal scale

[is] therefore significant in political activity in space and offers a vast field for contemporary political geography, ranging from the visibility of a political space of action by civil society organizations to the concrete decisions that result in public policies that impact the territory and the life of the citizen [...]. This is the cut-off that reveals, on a reduced scale, the behaviors, values and preferences that allow us to understand characteristic traits and regional differences in national society (CASTRO, 2014, 134).

The 1988 Constitution consolidated the debate on public policies that had begun in the 1970s. Redemocratization was a key factor in this debate, since it provided the conditions for the fairness of public policy outcomes, as Farah (2001) points out. According to the author, the approximation

of citizens to the formulation and implementation of public policies, as well as the proposal of centralization, are striking characteristics in this context. Until the 1990s, there was a redefinition of proposals that went beyond the themes of decentralization and social participation. Thus,

> [...] the proposals were redefined, emphasizing, besides the thesis of decentralization and participation: the need to establish priorities for action; the search for new forms of articulation with civil society and the market, involving the participation of NGOs, the organized community and the private sector in the provision of public services; the introduction of new forms of management in state organizations, so as to provide them with greater agility, efficiency and effectiveness, overcoming the rigidity derived from the bureaucratization of procedures and the excessive hierarchy of decision-making processes (FARAH, 2001, pp. 129-130).

Initiatives have also been identified that involved all levels of government, especially those related to the municipality, which extended their actions in the field of social policies and programs directed at local development. According to Farah (2001), the increasing importance of municipal action has become relevant due to factors such as: a) transferring attributions and competences from the central and state spheres of government to the municipal government, with emphasis on the attributions that relate to social citizenship; b) increased participation of municipalities in the distribution of fiscal resources; c) approximation to the demands of the population, emphasizing the resumption of the democratic framework; the need to formulate responses at the local level.

The discussion of federalism reveals a composition formed by society and territory (in its multiple scales) that values the differences of each unit for the consolidation of one unit. Despite attempts to become a cooperative federalism, "Brazilian" federalism, as it were, has resulted in corporate federalism, as asserted by Carloto (2014), marked by alliances between political and economic actors, which reiterate the form in which the rugosities of coronelismo were transposed into notably clientelistic relationships when one observes the forms of doing politics in the scales of power.

FINAL CONSIDERATIONS

This work carried out a review of a topic that is much debated in the field of discussions on the management, creation and implementation of policies in Brazil. After the effort to discuss the trajectory of federalism, the context of the municipality in Brazil throughout history and the implications of concentrating or deconcentrating powers, we can say that after 1988, federalism in Brazil, even if positive regarding the form of distribution of attributions and a means of conferring a greater degree of autonomy and competencies to municipalities, requires a better debate about municipal management practices and intergovernmental relationships, with the possibility of working on the citizenship addressed by Santos Filho (1997). The author stresses that in addition to the power to speak collectively, citizenship must be understood as access to basic health, education and sanitation services. It is these factors that bring to the fore the issue of the role of federalism and its proposal to grant a voice to local powers and subjects in social and economic formation, allowing a more serious dialogue regarding the role, situation and funding of municipalities in Brazil.

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