

16<sup>th</sup> CENTURY – 21<sup>st</sup> CENTURY



*São Paulo*  
City Council

Brief History

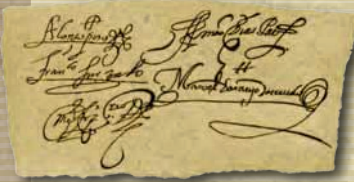




Council meeting in the 17<sup>th</sup> Century (detail)

# São Paulo City Council

The City Council Institution originated in Ancient Rome, where a town counselor, known as edil, was in charge of preserving commonwealth. This person watched over proper operation and conditions of public



Town counselors' signatures in 1651 minutes

and private buildings, as well as temples; works and services; provision of water; streets and traffic. With Roman expansions, this type of institution reached the Iberian Peninsula. Later, in Brazil, it was brought by Portuguese settlers. The São Paulo City Council began in 1560, instated by the third governor-general of Brazil, Mem de Sá, who, during a visit to the São Vicente colonial province, ordered that the administrative offices and general population of Santo André da Borda do Campo was to be transferred to the province, thus, the small settlement gained status of a village.

City Councils of the Brazilian colonial period were subject to the law code of Manuel I, and later by Philip II of Spain, which was not rigorously followed in São Paulo, due to the low population. The Councils were composed by a presiding judge, two town counselors, a procurator, an inspector of weights and measures (known as the *almotacel*), and a notary.

Its members were elected on an annual basis by the so-called “men of means”, those who were eligible to vote and be elected.

During this period, City Councils possessed full powers, conducting judiciary, executive, and legislative duties.

The São Paulo City Council's minutes are kept since 1562. The first public building was constructed in 1575, and inaugurated in 1576, while still unfinished.

In 1711 the Village of São Paulo dos Campos de Piratininga was promoted to city status; the Council Board was renamed to Council Senate, and gained additional administrative duties.

In 1720 the New Municipal Palace was built at Ouvidor Square, a two-story building in which the Senate operated on the upper floor; and the lower floor held the jailhouse and butcher shop. This was the alternative found to solve improper meat supply and incarceration issues of the small town.

In 1770, the building, which was in ruins, was demolished, and the São Paulo City Council was transferred to another location, at Carmo Street.

In 1788 the Council was once again transferred to a mansion built at Pátio de São Gonçalo, currently known as João Mendes Square.



After the Brazilian Declaration of Independence, in September 7, 1822, emperor d. Pedro I ruled that the rewording of a new Constitution was to be conducted. Upon conclusion, the constitution was enacted by the emperor on March 25, 1824. From that point on, Brazilian City Councils were subjected to several major changes, due to the new separation of powers: Executive, Legislative, Judiciary and Moderating; the latter was controlled by the emperor himself. City Councils remained in effect, presided by an elected town counselor, which was responsible for the city government and economic management of villages and towns.

In 1828 an Imperial Legal Charter prompted further changes to City Councils: removing the institution's judiciary duties; establishing direct elections for town counselors, whose numbers were set at nine in the cities and seven in villages; increasing the election term to four years; and assigning the institution to superior Legislative Powers, which limited its duties.

Attempts to strip local administrations from power persisted throughout the years. In 1835, the mayor and deputy-mayor positions were created, which, due to resistance efforts exerted by town counselors, were later removed in 1838.

With the Proclamation of the Republic, in November 15, 1889, further changes were enacted and City Councils were closed down by Temporary Government decree. In the following

years, the city of São Paulo started to be governed by a Municipal Supervisory Council, selected by the state government. In 1891, the First Republican Constitution of Brazil was proclaimed, adopt-

ing a republican, presidential, federative and liberal democracy regime. The separation of powers into Executive, Legislative, and Judiciary, independent amongst themselves, provided municipal autonomy. In the same year, the number of town counselors in the São Paulo City Council was increased to 16, resuming its activities in the following year.



Seat of the Council in 1628.  
Oil on canvas by J. Wasth Rodrigues

In 1898, Municipal Act 374 established the city mayor position and the São Paulo City Council was exclusively assigned to handle legislative matters, thus losing control over executive duties.

The City Council appointed the first mayor of the City of São Paulo, Antônio da Silva Prado (1899 to 1911), and his successors were elected by public vote. Similarly to other City Councils throughout Brazil, the São Paulo City Council was severely hindered by the 1930 Revolution, with its members deposed and its activities interrupted, by decree of the then president Getúlio Dornelles Vargas.

In 1934, a new Constitution was enacted and in the following year, with Law Organic Municipal Law, the São Paulo City Council was reinstated for a brief period in the Palácio do Trocadero, behind Teatro Municipal, and was once again closed in 1937 by the laws of the Estado Novo (New State) period.

After the end of the Estado Novo [New State] period, in 1945, and with the enactment of the 1946 Charter, new elections were held, including for town counselors, in the following year. The Communist Party was triumphant with the greatest number of town counselors elected, which, due a political move, had their licenses revoked.



Council Crest  
(18<sup>th</sup> Century)



On January 1, 1948, 45 counselors occupied the City Council, initiating the 1<sup>st</sup> Legislature. At that time, the São Paulo City Council was based on Prates Mansion at Líbero Badaró Street.

The 1964 military coup created the Constitution of the Federative Republic of Brazil of January 24, 1967, with official wording provided by Constitutional Amendment no. 1, from October 17, 1969, which reduced the number of town counselors to 21. On September 7, 1969, the São Paulo City Council moved to Anchieta Palace, located on Jacareí Viaduct, 100, its current address.

Fueled by the general public's dissatisfaction, democracy was reinstated with an overwhelming victory by the Brazilian Democratic Movement (MDB), which opposed the military dictatorship, over the National Renewal Alliance (Arena), which encompassed the military's representatives. In the 1980s, the Brazilian political scene underwent significant changes. After the enactment of the amnesty law, government elections were once again direct and the multi-party system was reinstated.

In the municipal scope, the Constitutional Amendment n°. 14, from September 9, 1980, extended the terms of mayors (except those that were appointed), vice-mayors, counselors and substitutes until 1983, so that municipal elections were held at the same time as general elections throughout the country. As a result, the 8<sup>th</sup> Legislature lasted for six years (02/01/1977 to 01/31/1983).

Still in pursuit of the opening of the democratic process, Constitutional Amendment n°. 22, of June 29, 1982, held direct elections for mayor,

(except in capital cities) and town counselors. These were to be conducted simultaneously throughout the entire country. For such, the São Paulo City Council extended the duration of the 9<sup>th</sup> Legislature (02/01/1983 to 12/31/1988). This Constitutional Amendment allowed municipalities with over one million residents, such as São Paulo, to increase the number of its counselors to 33.

After the current Constitution of the Federative Republic of Brazil was enacted on October 5, 1988, the number of counselors on the São Paulo City Council was once gain increased, totaling 53 during the 10<sup>th</sup> Legislature.

Considering that Article 29 of such Constitution established that the municipality was compliant to the Organic Law, the São Paulo City Council was converted into Constituent Municipal Assembly and, on April 4, 1990, the São Paulo Organic Municipal Law was enacted, which is currently still in effect. This Law standardizes and structures the Municipal Legislative and Executive powers, assigning competences and regulating administrative activities in São Paulo.

Since the 11<sup>th</sup> Legislature (01/01/1993 to 12/31/1996), since São Paulo exceeded the mark of five million residents, the number of seats in the City Council increased to 55, the maximum number allowed by the Federal Constitution. Elected by the general public every four years, town counselors represent several different segments of society.



Palácio Anchieta, headquarters of the São Paulo City Council since 1969



During the Brazilian colonial period, City Councils were composed by a presiding judge, two town counselors, an procurator, an inspector of weights and measures (known as the *almotacel*), and a notary. Its members were elected on an annual basis by the so-called “men of means”, those who were eligible to vote and be elected.



City Councils possessed full powers, conducting judiciary, executive and legislative duties.



Members of the City Council had to travel great distances to meet and enact rulings regarding the needs of the Village.



The São Paulo City Council was already depicted by Dom Luiz Céspedes Xeria in the earliest iconographic document of São Paulo on record, which dates from the 17<sup>th</sup> Century.





THIS DOCUMENT WAS CREATED BY:

INSTITUCIONAL COMMUNICATION CENTER - CCI

DEPARTAMENTO DE RECURSOS HUMANOS - SGA.1

SECRETARIA DE DOCUMENTAÇÃO - SGP.3



## **CÂMARA MUNICIPAL DE SÃO PAULO**

Palácio Anchieta - Viaduto Jacareí, 100 - Bela Vista - São Paulo  
CEP 01319-900 - Telefone: (11) 3396-4000 - [www.camara.sp.gov.br](http://www.camara.sp.gov.br)

August/2012