



PARTICIPATORY DEMOCRACY IN FLORIANÓPOLIS: THE EXPERIENCE OF PARTICIPATORY BUDGETING BASED ON LAW NO. 14.061/2018

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ABSTRACT

Objective: Analyze participatory democracy and highlight the municipality, as a fruitful space for the realization of citizenship, through popular participation in public management, focusing on the institute of participatory budgeting in decision-making and the experience of Florianópolis, considering the five years of validity of the Municipal law 14.061/2018.

Theoretical framework: Supported by the theoretical legacy of Paulo Bonavides, the research seeks to stimulate critical reflection on participatory democracy in Brazilian constitutionalism and the exercise of citizenship at the local level. Starting from the understanding that the Constitution and the Democratic Rule of Law in the Brazilian federative model find a privileged space for action in the municipality and, therefore, are also carried out through local constitutional policies, the research considers the need to establish instruments that enable the implementation of participatory democracy, especially when it comes to cities and citizenship such as social inclusion, political participation, and community integration. In this sense, participatory budgeting is presented as an effective means of stimulating popular participation at the municipal level.

Method: Contextualized within the disciplinary scope of Constitutional Law, from the methodological perspective of the study of Law as constitutional policy, this article is the result of bibliographical and document research, with the application of the hypothetical-deductive method, also involving the collection of data relating to the budget participatory in the Capital of Santa Catarina and the analysis of its correlation with popular participation.

Results and conclusion: The standardization of the participatory budget gave greater legitimacy and, in fact, stimulated popular participation. Greater community integration was also noted, observing that the participatory budget is a useful instrument for optimizing the basic precepts of participatory democracy and the Democratic Rule of Law.

Research implications: By analyzing the experience of the Capital of Santa Catarina, it is expected to contribute significantly to the visualization of the potentialities and weaknesses of using the participatory budgeting institute in Brazilian municipalities, as an expression of participatory democracy and active citizenship at the local level.

Originality/value: The research is part of the study of practices for the consolidation of the Democratic State in Brazilian federalism and participatory democracy at the municipal level. The study is relevant not only for understanding participatory budgeting in the municipality of Florianópolis, as it provides support for reflecting on local democracy in Brazilian municipalities, as the debate regarding popular legitimacy in administrative decision-making has been growing.

Keywords: Democracy Participatory, Florianópolis, Participatory Municipal Budget, Constitutional Policies.

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DEMOCRACIA PARTICIPATIVA EM FLORIANÓPOLIS: A EXPERIÊNCIA DO ORÇAMENTO PARTICIPATIVO A PARTIR DA LEI N. 14.061/2018

RESUMO

Objetivo: Analisar a democracia participativa e destacar o município, enquanto espaço profícuo à efetivação da cidadania, mediante a participação popular na gestão pública, focalizando o instituto do orçamento participativo na tomada de decisões e a experiência de Florianópolis-SC, considerando os cinco anos de vigência da Lei municipal n. 14.061/2018.

Referencial Teórico: Com suporte no legado teórico de Paulo Bonavides, a pesquisa busca estimular a reflexão crítica sobre a democracia participativa no constitucionalismo brasileiro e o exercício da cidadania no nível local. Partindo da compreensão de que a Constituição e o Estado Democrático de Direito no modelo federativo brasileiro encontram no município um espaço privilegiado de atuação e, portanto, realizam-se também através de políticas constitucionais locais, a pesquisa considera a necessidade de estabelecer instrumentos que viabilizem a concretização da democracia participativa, especialmente no que toca as cidades e a cidadania como inclusão social, participação política e integração comunitária. Nesse sentido, apresenta-se o orçamento participativo como um meio eficaz para estimular a participação popular no âmbito municipal.

Metodologia: Contextualizando-se no âmbito disciplinar do Direito Constitucional, na perspectiva metodológica do estudo do Direito como política constitucional, este artigo é resultado de pesquisa bibliográfica e de documentos, com a aplicação do método hipotético-dedutivo, envolvendo também a coleta de dados relativos ao orçamento participativo na Capital Catarinense e a análise da sua correlação com a participação popular.

Resultados e conclusão: A normatização do orçamento participativo conferiu maior legitimidade e estimulou, de fato, a participação popular. Constatou-se ainda uma maior integração comunitária, observando-se que o orçamento participativo se consubstancia como instrumento útil para a otimização dos preceitos basilares da democracia participativa e do Estado Democrático de Direito.

Implicações da pesquisa: Ao analisar a experiência da Capital Catarinense, espera-se contribuir de forma significativa para a visualização das potencialidades e fragilidades da utilização do instituto do orçamento participativo nos municípios brasileiros, como expressão da democracia participativa e da cidadania ativa no âmbito local.

Originalidade/valor: A pesquisa se insere no estudo de práticas para a consolidação do Estado Democrático no federalismo brasileiro e da democracia participativa no âmbito municipal. O estudo é relevante não apenas para a compreensão do orçamento participativo no município de Florianópolis, pois fornece subsídios para refletir sobre a democracia local nos municípios brasileiros, já que tem sido crescente o debate quanto à legitimidade popular na tomada de decisões administrativas.

Palavras-chave: Democracia Participativa, Florianópolis, Orçamento Participativo Municipal, Políticas Constitucionais.

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1 INTRODUCTION

Today, we are experiencing the deepening of the debate about the theoretical and practical precepts that involve the democratic regime in which the questions regarding the maintenance itself are placed and the pressing improvement of the institutes that give support to it. In this context, the discussion about state action and popular participation is aligned. Contextualizing this debate in the structure of the Federative Republic of Brazil, the thematic object of this study rests on the characterization of the municipality as a space conducive to the



development of popular participation and, with superior in the theoretical legacy of Bonavides (2008), it is highlighted that this exercise, understood as a practice of citizenship, is in tune with the materialization of participatory democracy

The result of bibliographic research and documents, with the application of the hypothetical-deductive method, this study aims to contribute to the critical reflection on participatory democracy in Brazilian constitutionalism, especially regarding cities and citizenship as social inclusion, political participation and community integration.

The hypothesis of the research follows in the sense of stating that the participatory budget can be understood as an instrument for the democratic implementation of constitutional policies in the municipal ambit, since it promotes the participation of citizens and a greater community integration.

The bias of the research aims to analyze the participatory budget, looking into the origins of the institute and its development as a public policy (constitutional policy promoted by the public sector), and, under this focus, also re-analyzing its practical relevance in the city of Florianópolis.

Comparing the Santa Catarina Capital, we examine the applicability of the participatory budget institute in different scenarios and, considering that this year 2023, we have the five-year validity of the rule that regulated the Participatory Budget in Florianópolis-SC, this is inserted as a panorama apt to be analyzed. Thus, the thematic strand of the article aims to address the experience of participatory budget in Florianópolis over the last five years and analyze the role of the normalization of the institute, as an instrument for promoting community integration and enhancing the exercise of democracy and citizenship.

2 THEORETICAL FRAME

Citizenship, the constitutional structuring of the state and the free exercise of rights permeate the foundations of the consolidation of democracy in contemporary constitutionalism. In this combination, it becomes possible to measure the level of institutional maturity in a given scenario, since as one affirms the protection of rights to citizens, one has the limitation and the direction of the state's action.

It is a concession that democracy is the form of government in which power is the externalization of popular sovereignty and the exercise of which can be effected directly or through representatives. In this sense, the popular will is the legitimizing core of power, with the exception of substantial restrictions or programmatic restrictions, embodied in fundamental constitutional rights (Ferrajoli, 2012).

It should be noted that "citizenship is not limited to the relevance to a state community or to the possibility of periodically demonstrating through elections" (Melo, 1998, p. 78). In the model of a democratic state of law that takes shape in contemporary constitutionalism, citizenship involves the effective exercise of fundamental rights (Ferrajoli, 1994) and the democratization of broader spaces of individual and collective life, and is also understood in a dynamic way (Amirante, 1994) as social inclusion, political participation (Melo, 1998, 2002, 2010; Zolo, 1994), relating to cultural identity and political identifications (Gorski, 2000000; Hall, 2001) on the foundations of Community integration. With this observation, it is clear that this institute did not appear immutable over time (Costa, 1999, 2001; Capella, 1993).

The democratic rule of law in contemporary constitutionalism circumvents a wider understanding of citizenship. In the early days of modern constitutionalism, it was understood that this institute was strictly related to the reduction of politics to the moment of elections, which resulted in the idea of the preponderance of representation over participation (Andrade 1991, 1993). However, it is now becoming clear that a new approach to citizenship is being



developed, involving the inclusion in this institute of the whole range of human and fundamental rights. Thus, the transition from citizenship reduced to representation or exhausted therein, to citizenship centered on participation as its mobilizing lever, which leads to the formation of a new popular awareness about their rights and prerogatives, besides their recognition as transforming agents (Andrade, 1991).

In this sense, Santos, Almeida, Oliveira, Pacheco and Moreira (2023, p. 8) also highlight the importance of procedural openness for popular participation, which serves as a ballast to offer a greater degree of democratic legitimacy to the discursive construction of rights protection.

In Brazil, as Bagatini emphasizes (2001), until 1988, citizenship was understood as the right of nationality. But from the new constitutional order, based on Article 1, II, of the CF/88, the Federative Republic began to contemplate, together with the dignity of the human person, sovereignty, the social values of work and free enterprise, political pluralism, citizenship as one of the foundations of the Democratic State of Law. This constitutional provision translates into the obligation, for the Brazilian State, to guarantee the free exercise of rights to all citizens, also functioning as an interpretative axiological vector able to inhibit setbacks (Ferrajoli, 2012; Temer, 1992).

In this constitutional direction, citizenship includes, for the subject, the awareness of belonging to a political community, as holder of fundamental rights, dignity as a human person, participatory integration in the processes involving the exercise of power and, in an equivalent way, the perception that this subjective prerogative, including, harbors in itself duties of respect to others (Silva, 2009).

The "Citizen's Constitution" foresees requirements inherent to this new perspective of citizenship, not only as a foundation of the democratic state, but also as *an* active status of the citizen who fends from the fundamental rights assured (Melo, 2010; Alexy 1993). In this sense, as emphasized by Martins de Souza (2010), can be highlighted: the corollary foundation to popular sovereignty (art. 1, single paragraph); right of petition to the public authorities in defense of the right or against illegality or abuse of power (art. 5, XXXIV, "a"); plebiscite: popular consultation on a bill (art. 14, I); referendum: popular consultation on a law (art. 14, II); popular initiative made available to citizens for the purpose of proposing a bill (art. 14, III); of the representative associations in municipal planning (art. 29, XII); supervision by the taxpayer of the accounts of its municipality (art. 31, §3); participation of the user of the Public Administration (art. 37, §3); participation of the community in the organization of the Single Health System (art. 198, III); participation of the population, through representative organizations, participation of civil society in the management entities of the Funds for Combating Poverty, instituted by the States, Federal District and Municipalities (*caput* of art. 82 of the ADCT).

As a means of implementing such normative provisions, the constitutional policies (Melo; Carducci, 2021) that cover the set of programs and initiatives, at multiple levels of government and management, can also be securitized by the various social actors, in order to realize, materialize, the dictates provided for in the constitutional text.

In this line of reasoning, it is understood that the consolidation of the democratic State involves active citizenship as an effective popular participation in the decision-making, implementation and supervision of public policies (constitutional policies that start from the public sector). In this context, participative democracy stands out as an expression of popular sovereignty. As Bonavides points out (2008, p. 44):

In classical representative democracy, the people simply adjectivated sovereignty, being sovereign only in exteriority and appearance in form and designation, with participatory democracy evangelized here, the people become substantive and is so



because it signifies the incarnation of sovereignty, even in its essence and effectiveness, in its ownership and exercise in its materiality of content and above all in its intangibility and inalienable.

Thus, popular participation is presented as a prerequisite for the whole democratic system (Bonavides 2008, p. 57), and it is through this that the will to govern is formed and, therefore, it is imperative to remove the blockages and impediments to this exercise.

With the intensification of the processes of globalization, the maximization of the production of goods and services and the removal of geographical barriers was noted, which aroused, according to Bonavides (2008, p. 92), several questions regarding the market, consumption, exchange, speculation, corporate mergers, among others. In this scenario, there is a greater tension in the duality between sovereignty and internationalization, and the questioning about the respective legal framework to be used to discipline the new relations is growing in relevance.

Referring to globalization as a compendium of ambiguities, Bonavides (2008, p. 92 et seq.) observes that despite the complexity of this phenomenon, it becomes imperative to be subject to constitutional dictates, in order that they corroborate the self-preservation of the nation, which has as its primacy the popular, free and sovereign will. In this sense, the safeguarding of the Constitution translates into the safeguarding of sovereignty and, in this connection, the observance of the constitutional dictates takes the form of the defense of democratic institutions. With assertiveness, says Bonavides (2008, p 99):

Anyone who attacks the democratic state, the federative organization, the constitutional republic, mortally wounds that supreme principle, namely the principle of already internal, already external sovereignty. It transgresses, at the same time, the higher values, the fundamentals and the fundamental objectives that make up the essence of the regime and the material substrate of the institutions.

From the point of view of safeguarding constitutional vectors, it can be seen that from the advent of the Federal Constitution of 1988, especially with fulcrum in its arts. In Articles 1 and 18, the municipality is conceived as an autonomous political entity, a member of the federation, that is, endowed with organizational, administrative and financial autonomy.

The 1988 constituent conferred on the municipality the status of a third-tier state entity through the grant of legal personality, self-government and regulatory competence (Meirelles, 2001). In this context, local governance has emerged as an important tool for implementing public policies and, with the decentralization of tasks, the municipal entity has become the protagonist for the realization of social plans and projects.

In examining the problems surrounding contemporary society, Dowbor (1999) points out that the city emerges as the basic social unit of social organization and that, in this environment, democratic management is feasible and timely. It is also observed in the Bonavides trail that the municipality deserves to be understood, as a public space, as the environment in which the diffusion of community interests takes place with greater emphasis, where different positions come together and, in this scenario, one verifies the virtualities of the most open, intense and profound democratic process (Bonavides, 2008, p. 278).

There are several well-known historical examples in which, in different political entities, the emphasis of legitimate power has been placed, preferably, on local entities, which mitigate the distance between rulers and governed, so that the organization is "the most suitable to serve with greater precision, speed and dynamism the immediate and common interests of the social body" (Bonavides, 2008, p. 279). At the local level, government awareness rises to a level distinct from the traditional one, constituting a better space for the participatory system of direct democracy.



Lately, as Cabeza points out (2022, p. 3), a consensus has been consolidated on the need to overcome a top-down governance model in order to promote more inclusive governance formulas, which include the participation of multiple actors in the design and implementation of public policies.

In this context, as Rosa Maria Marques (1999) observes, the municipal sphere presents itself as the means in which the maximum approximation occurs between the individuals and the public sector, whether they are governors, legislators or managers, besides it being in this ambit in which it becomes plausible the inspection and direct enforceability of the fulfillment of campaign proposals, and, even, the possibility of denouncing irregularities. At the local level, there is a more real perception of needs and greater agility in solving the problems concretely.

Local peculiarities allow us to state with Herkenhoff (2000) that citizenship begins in the municipality, where mayors and councilors have direct and diurnal contact with the people, being susceptible to direct pressure. Therefore, the perfecting of democracy involves the improvement of municipal political life.

Thus, it is noted that the municipality embraces a great potential for the realization of participatory democracy and active citizenship and, from this perspective, through various institutes, popular participation makes possible the democratization of public management.

3 METHODOLOGY

Starting from the disciplinary scope of constitutional law, from the methodological perspective of the study of law as a constitutional policy, the hypothetical-deductive method is applied in bibliographic and document research.

The study of the legislation focuses on the instruments of popular participation at municipal level, specifically the participatory budget. It focuses the experience of participatory budget in the Municipality of Florianópolis, from the Law n. 14.061/2018, through data collection and analysis of the documentation produced on purpose.

The hypothesis of the research follows in the sense of stating that the participatory budget can be understood as an instrument for the democratic implementation of constitutional policies in the municipal ambit, since it promotes the participation of citizens and a greater community integration.

4 RESULTS AND DISCUSSION

In Brazil, following the process of re-democratization and with the new constitutional order instituted in 1988, countless changes took shape in the ambit of the Public Administration, characterized by a peremptory change of direction in the decision-making until then excessively centralized in the Federal Government.

In the democratic context of increasing decentralization, despite some previous initiatives related to public planning at local level, the experience of participatory budget in the city of Porto Alegre-RS was highlighted. An initiative that crystallizes in the late 1980s, serving as a ballast for the active participation of citizens in decision-making on issues of local public interest. The participatory budget promotes popular participation in order to influence decisions or decide directly on public budgets, especially on the destination of investments, by holding open, periodic assemblies and direct negotiations with government bodies.

As Luchmann observes (2014), the Porto Alegre experience represented a change in the ordinary relations of the State and society. It represented the break with the previous model that placed the State and society in distinct and in many cases conflicting positions: on the one hand, in the State, the Executive and Legislative branches had, as a rule, the prerogative of



coordinating the way in which the financial resources would be put to work and supervising the activities to which they would be destined; on the other hand, citizens, who submitted themselves to the decision of the State, and, at democratic moments, could at most integrate the process of choosing these representatives.

As an innovative experience, the participatory budget of Porto Alegre-RS was an instrument of co-management, promoting processes of shared construction of the rules for the distribution of investment resources and of the rules of the participatory budget itself and of its implementation (Fedozzi and Martins, 2015).

The operationalization of the participatory budget consists, as Avritzer (2003) clarifies, that in carrying out the Annual Budget Law, the company has the prerogative to define the priority demands, which must be provided in the list of revenues and expenses of the municipality. Thus, the community itself formats a list of items to be searched by the government and selects, on the basis of collectively delineated criteria, the actions that must be implemented.

The premise of local popular participation was also highlighted in the national planning with the advent of Law 10.257/2001, known as the City Statute, which reinforced the intention of the constituent in raising popular participation in the planning and monitoring of municipal government projects for the well-being of the population.

In this sense, there is a normative confluence for popular participation, giving concrete expression to the bases of participatory democracy in the democratic rule of law. As Fernandes emphasizes (2004, pp. 36-37), the 1988 Constitution obliges municipalities to adopt as a principle in the elaboration of organic laws the "cooperation of representative associations in municipal planning", as provided for in article 29, paragraph XII. In turn, the City Statute, in its article 44, determines that participatory budgetary management is a mandatory condition for the City Council to approve the Multiannual Plan, the Law of Budgetary Guidelines and the Annual Budget Law, establishing that participatory budgetary management must include the holding of debates, hearings and public consultations.

With this new normative basis, experiences of participatory budgeting spread throughout Brazil. The profusion of these experiences promoted the systematization of a minimum list of requirements to be met to implement the participatory budget (Sintomer, Herzberg and Rocke, 2012). These requirements include: the financial dimension must be discussed objectively (with limitations); the process must be continuous; the municipal level must be involved; open meetings must have some form of public deliberation; and finally, but not lastly, accountability for the results.

The relevance of the changes in administrative management promoted by the participatory budget, as Luchamnn (2014) observes, is interlinked with the perception that such innovations result in greater community integration and even shows itself as an instrument compatible with the ideals of social justice and good governance. At this juncture, the dynamism of this practice to meet local desires is highlighted, as well as the fact that the participatory budget contributes to inhibit the persistence of local clientelist actions.

At present, despite the progress made through the participatory budget, it is difficult to give credit to this democratic instrument, given the many variables to be taken into account. According to Fedozzi, Ramos and Gonçalves (2020), some factors such as the ideological orientation, the geographical region, the social development, the economic inequality and the size of the municipality interfere in the chances of adopting the participatory budget. In this sense, the authors (Fedozzi, Ramos and Gonçalves, 2020) report the obstacle and resistance that public managers have regarding the possible renunciation of decision-making power. These factors focus on the questioning of the effectiveness of the participatory budget and, therefore,



it is suggested that, in view of the strict administrative legality, normalization is shown to be an appropriate means for directing government activity allied to popular participation.

On the other hand, in this year of 2023, it is worth noting that at the federal level, the Program "Participatory Brazil" gained force, in which, through the use of a digital platform, the government gave the population the opportunity to contribute with the creation and improvement of public policies. In this space, the citizens chose the projects to be prioritized, in each administrative area, being relevant to analyze some data contained in the Report of the Participatory Brazil Platform:

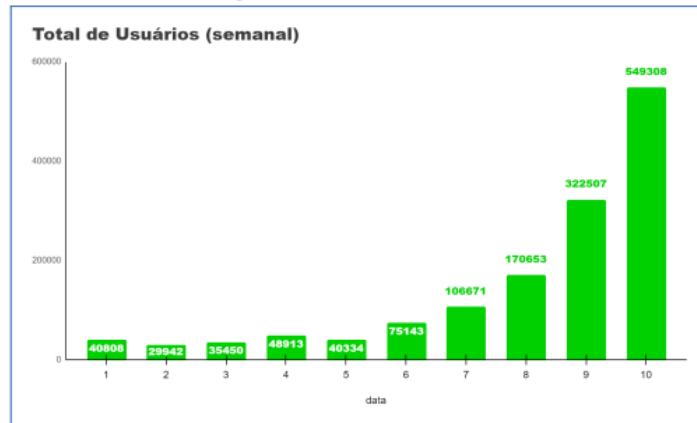


Chart 1. Describes the total number of users participating over the weeks of the Brazil Participatory Program.
Source: Participatory Brazil Program Report (2023).

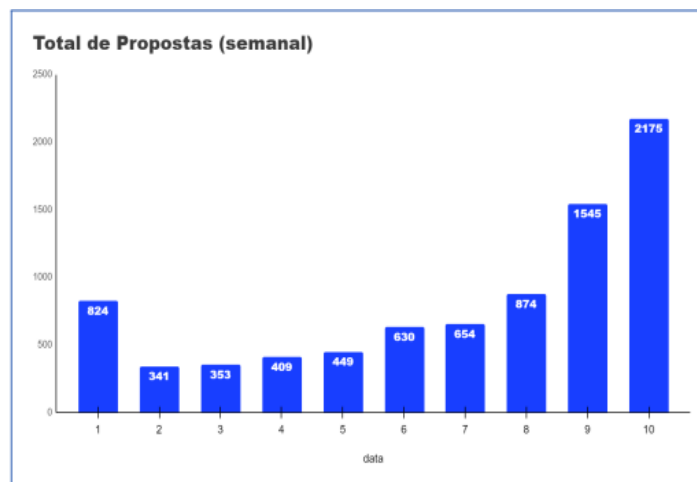
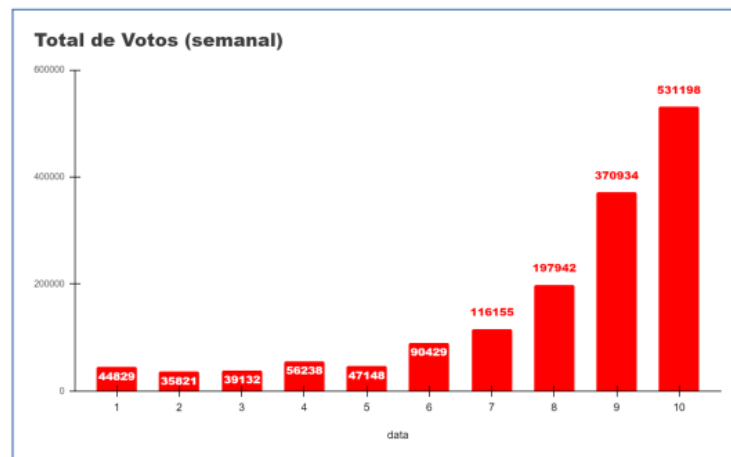


Chart 2. Describes the total number of proposals authored by the population.
Source: Participatory Brazil Program Report (2023).



Graph 3: Describes the total votes over the weeks.

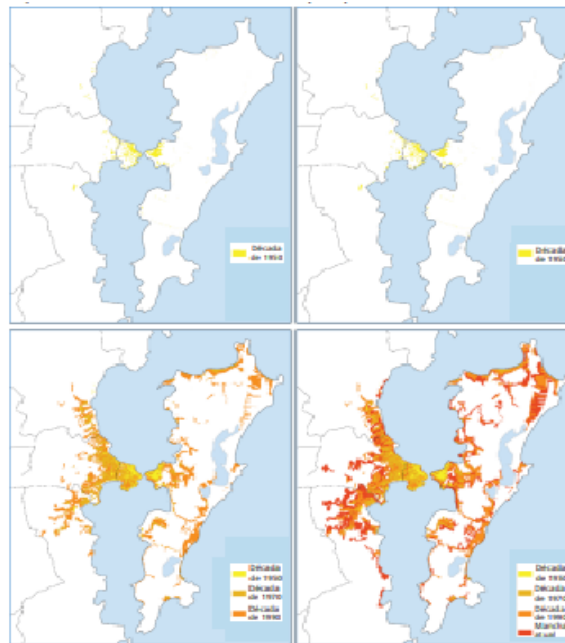
Source: Participatory Brazil Program Report (2023).

It can be inferred, therefore, that from the implementation of the Participatory Brazil Program, there has been an upward movement in the participation of citizens in the election of projects, which sketches, even if only partially, an integration and collaborative and democratic spirit in the taking of decisions.

4.1 The Participatory Budget in Florianópolis

Comparing the Santa Catarina Capital, we examine the applicability of the participatory budget institute in different scenarios and, considering that this year 2023, we have the five-year duration of the rule that outlined the Participatory Budget in Florianópolis-SC, this presents itself as a panorama fit to be analyzed.

The city of Florianópolis, capital of the state of Santa Catarina, presents itself geographically as a municipality composed of the main island, a continental part and some small surrounding islands. According to the previous demographic census of 2022, obtained on the website of the Brazilian Institute of Geography and Statistics (IBGE), the Santa Catarina Capital has a population of 537,213 inhabitants, being national highlight in quality of life, with Human Development Index = 0.847.



Map 1: Describes the evolution of the urbanized area in Greater Florianópolis.
Source: Brazilian Institute of Geography and Statistics - IBGE.

The implementation of the participatory budget in Florianópolis, as Borba and Luchmann observe (2007), had its origin in the period 1993-1996, under the management of the Popular Front, which, despite being an innovation in the political-administrative trajectory of the city, was also marked by limits derived from variables such as government commitment.

Following this, some initiatives, from the 2000s, indicated the direct convocation of each community through audiences held in each neighborhood, with the purpose of determining the local priorities, such as paving the streets, implanting squares, drainage, improvements in schools and other equipment, among so many demands.

However, with the changes in the ownership of municipal positions, the continuity of the adoption of the participatory budget as a structured public policy in the medium and long term was not achieved. Commonly, by examining the municipal budget laws up to the year 2018, it was listed as common practice to carry out amendments and projects of indication of councilors to the budget pieces with the suggestion of projects to be contemplated (Borba and Luchmann, 2007).

This entailed the dependence of Community leaders on municipal representatives, who could accept or disregard individual indications or entities, given the absence of a binding nature of that procedure. Following, through consultation with the portal of the City Council of Santa Catarina, the quantitative disparities of councilors' indication projects are identified over the years:



Table 1: Describes the history of indication projects authored by councilors

2023 (280)	2022 (1149)	2021 (899)	2020 (736)	2019 (983)	2018 (1035)	2017 (1411)	2016 (391)
2015 (561)	2014 (583)	2013 (1367)	2012 (315)	2011 (954)	2010 (1147)	2009 (1691)	2008 (382)
2007 (652)	2006 (375)	2005 (1022)	2004 (1)	2003 (874)	2002 (1055)	2001 (1375)	2000 (446)
1999 (1082)	1998 (1037)	1997 (878)	1996 (273)	1995 (614)	1994 (678)	1993 (801)	1992 (494)
1991 (973)	1990 (815)	1989 (578)	1988 (299)	1987 (571)	1986 (476)	1985 (684)	1984 (571)
1983 (496)	1982 (288)	1981 (316)	1980 (3)	1979 (12)	1978 (28)	1977 (45)	1976 (17)
1975 (57)	1974 (52)	1973 (148)	1972 (81)	1971 (87)	1970 (27)	1969 (22)	1968 (39)
1967 (32)	1966 (6)	1964 (5)	1963 (23)	1962 (9)	1961 (14)	1960 (8)	1959 (26)
1958 (2)	1957 (8)	1956 (5)	1955 (24)	1954 (11)	1953 (21)	1952 (13)	1951 (68)

Source: City Council of Florianópolis.

The numerical oscillation, demonstrated in the table, refers to the questionings as to the effectiveness of the representative model, when considered in isolation.

According to Cruz (2010), the processing of the legislative proposal, in representative democracy, would be subject to interests of third parties and susceptible to distortion and, consequently, to tread for participatory democracy would be more appropriate to rescue values of cooperation and solidarity.

With the election of 2016 approaching, the mobilization of the local population evolved, through representative entities and community councils, in order to establish the elaboration of a bill that would regulate the participatory budget and allow the direct participation of the citizens.

The commitment to implement the participatory budget was demanded of the candidates for Mayor and, in this scenario, the law of participatory policy (Law 10.461/2018) was introduced, which recognized the possibility of choosing, annually, the main demands related to each region of the city, through the use of the Regional Development Councils (integrated by more than 300 non-profit entities).

Law 10.461/2018 establishes that the proposals to be prioritized must be attached to the indexer of 5% of the value to be collected coming from the IPTU and, in this limit, systematizes the application of resources.

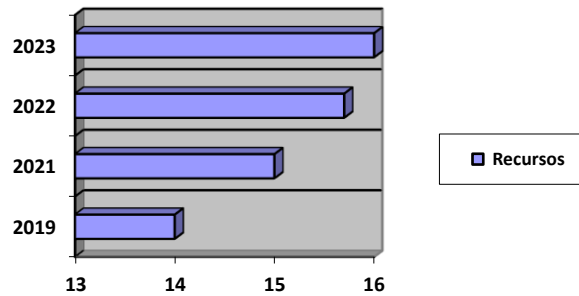


Chart 4. It describes the financial amount (in EUR million) of the participatory budget in 2019, 2021, 2022 and 2023.

Source: Prepared by the authors / Florianópolis City Hall.

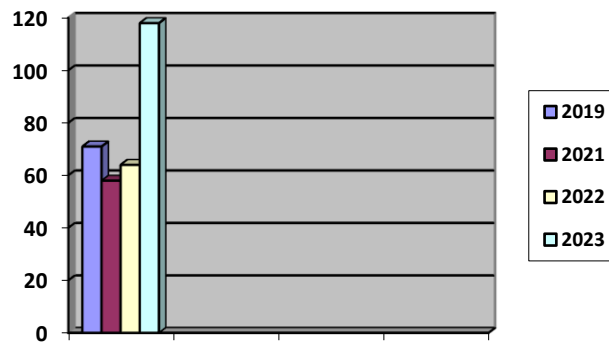


Chart 5. It describes the number of projects submitted via the participatory budget in 2019, 2021, 2022 and 2023.

Source: Prepared by the authors / Florianópolis City Hall.

It is apparent from the graphs that, except for the acute period of the COVID-19 pandemic, which decisively hampered periodic community meetings in Florianópolis, there was an increase in the number of projects and resources involved in the ideas spread through popular participation. In this bias, the normalization of the participatory budget has so far denoted itself as an incentive fatora for popular participation, democratizing the municipal public management.

Regarding the evolution of popular participation in Florianópolis, it is also worth remembering the similarity of the elaboration of the participatory budget through Law 10.461/2018 with the so-called "participatory legislative budget" that, in extension of the constitutional amendment of the federal tax budget, tried to outline that each councilman is entitled to an amount of the annual budget of the city hall and that should be applied in works of specific areas of the Capital.

According to Cataneo (2021), after submitting the proposal to the Chamber, the councilors and their teams addressed the communities, where they proposed that such amendments be the subject of construction of a "participatory socio-urban project", which would result in the production of pre-projects that reflect local desires for improvement and, in this perspective, also gained momentum the popular participation for the legitimization of the actions of the Public Power.

In short, it is noted that from the validity of Law 10.461/2018 there has been an increase of popular participation in the municipal management of Florianópolis, which reinforces the relevance of the participatory budget as an effective instrument of participatory democracy and,



in the same sense, the institutional environment absorbed this new dynamic.

5 CONCLUSION

With the expansion of the concept of citizenship, which, normatively driven by the new constitutional order from 1988 onwards, comes to be understood as social inclusion and political participation and is substantiated in its direct relationship with participative democracy, the theme of popular participation in public policies grows in complexity. Especially in the current scenario, with the impacts of globalization processes and the socio-environmental risks they entail.

In this scenario, we measure, in the structure of the Federal Republic, the municipality as a basic unit of social organization and the ideal environment for the joint action of the population in administrative decision-making, in view of its proximity and greater aptitude to externalize the priority demands.

Analyzing the participatory budget in Brazil, it was found that this institute is directly linked to the strengthening of local democracy, and that from the experience of Porto Alegre (RS), this initiative spread to several cities. However, the success in its operationalization is limited to numerous variables. Among these variables stand out: the party ideological orientation, the geographical region, the social development, the economic inequality and the size of the municipality, revealing the multifaceted character as to the implementation of the institute.

In this differentiated panorama, in Florianópolis, considering the five years of validity of Law 10.461/2018, it is concluded that the normalization of the participatory budget contributed to foster popular participation in the city and its respective communities, with the ability to promote greater social inclusion and community integration, having repercussions in different institutional spheres. In the light of the data analyzed in the experience of the Catarinense Capital, the hypothesis of the research is verified, since the participatory budget boosts the democratic implementation of constitutional policies in the municipal ambit, becoming a useful instrument for the optimization of the basic precepts of participatory democracy and the Democratic State of Law.

However, it is important to emphasize the need for the participatory budget, as a public policy, to be made operational in such a way as to effectively return to the objective of improving the quality of Community life, overcoming specific economic interests, ideological or partisan affections, so that its continuity, in the medium and long term, will entail better local administration and democratic management aimed at social and environmental justice.

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