Abstract
This article tries to understand the action of the Council of State in the construction of a Brazilian National State, from its formation as General Council of General Lawyers of Brazilian Provinces (1822-1823), going through its constitutional consolidation as Council of State (1823-1831), until its decadence and extinction in the beginning of Regency (1831-1834). The investigation wants to contribute to the solution of the issue related to the role performed by the Council of State in Brazil. Unlike what brazilian doctrine of administrative law declares, the institution does not accomplish legal functions, restricting itself to the work of constituting a political structure for the new rising country.

Keywords
Council of State, Brazil, construction of the State, first reign, regency.