

Electoral participation of persons with disabilities in Brazil: a (slowly) developing field.

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Abstract. Once identified that there is a lack of studies about the electoral participation of persons with disabilities in Brazil, this paper aims to present a literature review on the topic, considering publications in the Portuguese language between 2015 and 2024, the first decade after the Brazilian Inclusion Law came into force. Using the keywords “electoral participation of persons with disabilities in Brazil”, “electoral accessibility” and “representation of persons with disabilities in Brazil”, just 30 studies on the topic were mapped by searching on the Repository of Thesis and Dissertations of Capes (Sucupira Platform), the Capes Periodic Portal, Google Scholar, and the SciELO Brazil Portal. The publications are in the fields of History, Sociology, Social Sciences, Education, Social Development, Psychology, Political Science and Law. The main aspects that were discussed are normative perspectives on democracy and the inclusion of persons with disability in political life, legislation about the right to vote for persons with disabilities, with special attention to mentally disabled people and the conditions of relative and absolute civil incapacity in Brazilian legislation, electoral accessibility, and the actions of institutions as the Electoral Judiciary. Also, some studies present the perspectives of persons with disabilities about how they feel represented and conditioning factors to their political participation. In sum, the literature review indicates a slowly developing study field, which will certainly be improved in the next few years, due to the availability of electoral data about persons with disabilities in Brazil.

Keywords. Electoral participation, persons with disabilities, electoral accessibility.

1. Introduction

Due to the historical social exclusion and invisibilization processes that persons with disabilities were subjected to, this has also been reflected in the lack of studies about the political participation of these groups in Brazilian political science studies [1]. Instead of a significant improvement in the field of studies about the non-electoral participation processes – like the organization in associations, social movements, forums, and public policies councils-, the electoral participation of persons with disabilities in Brazil is less covered in the literature on the political participation of minoritarian groups [2].

Since the Brazilian Inclusion Law (Law Nº 13.146/2015) [3] entered into force, the theme of the political rights of persons with disabilities has gained more space in the public debate. One reason is the recognition of the capacity status of persons under the tutorship of a legal tutor, now allowed to vote [4]. Also, electoral data about persons with disabilities are recent: data about the electorate with disabilities started to be collected in 2010, and data about the candidatures of persons with disabilities have just been collected since 2020, a result of the actions of the Electoral Accessibility Program from the Electoral Judiciary [5].

Considering these points, this paper aims to present a literature review of the publications in the Portuguese language on the topic of electoral participation of persons with disabilities in Brazil, considering the period between 2015 to 2024. The objective is to map what kind of publications are predominant, the topics in discussion, in which fields the authors publish, and point out some research agendas.

2. Methodology

The literature review was carried out following some steps. First, I defined the online search repositories: the Repository of Thesis and Dissertations of Capes (Sucupira Platform), the Capes Periodic Portal, Google Scholar, and the SciELO Brazil Portal. Also, I defined the time in which I am interested – 2015 to 2024, exactly the first decade after the entry into force of the Brazilian Inclusion Law.

The second step was the definition of the keywords, which were the following, but in Portuguese: “electoral participation of persons with disabilities in Brazil”, “electoral accessibility” and “representation of persons with disabilities in Brazil”.

The third step was the selection and analysis of the

studies, based on the criteria defined above.

3. Results and Discussion

Following the criteria above mentioned, in total, 30 studies were mapped by searching in the four selected repositories.

From Google Scholar, of 907 results for the keywords, just 22 studies attended the search criteria. In SciELO Brazil's Portal, the two results were identified before by Google Scholar. In The Repository of Thesis and Dissertations of Capes (Sucupira Platform), from 291 results, just seven attended the selection criteria. From the five results of Capes Periodic Portal, just one wasn't mapped before in the other repositories.

As described in Chart 1, most of the publications are research papers published in journals (11). In sequence, came book chapters (07), Ph.D. Thesis (05), master's Dissertations (05), and Undergraduate Thesis (02).

Chart 1. Total of mapped publications.

Type of publication	Total
Research Paper	11
Book Chapter	07
Ph.D. Thesis	05
Master's Dissertation	05
Undergraduate Thesis	02
	30

Search: Prepared by the author, 2024.

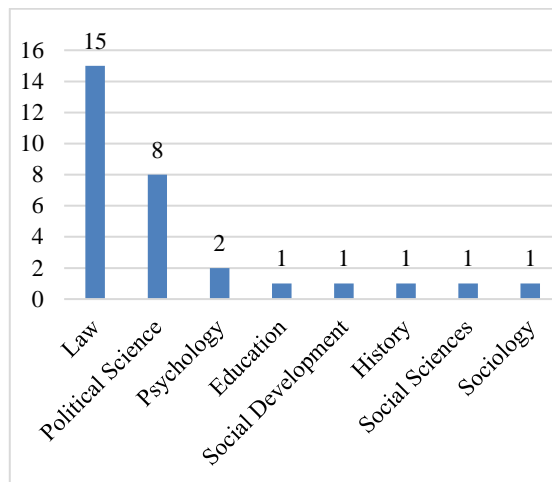
All the eleven papers were published in Brazilian journals, and distributed in four different areas: Education, Social Development, Political Science, and Law. Four book chapters were published in Brazil, in collections on studies in Psychology, Law, and Political Participation. Two book chapters were published in Mexico, and one in Spain, all in collections discussing topics on Law.

All five Ph.D. theses were published in Brazil, in the fields of History, Social Sciences, Sociology, Psychology, and Law. Of the master's dissertations, two were published in Portugal, one in Political Science and the other in Law, and three dissertations were published in Brazil, one in Law and two in Political Science. The two undergraduate theses were published in Brazil, in the field of Law.

More than half of the mapped publications are in the field of Law (15), followed by eight publications in Political Science, two in the field of Psychology, and in the fields of Education, Social Development, History, Social Sciences, and Sociology, one study was mapped for each.

The number of publications in the different fields is presented in Figure 1.

Figure 1. Fields of publication.



Search: Prepared by the author, 2024.

Some studies were selected to illustrate the main topics covered in the mapped literature, as will be presented below.

A fair, egalitarian, and inclusive social development is understood as possible when a community is built by people marked by differences who mobilize interventions, dialogues, political action, and cultural arts to enunciate material and symbolic fields as new forms of sociability [6]. This indicates the importance of the presence of persons with disabilities in deliberative spaces for the creation and development of public policies on disability and highlights the work of social movements and parliamentarians with disabilities on the creation of public agendas that view the transformation of social structures to create an accessible and fair world [7]. An emancipatory perspective is based on the premise of "doing with" persons with disabilities, and not "doing for" them [8].

The Brazilian State has incorporated the social model of disability into the normative system, by incorporating the CRPD/UN as a constitutional amendment. This means that this strongly demands the State to fully enforce the conventional precepts to safeguard the dignity of people with disabilities [9]. The right to political participation is understood as closely connected with other fundamental rights (civil, economic, social, and cultural) for the preservation of human dignity. In this way, the right to political participation is important for social transformation, inclusion, and emancipation of persons with disabilities [10].

Studies of Electoral Law emphasize the mandatory vote in Brazil [11] and make a comparison between the Brazilian and Portuguese Law regarding the right to vote for persons with disabilities [12]. Also, the right to vote for mentally disabled people is discussed, based on the construction of human rights, analyzing the conditions of relative and absolute civil incapacity in Brazilian legislation [13].

To guarantee the political participation of persons with disability, accessibility appears as fundamental, and different perspectives are presented. Brazilian accessibility politics are analyzed [14], and challenges in providing accessibility are discussed from the perspective of the use of biotechnology for full electoral accessibility for people with severe intellectual disabilities [15].

The Electoral Accessibility Program from the Electoral Judiciary is pointed out as playing a central role in the process of improving accessibility in the polling stations, online services, electoral propaganda, etcetera [16]. The implementation and applicability of the Brazilian Inclusion Law by the Electoral Judiciary is investigated by analyzing the internal normative evolution of the Electoral Judiciary concerning the participation and accessibility of people with disabilities in the electoral process [17]. Two studies focused specifically on the state of Ceará were conducted. One study analyzed how the Electoral Judiciary acts to overcome physical, communication, and attitudinal obstacles [18]. The other analyzed the electoral accessibility conditions, based on a survey conducted with electors with disability from the city of Fortaleza [19]. Also, some challenges and limitations of the electoral inclusion of persons with disabilities are discussed, pointing out the role of the political parties and the Electoral Judiciary [20].

Focused on institutional processes of discussion of legislation, one study analyzes the process of participation of persons with disability in the Constituent Assembly and quickly presents the inclusion of the electoral rights of persons with disability in the Brazilian Constitution [21]. Based on a deliberative premise, another study analyzes the process of elaboration of the Brazilian Inclusion Law, by identifying the different political discourses that permeate the bill and the different political actors mobilized around the issue [22].

A quota system, with the reservation of vacancies in legislative houses in Brazil for persons with disabilities, is discussed as an action to guarantee the right to political participation and representation of this minority group [23].

Regarding parliamentary representation, one study discussed the perspectives of disabled persons about the way they are represented in the Chamber of Deputies, due to the emergence of a specific group of parliamentarians with disabilities and others without disabilities who began to defend this cause, which resulted in the Creation of the Defense Commission of Persons with Disabilities, in 2015 and the approval of the Brazilian Inclusion Law, in the same year [24].

A literature review on the three main modalities of participation – associations and social movements, institutional participation through councils, and electoral participation-, indicates the scarce electoral

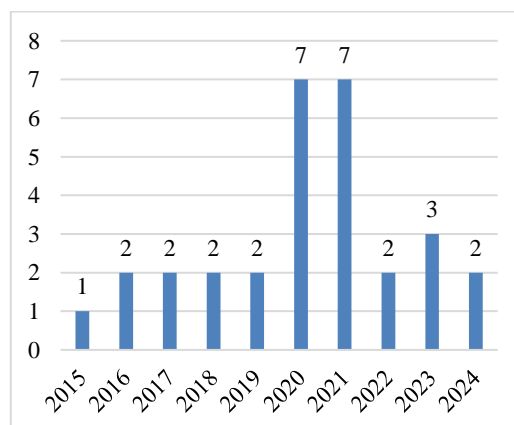
data about voters and candidates with disability in Brazil [25], which is analyzed by pointing the diverse barriers as a main reason for the less presence of this group in the electoral arena [26].

An innovative study from the field of Psychology investigates, in the life history of activists with disabilities, the mediators who contributed to their political participation. The main findings indicate that, for the political participation of persons with disabilities, the main mediators are a disability identity that is built into the experience of participation; the centrality of participation related to the social position of the individual in the social structure; and class consciousness. In the interviewees' narratives, relations of gender, race, sexuality, disability, and social class appeared as social places that still define who participates socially and politically, how they participate, and how this influences subjective processes that are permeated by feelings of suffering, loneliness, and abandonment, as well as processes of constant resilience and resignification (especially collectively) to subjectivize with positive self-esteem, as deserving of love, respect, and dignified life [27].

In sum, two main perspectives can be noticed from the studies: first, the theoretical and normative argumentations on the representation and political participation of minorities, specifically the right to political participation of persons with disabilities, with a focus on the legal capacity of persons with several mental illnesses to participate. The second main perspective is on how this right is materialized. Discussions about the activities of the political institutions receive attention, especially the Electoral Accessibility Program of the Electoral Justice, and other processes of elaboration of legislation. The main studies give more attention to institutional actions on the electoral rights of persons with disabilities, and only a few studies analyze the perspectives of persons with disabilities themselves on accessibility and inclusion issues.

Finally, let us investigate the publications per year.

Figure 2. Year of publication.



Search: Prepared by the author, 2024.

As presented in Figure 2, the years with the highest number of publications were 2020 and 2021, with seven publications each year.

An interesting point is, that in the ten years since the entry into force of the Brazilian Inclusion Law, there is at least one academic publication about electoral participation of persons with disabilities in Brazil per year.

The data collected with this literature review indicates that this research field is improving slowly and that there is not yet an established research community on the electoral participation of persons with disabilities in Brazil.

4. Conclusion

The objective of this paper was to present a literature review on the electoral participation of persons with disabilities in Brazil, considering studies published between 2015 and 2024, and in Portuguese language.

Just 30 studies were mapped, which indicates a slowly developing study field, and one reason for the fewer studies in political science can be the scarcity of electoral data about people with disabilities.

The main topics discussed were on electoral law, about the right of persons with disability to vote, often focused on persons with several mental and intellectual illnesses, and electoral accessibility, focused on the actions of the political institutions in this way.

To conclude, some research topics that could be investigated by political scientists are, for example: the trajectories of elected representatives with disabilities, studies on the voting behavior of persons with disabilities, studies on the role of parties in the inclusion or exclusion of persons with disabilities, studies on the perceptions of voters with disabilities regarding electoral accessibility, among other topics.

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