Scholars in recent years have increasingly debated how groups that have been excluded from political participation, such as people with disabilities, can be included in the political process (Schur, Kruse, and Blanck, 2013; Savery, 2015; Ryan, Henderson, and Bonython, 2016). Previous studies have established that while many people with disabilities have both the ability and desire to vote, they still find themselves disenfranchised because they lack the necessary knowledge, information, or support to vote (Inoue, 1993; Schriner, Ochs, and Shields, 1997; Schriner and Ochs, 2000; Scotch, 1988, 2001; Kjellberg 2002; Argan and Hughes, 2013; Argan, MacLean, and Kitchen, 2016; Bell and Horsler, 2003; Femec, Kis-Glavas, and Masic, 2017). In this article, however, I focus on the right to vote, which is the most essential condition of political participation.

The right to vote is a crucial aspect of democracy. Still, even citizens of many democratic countries may find their voting rights restricted because they have an intellectual or mental disability or suffer from declining cognitive function. Voting restrictions typically take the form of limitations on the right to vote of people who are wards in an adult guardianship system or people whose legal capacity has been restricted by a court decision (Beckman, 2012, pp.167-171; European Union Agency for Fundamental Rights, 2010, p.15). Specifically, an investigation of the election laws of 63 countries that were considered fully democratic in the 1990s found that only four of these countries did not restrict the voting rights of people with mental or intellectual disabilities (Massicotte, Blais, and Yoshinaka, 2003, pp.17-27). In recent years, however, some countries have been reassessing voting restrictions grounded in restricted legal capacity based on these kinds of impairments. By the latter half of the 2000s, the number of countries that did not restrict the voting rights of people with mental or intellectual disabilities had increased to 11, including Japan. I will discuss this in detail later.