In recent years, the possibility of including groups marginalized from political participation, such as people with disabilities, in the political process has become a pressing issue. (Schur, Kruse, and Blanck, 2013; Savery, 2015; Ryan, Henderson, and Bonython, 2016). Previous research has highlighted that while many with disabilities possess the capability and desire to vote, they are kept from voting due to a lack of the requisite knowledge, information, and support (井上,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). This paper will focus on the right to vote, which is the most fundamental requirement for political participation.

The right to vote is an imperative component of democracy. Despite this being essential for democracy, most democratic countries restrict the right to vote when an individual’s mental capacity deteriorates, i.e. if they have an intellectual disability or an emotional and behavioral disorder. A classic example of these restrictions on the right to vote appears in the limitations put on people who use the adult guardianship system and people whose legal capacity has been restricted by the courts (Beckman, 2012, pp.167-171; European Union Agency for Fundamental Rights, 2010, p.15). To be more specific, a survey conducted in the 1990s on the election laws of the 63 countries that can be regarded as sufficiently democratic showed that only four of these countries had no restrictions on the right to vote for people with intellectual disabilities or emotional and behavioral disorders (Massicotte, Blais, and Yoshinaka, 2003, pp.17-27). These restrictions on the right to vote, predicated on the deterioration of an individual’s mental capacity through these sorts of disabilities, are currently being reviewed. Since the late 2000s, the number of countries without restrictions on the right to vote for these reasons has increased to 11, including Japan. We will examine this in more detail below.