

## Women's Participation In The Brazilian Political Scene

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### Abstract:

The participation of women in Brazilian politics constitutes an essential field of debate for understanding both the democratic evolution of the country and the persistent challenges related to gender representativeness. Although women comprise the majority of the population and the electorate, their presence in positions of power remains significantly lower than that of men. In this context, the present study aims to analyze the historical and legal trajectory of women's inclusion in Brazilian politics, highlighting achievements, limitations, and institutional mechanisms—such as the quota system—designed to reduce structural inequalities. The methodology adopted consisted of an exploratory literature review, drawing on legislation, institutional documents, scientific articles, and classical works that address the female struggle for political rights, the principle of equality, and the consolidation of democracy in Brazil. The results show that, despite the progress initiated by the suffragist movement, the expansion of rights guaranteed by the 1988 Constitution, and the implementation of affirmative actions to promote women's access to political candidacy, female political representation remains below expectations. The study also demonstrates that historical, cultural, and institutional barriers continue to limit women's political protagonism, although recent elections, such as those held in 2022, indicate a gradual increase in women's participation in the national political arena. It is concluded that expanding women's presence in politics requires not only legal norms, but also profound cultural change, the strengthening of inclusive public policies, and the development of civic education from early schooling. Only through such measures will it be possible to advance toward a truly egalitarian and representative democratic model.

**Keywords:** Direitos fundamentais. Parto. Violência obstétrica. Reparação.

## **I. Introduction**

The discussion regarding women's participation in Brazilian politics is a topic of both historical and contemporary relevance, particularly when considering that, despite being the majority of the population and the electorate, women still face significant underrepresentation in formal spaces of power.

A symbolic milestone in this trajectory is the election of Alzira Soriano in 1928, in the municipality of Lajes, Rio Grande do Norte. At a time when women did not yet possess political or social recognition to hold public office, her victory at the age of 32, with 60% of the votes, represented a disruptive act capable of challenging consolidated patriarchal structures.

Following normative advancements, such as the enactment of Law No. 9,100/1995, which established minimum quotas for female candidacies, efforts were made to broaden mechanisms for equal access to political participation. However, despite such instruments, the gap between the numerical presence of women in society and their effective exercise of power within the legislative and executive spheres remains evident. Even in the face of campaigns, public debates, and pressure from feminist movements, women's inclusion continues to be limited, reflecting gender inequalities that transcend the political realm and are rooted in social, cultural, and institutional dimensions.

In this sense, the study is justified by the persistent lack of female representativeness, a phenomenon that undermines the materialization of the democratic rule of law, which presupposes plurality and proportionality in the composition of its decision-making bodies.

Thus, the aim of this study is to analyze the trajectory of women in Brazilian political life, highlighting the achievements, barriers, and contradictions that shape their historical path.

Methodologically, this research adopts an exploratory literature review grounded in legislation, institutional documents, and scientific publications addressing the relationship between gender, politics, and equality. It proceeds from the understanding that the realization of democracy does not end with the right to vote, but rather requires the substantial, and not merely formal presence of representatives of both majority and minority groups, ensuring proportionality among genders, races, ethnicities, and other historically marginalized segments. Therefore, the need for political and educational strategies that promote equity and consolidate real conditions for participation for both men and women on equal footing is reaffirmed.

## **II. Women In Politics**

In the contemporary context, marked by intense social and cultural transformations, it is evident that women have increasingly gained space in the labor market and in decision-making spheres. However, the resistance they continue to face today is a legacy of a long and exclusionary historical process that consolidated patriarchal structures responsible for restricting women's presence in public life. Even after significant advances, the underrepresentation of women in institutional politics remains evident.

Although women participate substantially in political parties and mobilizations, only a small portion effectively attains elected office. The contrast between demographic presence and occupation of power is striking: according to data from the Superior Electoral Court, women represent approximately 53% of the Brazilian electorate but occupy less than 15% of political positions, revealing profound gender asymmetries within the country's political structure.

This exclusion has historical roots. Limongi; Oliveira & Schmitt (2020) points out that, since the Constitution of 1824, the suffrage granted to citizens did not include women, whose social role was restricted to the domestic sphere and reproductive functions. The Brazilian scenario is not an isolated case: such inequalities were identified in several countries and became the subject of global debate, as in the Fourth World Conference on Women, held in Beijing in 1995, where the adoption of quotas to increase women's representation in elective and non-elective positions was recommended.

In response to these recommendations, Brazil launched the campaign "Women Without Fear of Power" and, in the same year, approved Law No. 9,100/1995, which established a minimum requirement of 20% female candidates for the Legislative Branch. Subsequently, legislation was improved through Law No. 9,504/1996, which raised the percentage to 25% and, later, to 30% beginning in the 2000s.

Barsted (2011) emphasizes that advances in the recognition of women's human rights resulted from transnational political articulations promoted by feminist movements, which denounced discriminatory practices and advocated for the expansion of the concept of citizenship. As the author states: "The struggle to reverse this situation included a remarkable effort directed toward the legislative production of international and national instruments [...] stemming from a historical process aimed at expanding the very concept of citizenship" (Barsted, 2011, p. 97).

In Brazil, this movement found support in the Federal Constitution of 1988, which established formal and material equality as a foundation of the Democratic Rule of Law, guaranteeing equal rights and duties to all individuals, regardless of race, gender, or creed. Constitutional reaffirmation fostered the emergence of a new phase in women's trajectory, marked by the pursuit of political identity, the expansion of rights, and the consolidation of historic achievements.

As women seek their true identity, events unfolded, struggles were undertaken and victories achieved; nevertheless, these milestones inaugurated a new phase, and as Barsted asserts:

"The protagonism of women in the struggle for their citizenship, seeking to reclaim a lost time, marked the latter half of the twentieth century. It was not merely a matter of including a new rights-bearing subject or extending existing rights to women. It involved the construction of a new legal framework capable of encompassing the emerging demands of a specific collective subject" (Barsted, 2011, p. 98).

In the contemporary social landscape, the figure of the woman who increasingly asserts her rights—both in the professional sphere and in the political realm—re-emerges. This is a woman who seeks visibility and recognition, committed to inserting into the public agenda feminist issues historically silenced, thereby contributing to the construction of a society in which women effectively have voice, agency, and meaningful participation in decision-making spaces.

Gender inequality, often intertwined with racial inequalities, constitutes a structural phenomenon that, over time, has positioned women significantly below men. This asymmetry produces profound impacts on the possibilities for socioeconomic and political advancement, subjecting women to obstacles that make their insertion and permanence in competitive environments even more challenging. In the labor market, such disparity becomes evident: even when they possess equivalent qualifications, women continue to receive lower pay, reinforcing persistent cycles of vulnerability and exclusion.

In this regard, Martello (2012, p. 77) observes that:

"The domination contract of men over women, which characterizes Patriarchy, results in the structuring of the public sphere as a masculine domain, while confining women to the private sphere, associated with emotion and motherhood, considered a space restricted to the reproduction of life and, therefore, non-political. These forms of belonging are naturalized through the attribution of personality traits that supposedly justify the suitability of these subjects to the spaces to which they have been historically assigned" (Martello, 2012, p. 77).

Within the domestic sphere, historically, women have assumed a double workday, accumulating family care responsibilities and often performing, simultaneously, the socially assigned roles of both father and mother. In the recent past, particularly following the rise in separation and divorce rates, child custody was almost automatically granted to mothers, except in exceptional circumstances that justified a different decision. This phenomenon further reinforced the female overload and the naturalization of the idea that caring for descendants was essentially a maternal task.

However, the institution of shared custody, consolidated within the Brazilian legal system, represents a significant step toward parental co-responsibility. By promoting a balanced division of parental duties, this model contributes to reducing gender inequalities in the family sphere and favors a more equitable upbringing of children. Such a shift, albeit gradual, allows women to experience greater autonomy, benefit from a fairer redistribution of domestic responsibilities, and see their social space expanded and recognized in a more dignified and egalitarian manner.

Para o alcance dos objetivos estabelecidos, utilizou-se o método dedutivo de abordagem científica, o qual parte de premissas gerais para a análise de situações específicas, permitindo chegar a conclusões igualmente particulares. Assim, foram examinadas as normas jurídicas, doutrinas e documentos relacionados ao tema, possibilitando a compreensão da violência obstétrica sob a perspectiva dos direitos fundamentais.

A escolha do método dedutivo justificou-se pela necessidade de partir de fundamentos teóricos e normativos amplos, como a Constituição Federal, o Código Civil, o Código Penal e tratados internacionais de direitos humanos, para então analisar situações concretas e específicas ligadas à prática da violência obstétrica. Essa abordagem permitiu identificar a compatibilidade, bem como as lacunas, entre o ordenamento jurídico brasileiro e a realidade vivenciada pelas mulheres.

Quanto à técnica de pesquisa, adotou-se a documentação indireta, realizada por meio do exame de fontes secundárias. Foram consultados documentos oficiais, legislações, obras doutrinárias, artigos científicos e materiais disponíveis em bases digitais de pesquisa acadêmica. Essa etapa possibilitou reunir diferentes perspectivas teóricas e normativas sobre o tema, assegurando maior consistência e profundidade à análise.

Além disso, a pesquisa bibliográfica fundamentou-se na seleção criteriosa de referências nacionais e internacionais, permitindo não apenas identificar a evolução conceitual da violência obstétrica, mas também comparar experiências jurídicas em distintos países. Desse modo, a metodologia aplicada possibilitou construir um estudo crítico e reflexivo, voltado para a compreensão da violência obstétrica como uma forma de violação de direitos fundamentais e para a análise das possibilidades de responsabilização civil e penal.

### **Women's Vote in Brazil and the Achievement of Electoral Rights**

With the Proclamation of the Republic on November 15, 1889, and the subsequent promulgation of the 1891 Constitution, certain property-based requirements, especially those related to income, for the exercise of political rights were eliminated. Despite this advancement, political citizenship remained restricted, as illiterate individuals continued to be excluded from the electoral process. It is important to note that the 1891 Constitution did not explicitly prohibit women from voting; however, the absence of specific provisions allowed electoral boards to systematically reject voter registration requests submitted by women (Albernaz, 2019).

It was only in 1932, during the government of Getúlio Vargas, that the scenario began to change significantly, with the promulgation of the first Electoral Code and the incorporation of women's right to vote, a victory resulting from the suffragist movement, which had been gaining strength since the early decades of the twentieth century. Nevertheless, the expansion of suffrage did not include illiterate citizens, thus maintaining the long-standing historical restriction (Barroso, 2020).

In this context, Oliveira (2019) identifies three fundamental milestones for the consolidation of women's participation in Brazilian politics:

"The first milestone is the achievement of the right to vote in 1932, the result of an intense women's movement that began in 1919, known as the suffragist movement. The second refers to the feminist movement that emerged in the 1970s, when women began to fight for broader rights, including those related to the democratization of the country. The third is the 1988 Constitution, which consolidated numerous rights and is recognized as the moment in which formal equality of rights between men and women was achieved" (Oliveira, 2019, p. 14).

The Electoral Code that initially recognized women's right to vote, however, contained provisions that reproduced existing inequalities. Although Article 121 formally ensured female suffrage, the legal text itself established mechanisms of segregation by exempting women, as well as individuals over 60 years of age, from compulsory voting, thereby reinforcing the notion of reduced political capacity for this group (Limongi; Oliveira; Schmitt, 2020).

The 1934 Constitution advanced by introducing mandatory voting for women who held public positions; however, this obligation did not extend to all women, perpetuating internal distinctions and maintaining female participation conditioned on specific criteria.

It was only with the 1946 Constitution that mandatory voting for women was more broadly established, equating it with male voting rights and symbolizing an important step in consolidating women's political citizenship (Bester, 1997). Nonetheless, the same Constitution preserved significant restrictions: illiterate individuals remained excluded from the electoral process, and citizens with suspended political rights were barred from voting. Moreover, interpretative doubts persisted regarding the inclusion of women without their own income, which, in practice, continued to limit the scope of the right to vote and undermined the principle of equality.

Only with the promulgation of the 1988 Federal Constitution was universal suffrage fully consolidated, elevating the right to vote to the status of a fundamental guarantee. Article 14 established popular sovereignty through direct and secret voting, with equal value for all, and set voting as compulsory for those over eighteen and optional for illiterate citizens, youths aged 16 and 17, and individuals over 70.

To ensure the stability of this democratic achievement, the 1988 Constitution elevated direct, secret, universal, and periodic voting to the status of an unamendable clause (*cláusula pétrea*), as set forth in Article 60, §4º, preventing any attempt to roll back political rights.

Thus, after a historical trajectory marked by exclusions and social struggles, the right to vote, especially women's suffrage, became firmly established as an irrevocable guarantee within the Brazilian legal system, representing a definitive achievement in the quest for substantive equality between men and women

### **Affirmative Actions and Quota Policies in Women's Political Representation**

To confront the persistent inequality present in the Brazilian political landscape, it becomes essential to discuss the role of affirmative actions, especially considering that electoral legislation has incorporated the gender quota system as a response to historical factors of exclusion. Affirmative actions aim not only to combat contemporary discriminatory practices but also to compensate for the accumulated effects of past discriminations deeply rooted in the social structure.

Although their origin is a subject of debate, it is recorded that, as early as 1961, India adopted measures designed to ensure parliamentary participation for groups considered socially inferior under the caste system, representing one of the earliest institutionalized examples of affirmative action policies in the political sphere.

In conceptual terms, Joaquim Barbosa (2001) defines affirmative actions as a set of public and private policies—compulsory, optional, or voluntary, intended to combat racial, gender-based, disability-related, and national-origin discrimination, as well as to mitigate or correct the effects of historical inequality. Such policies, as the author emphasizes, seek to materialize the constitutional principle of effective equality of opportunities.

In this sense, affirmative actions constitute differential legal mechanisms that provide specific treatment to certain groups with the purpose of correcting structural inequalities, whether social, economic, or political. Their function is to integrate and promote equitable conditions for social segments historically situated in positions of disadvantage.

Regarding the nature of these measures, legal scholarship identifies two main strands within the legal system: the compensatory and the distributive (Salatiel, 2012). The former aims to repair harms caused to groups discriminated against in the past, while the latter seeks to distribute benefits or opportunities based on the principle of proportionality, ensuring preferential treatment for those who experience persistent inequalities. In the contemporary Brazilian context, the distributive approach prevails, oriented toward the active promotion of material equality and the expansion of participation among underrepresented groups, such as women in politics.

### **III. Constitutional Equality As A Mechanism For Ensuring Women's Political Rights**

The promulgation of the 1988 Federal Constitution marked a historic milestone by reaffirming, in a broad and systematic manner, the Brazilian State's commitment to eliminating all forms of inequality and discrimination, including those directed at women. Article 5, by stating that 'all persons are equal before the law, without distinction of any kind,' gives normative substance to the principle of equality, whose centrality is reiterated throughout various constitutional provisions.

As Zulmar Fachin (2012, p. 228) notes, the 1988 Constitution is deeply committed to the principle of equality, containing multiple provisions, both explicit and implicit, designed to ensure its implementation. Thus, the constitutional text was drafted to guarantee that equality extends to all individuals, regardless of race, color, ethnicity, sex, or belief.

It is important to recognize, however, that formal equality is not to be confused with material equality. The particularities inherent to each individual impede the complete standardization of social, professional, and economic conditions. In this sense, the Constitution does not aim to equalize people in their life circumstances; rather, it seeks to ensure that access to rights and opportunities occurs isonomically, whether through legislation or through individuals' own agency.

Although it was not the first Brazilian constitutional text to provide for formal equality, the 1988 Constitution distinguished itself by incorporating the notion of substantive equality. By aligning itself with the fundamental objectives set forth in Article 3, especially the eradication of poverty, the reduction of social and regional inequalities, and the promotion of the well-being of all, the 1988 constituent assembly granted the principle of equality the status of an interpretative vector and the foundation for public policies aimed at inclusion, including those that expanded women's rights.

Nicz (2008, p. 74) notes that although absolute material equality is unattainable, the State cannot abandon its duty to promote policies that mitigate inequalities and strengthen the protection of vulnerable groups. Along similar lines, Fachin (2012, p. 228) emphasizes that the legislator is bound by the obligation to enact norms that treat individuals in similar conditions equally, ensuring an equitable legal structure.

The principle of equality, however, does not prevent legislators from differentiating among distinct situations. On the contrary, as Celso Antônio Bandeira de Melo (2017, p. 12) states, legal norms frequently discriminate between circumstances as a means of promoting isonomy itself, adjusting historical inequalities to enable material equality. It is based on this logic that affirmative actions, including gender quotas, emerge as mechanisms designed to correct disparities and promote greater female participation in spaces of power.

Advances in constitutional equality have produced significant effects on the political trajectory of women. What once amounted to a merely abstract permission to participate evolved into an 'invitation to inclusion,' in Habermas's (2002) terms, whereby substantive equality opens the public sphere to the effective integration of the 'other.' Thus, the transition into the late twentieth century was marked by a profound reconfiguration: women, formerly confined to the domestic sphere, ended the century with consolidated political rights and constitutional recognition of their full citizenship.

It is important to underscore that these advances were not the result of benevolent concessions, but of historical struggles led by women themselves, who asserted their political presence in a space traditionally dominated by men. Constitutional equality, by reducing prejudice and discrimination, contributed to the gradual transformation of Brazilian social and institutional culture.

Two factors, in particular, deserve emphasis in this process: (1) equality within conjugal relations, introduced by Article 226, §5, which equalized the rights and duties of men and women within the family sphere, granting women greater autonomy and authority in the household; (2) the constitutional prohibition of wage, functional, and professional discrimination based on sex, age, color, or marital status (Article 7, XXX), which strengthened women's position in the labor market and expanded their social recognition.

Despite these formal advances, material inequality persists. Data published by *Época* magazine (Donagio; Midori, 2017), based on IBGE findings, demonstrate that women still receive approximately 70% of men's wages for equivalent functions, in addition to facing subjective barriers in hiring, promotion, and

professional recognition. Amauri Mascaro Nascimento (2014) notes that discrimination occurs when employers use subjective criteria to exclude opportunities on the basis of factors prohibited by law, such as sex.

Thus, although legislative progress contributes to the equalization of rights, full equality remains distant from practical reality. Nevertheless, such legal changes have significantly elevated women's social status, expanding their capacity to demand equal treatment and participate actively in the political sphere.

This process also manifested in elections following the 1988 Constitution. While the 1986 National Constituent Assembly included 26 female federal deputies, the number increased to 29 deputies and 2 senators in the subsequent legislature (1990–1993), and to 32 deputies and 4 senators in the 1994–1997 legislature, evidencing a gradual, albeit slow, movement toward the inclusion of women in Parliament.

#### **IV. The Major Victory Of Women In The 2022 Elections**

In a scenario historically marked by the underrepresentation of women, the 2022 elections constituted a significant milestone for women's political participation in Brazil. In that electoral cycle, female candidacies accounted for approximately 33% of all contenders, a record compared with the previous three general elections and evidence of substantial progress in the process of political inclusion (Albernaz, 2022).

The year 2022 also marked the 90th anniversary of the legal recognition of women's right to vote, a victory resulting from the suffragist movements of the early twentieth century. This symbolic date reinforces the historicity of women's presence in the political arena, even though their trajectory has long been shaped by institutional, cultural, and social obstacles. Over the decades, despite persistent resistance, women have expanded their participation in the public sphere and have progressively gained greater visibility.

A significant milestone in this process occurred in 2010, when the highest political office in the country, the Presidency of the Republic, was occupied by a woman. Although this event did not, by itself, overcome the structural gender inequalities present in Brazilian politics, it carries strong symbolic value, as it breaks paradigms and demonstrates women's capacity to exercise functions of high complexity and political responsibility.

Thus, despite the limitations that continue to characterize the Brazilian political system, an upward trend in women's political participation can be observed. This progress, albeit gradual, reflects both the effectiveness of institutional policies, such as gender quotas, and the growing engagement of women themselves in the pursuit of positions of power. The victory achieved in 2022, therefore, is not merely numerical: it represents the consolidation of a historical process of claim-making, resistance, and affirmation of political rights.

#### **V. Conclusion**

In light of the foregoing, it becomes evident that the presence of women in the Brazilian political arena remains limited when compared to the proportion of women within society. Despite this underrepresentation, it is possible to identify a gradual increase in female participation in electoral processes, demonstrating that, although still restricted, their presence is far from insignificant. Such progress reveals signs of transformation, albeit slow, in the dynamics of occupying spaces of power.

However, the effective expansion of women's political representation requires not only the existence of legal norms but also the implementation of structural mechanisms that ensure their applicability and continuity. Without effective and permanent public policies, legislation tends to produce limited effects, insufficient to promote substantive changes in the political landscape. In this regard, the quota system has proven to be a viable instrument and should be improved through incentives, such as the adoption of reward mechanisms for parties that consistently increase the participation of women on their lists and in legislative seats.

At the same time, it is essential to integrate political education systematically into the school environment, fostering from childhood an understanding of civic responsibility in the conscious selection of representatives and the recognition that men and women possess equal capacity to perform public functions. Civic education is a central element in weakening stereotypes and constructing a more plural democratic culture.

Thus, more than celebrating women's rise in the political sphere, it is necessary to ensure conditions that allow this participation to occur equitably, consciously, and representatively. Gender equality in politics must not be viewed as a privilege or concession, but as an indispensable requirement for the realization of a democracy that genuinely reflects the diversity of its society.

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