

Analysis of the Concept of Path Dependence in Brazilian Special Education Policy (2008–2020)

Análise do Conceito de Path Dependence na política brasileira de Educação Especial (2008-2020)

Análisis del Concepto de Path Dependence en la Política Brasileña de Educación Especial (2008-2020)

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Abstract: Within the field of Political Science, the concept of path dependence refers to the influence exerted by previous institutional choices on the subsequent directions of public policies, grounded in mechanisms of increasing returns, institutional self-reinforcement, and positive feedback processes that contribute to the maintenance and reproduction of specific decision-making patterns. It constitutes a historically embedded process in which prior institutional decisions and outcomes generate cumulative effects on public policies, reinforcing particular trajectories and contributing to the consolidation of specific patterns of institutional change. The present study aimed to analyze the developments of the concept of path dependence as a process of gradual change in Brazilian Special Education policy, considering as temporal landmarks the publication of the National Policy on Special Education from the Perspective of Inclusive Education (2008) and Decree N° 10.502/2020, which established the “National Policy on Special Education: Equitable, Inclusive, and Lifelong Learning”. This documentary study examined major policy documents in the field, as well as theses and dissertations available in the Brazilian Digital Library of Theses and Dissertations (BDTD), focusing on educational policy through the analytical lens of the path dependence concept. The findings revealed a scarcity of studies specifically addressing this topic, highlighting a promising field of investigation for researchers in Political Science and Special Education.

Keywords: Path dependence; Historical institutionalism; Educational policy; Special Education.

Resumo: No âmbito da Ciência Política, o conceito de *path dependence* (dependência de trajetória) refere-se à influência exercida por escolhas institucionais anteriores sobre os rumos posteriores das políticas públicas, sustentando-se em mecanismos de retornos crescentes, autorreforço institucional e feedbacks positivos que contribuem para a manutenção e reprodução de determinados padrões decisórios. Trata-se de um processo de natureza histórica em que decisões e resultados institucionais anteriores produzem efeitos cumulativos sobre as políticas públicas, reforçando determinadas trajetórias e contribuindo para a consolidação de padrões específicos de mudança institucional. O presente estudo teve como objetivo analisar os desdobramentos do conceito de *path dependence*, enquanto mudança gradual na política brasileira de Educação Especial, considerando como marcos temporais a publicação da Política Nacional de Educação Especial na Perspectiva da Educação inclusiva (2008) e o Decreto n°

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10.502/2020, que instituiu a “Política Nacional de Educação Especial: equitativa, inclusiva e com aprendizado ao longo da vida”. Trata-se de uma pesquisa documental, que buscou nos principais documentos publicados da área, bem como em teses e dissertações na Biblioteca Digital Brasileira de Teses e Dissertações (BDTD), aspectos sobre a política educacional com foco neste conceito. Os resultados apontaram uma ausência de trabalhos com essa temática, evidenciando profícuo campo de pesquisa para que pesquisadores das áreas de Ciência Política e Educação Especial possam se debruçar.

Palavras-chave: *Path dependence*; Institucionalismo histórico; Política educacional; Educação Especial.

Resumen: En el ámbito de la Ciencia Política, el concepto de path dependence (dependencia de trayectoria) se refiere a la influencia ejercida por elecciones institucionales previas sobre los rumbos posteriores de las políticas públicas, sustentándose en mecanismos de rendimientos crecientes, autorreforzamiento institucional y retroalimentaciones positivas que contribuyen al mantenimiento y la reproducción de determinados patrones decisorios. Se trata de un proceso de naturaleza histórica en el cual decisiones y resultados institucionales anteriores producen efectos acumulativos sobre las políticas públicas, reforzando determinadas trayectorias y contribuyendo a la consolidación de patrones específicos de cambio institucional. El presente estudio tuvo como objetivo analizar los desdoblamientos del concepto de path dependence como cambio gradual en la política brasileña de Educación Especial, considerando como marcos temporales la publicación de la Política Nacional de Educación Especial en la Perspectiva de la Educación Inclusiva (2008) y el Decreto nº 10.502/2020, que instituyó la “Política Nacional de Educación Especial: equitativa, inclusiva y con aprendizaje a lo largo de la vida”. Se trata de una investigación documental que buscó, en los principales documentos publicados en el área, así como en tesis y disertaciones disponibles en la Biblioteca Digital Brasileña de Tesis y Disertaciones (BDTD), aspectos relacionados con la política educativa centrados en este concepto. Los resultados evidenciaron una ausencia de trabajos sobre esta temática, revelando un campo de investigación profícuo para que investigadores de las áreas de Ciencia Política y Educación Especial puedan profundizar en su estudio.

Palabras clave: *Path dependence*; Institucionalismo histórico; Política educativa; Educación Especial.

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Introduction

The political field of Brazilian Special Education has undergone intense debate in recent years. These theoretical perspectives unfold into competing disputes regarding the funding of specialized services, the very definition of the target population eligible for such services, as well as structural aspects such as the training of specialized teachers (or the lack thereof) and other variables that compromise the implementation of these policies.

In this context, a question proposed by Peres (2008, p. 53) is particularly relevant to attempts at understanding and reflecting upon the implementation of Special Education policies: “Are political decisions the direct result of the preferences of individuals acting in isolation and selfishly, or are they processes induced by political and social institutions that regulate collective choices?”

According to Levitsky and Ziblatt (2018), legislative and institutional studies have become central within contemporary Political Science, particularly in light of the social transformations that emerged following Brazil's redemocratization period. Therefore, there is a growing demand for knowledge concerning the political-institutional foundations that contribute to the consolidation of representative democracy (Silva, 2020).

When discussing old Institutionalism and the Neo-institutionalist² revolution, Peres (2008) emphasizes that the reintroduction of institutions as explanatory variables of political actors' dynamics, grounded in empirical and positivist approaches, resulted from two processes. The first dates back to the 1960s, when some political analysts focused on the behaviorist approach of Economics, based on a system of deductive inferences. Consequently, as Political Science began to adopt this deductive explanatory model, it disregarded social and political institutions as important variables.

The second process concerns a dissonance between Arrow's³ (1951) mathematical demonstration and the data derived from studies on the United States Congress. These findings reinforced the premise that parliamentarians, when voting in assemblies governed by majority rules, made politically relevant decisions without addressing the problem of "irrational cycles" (Peres, 2008).

According to Carvalho (2011), Neo-institutionalism was not developed as a uniform theoretical framework. Rather, it became a connecting element among scholars from different theoretical traditions, all of whom reinforce the principle that institutions are relevant and central to the analysis of political and social processes. Its primary objective is to establish a theoretical mediation between analyses focused on the State and those centered on society. According to the author, institutions are fundamental to the study of politics due to the relevance of the State as both actor and policymaker, as well as its capacity to influence political culture, actors' strategies, and the very production of policy agendas.

² This Neo-institutionalist movement emerged as a reaction both to the lack of scientific rigor attributed to old Institutionalism and to the absence of institutional context in behaviorist approaches - including inductive perspectives, classified as sociological, anthropological, and psychological, as well as deductive approaches, classified as neoclassical economics and orthodox rational choice theory (Peres, 2008).

³ In Arrow's proposed model, collective decisions would be "cyclical and irrational." Thus, assemblies would never be able to reach fully stable decisions, since decision-making processes would inherently remain unstable. Taking an example related to Brazilian Special Education policies, three alternatives could emerge: (a) specialized services provided in special classes; (b) specialized services offered in multifunctional resource rooms; and (c) specialized services delivered by philanthropic institutions. From this perspective, in a collective decision-making process, a given period might favor alternative A, followed later by the adoption of alternative B. At other moments, alternatives A, B, and C could each prevail respectively, without any "logical requirement of coherence." Therefore, there is no stable majority concerning a specific issue, but rather multiple shifting majorities (Peres, 2008).

Regarding the concept of path dependence, Bernardi (2012) argues that it was originally introduced by Historical Economic Theory and later incorporated into Political Science. It remains a concept under dispute and ongoing construction within the specialized debates of these fields. Consequently, different explanatory mechanisms account for processes of path dependence.

Mahoney and Thelen (2010), when addressing the need to understand gradual institutional change, highlight the expansion of debates surrounding path dependence. According to these authors, historical institutionalists have also engaged with the problem of institutional change, emphasizing continuity rather than rupture. By recognizing the cultural components embedded within institutions, they conceive institutions as political legacies shaped by concrete historical struggles.

According to Barreto (2021), the concept of path dependence seeks to explain why choices made at a specific moment, regardless of how minor they may appear, can produce significant consequences. According to the author, decisions taken during the initial stages of a process shape subsequent decisions. For Pierson (2004), positive feedback⁴ and sequence reinforce⁵ the trajectory initially adopted.

Within the field of public policy, once a particular institutional trajectory has become consolidated, changes in its direction tend to require significant political, administrative, and normative efforts, given the institutional mechanisms that favor the maintenance of previously established arrangements (Mahoney & Thelen, 2010). Therefore, decisions made during the constitution of institutions and public policies tend to produce enduring impacts on their future developments, since institutional structures themselves frequently create resistance mechanisms that limit or hinder subsequent changes (Bernardi, 2012).

Within educational policy, Special Education is defined in the Brazilian Law of Guidelines and Bases of National Education (Brazil, 1996, 2013) as a “modality of school

⁴ In Barreto's (2021) translation, positive feedback refers to a mechanism of positive institutional reinforcement arising from a particular institutional decision, whose tendency is to strengthen and reproduce the choice initially adopted. Although such a decision may produce favorable outcomes within a specific context, this does not necessarily imply that its future effects will be the most appropriate or desirable. Thus, positive institutional responses do not always lead to predictable, efficient, or socially beneficial trajectories.

⁵ This sequence of decisions, reinforced by returns perceived as positive, contributes to the consolidation of a particular institutional trajectory. However, the emphasis placed on the concept of path dependence and its characteristics may lead to the mistaken interpretation that, once a trajectory has been established, the adoption of alternative paths becomes unfeasible. Such an understanding approaches the notion of lock-in, understood as a condition of strong institutional rigidity or apparent institutional irreversibility (Barreto, 2021).

education offered preferably within the regular education system for students with disabilities⁶, pervasive developmental disorders⁷, and high abilities/giftedness⁸.”

As established in Brazilian educational legislation, this modality of school education begins in Early Childhood Education and extends throughout the lifespan,⁹ in which Specialized Educational Assistance (SEA) provided to these students may occur in specialized classes, schools, or services whenever, due to their specific conditions, placement in regular classrooms is not feasible.

SEA, one of the key concepts addressed in this article, is defined in Brazilian legislation as a “set of accessibility resources, pedagogical resources, and activities organized institutionally and continuously,” provided in a complementary manner for students with disabilities and pervasive developmental disorders, or supplementarily for students with high abilities/giftedness (Brazil, 2011).

SEA must be integrated into the school’s pedagogical framework, involving family participation and being articulated with other public policies. Its objectives include: ensuring conditions for access, participation, and learning within regular education, as well as guaranteeing specialized support services according to students’ individual needs; ensuring the transversal integration of Special Education actions within regular education; fostering the development of didactic and pedagogical resources aimed at eliminating barriers in teaching and learning processes; and ensuring conditions for the continuity of studies across different educational levels, stages, and modalities (Brazil, 2011, Art. 3º).

⁶ According to the National Policy on Special Education from the Perspective of Inclusive Education (Brazil, 2008, p. 15), students with disabilities are those who present “long-term physical, mental, intellectual, or sensory impairments which, in interaction with various barriers, may restrict their full and effective participation in school and society.”

⁷ The same document defines these students as those who present “qualitative impairments in reciprocal social interactions and communication, along with a restricted, stereotyped, and repetitive repertoire of interests and activities” (Brazil, 2008, p. 15). This group includes students with autism, autism spectrum syndromes, and childhood psychosis. It should be emphasized that, from the publication of this document to the present, the concepts related to these clinical conditions have also been refined and updated. More recently, Decree No. 12,686/2025, which established the National Policy on Inclusive Special Education and the National Network for Inclusive Special Education, defined students with Autism Spectrum Disorder (ASD) as part of the target population of Special Education — recognized as persons with disabilities for the purposes of the National Policy on Inclusive Special Education (Brazil, 2025). This inclusion within the group of persons with disabilities had already been previously established through Law No. 12,764/2012, which instituted the National Policy for the Protection of the Rights of Persons with Autism Spectrum Disorder (Brazil, 2012).

⁸ They were defined as students who “demonstrate high potential in one or more of the following areas, either isolated or combined: intellectual, academic, leadership, psychomotor skills, and the arts [...] and who display high levels of creativity, strong engagement in learning, and task performance in areas of their interest” (Brazil, 2008, p. 15).

⁹ This amendment to Brazilian educational legislation resulted from the enactment of Law No. 13,632/2018 (Brazil, 2018), with the purpose of meeting the United Nations (UN) Sustainable Development Goals (SDGs), specifically Goal 4 – Quality Education, which seeks to “ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.”

As can be observed, this constitutes an educational policy¹⁰ already established in the Brazilian Federal Constitution. Article 208, item III, of the Constitution of the Federative Republic of Brazil already provided for the guarantee of the right to education through Specialized Educational Assistance (SEA) for “persons with disabilities,” preferably within the regular education system (Brazil, 1988). However, for a considerable period, there was conceptual confusion regarding the definitions of “Special Education” and “Specialized Educational Assistance,” reinforcing the controversies that unfolded over the years.

One of these landmarks refers to the publication of the document *The Access of Students with Disabilities to Regular Schools and Common Classrooms*, organized by the Federal Public Prosecutor’s Office (MPF) and the Federal Prosecutor’s Office for Citizens’ Rights (Brazil, 2004). When addressing Article 59 of the LDBEN, which specifically concerns Specialized Educational Assistance (SEA) provided in specialized classes, schools, or services, the document states that:

The mistaken interpretation of this provision has led to the conclusion that regular education may be replaced by special education. The interpretation to be adopted must consider that such substitution cannot be admitted under any circumstances, regardless of the individual’s age. This derives from the fact that all ordinary legislation must conform to the Federal Constitution. Furthermore, a legal provision should not be interpreted in isolation. The interpretation of legal provisions must be carried out in a manner that avoids contradictions within the law itself (Brazil, 2004, p. 9).

Thus, the document establishes the perspective of full inclusion insofar as it directs the understanding that regular education cannot be replaced by special education. As described in the document, the chapters established in the LDBEN, specifically Articles 58 and 59, referred not to Specialized Educational Assistance (SEA), but rather to Special Education itself. Consequently, within Brazilian educational legislation, there are documents that orient Special Education policy according to these two definitions: Special Education (as a modality of school education) and SEA (as a service, resource, or modality).

As stated in the document, “Specialized Educational Assistance and Special Education are not synonymous within the Federal Constitution,” also emphasizing that “[...] the right to Specialized Educational Assistance established in Articles 58, 59, and 60 of the LDBEN (Law No. 9,394/96) and in the Federal Constitution does not replace the right to education (schooling) provided in common classrooms within the regular education system” (Brazil, 2004, p. 10).

¹⁰ Here, educational policy is understood as a component of the broader set of public social policies, conceived as the expression of the State’s social action (or inaction) (Azevedo, 1997).

The literature in the field has presented several studies aimed at analyzing the implementation of these political and legal landmarks within school settings (Kassar, 1998; Mendes, 2006; Garcia, 2006; Rech, 2010; Jannuzzi, 2012; Harlos, Denari, & Orlando, 2014; Laplane, Caiado, & Kassar, 2016; Vinente, 2022). However, within the field of Political Science, additional concepts may contribute to the construction of new analytical approaches for examining the implementation of these policies in the Brazilian context.

Therefore, this article aims to analyze the implementation developments associated with the concept of path dependence as a process of gradual change in Brazilian Special Education policy, considering as temporal landmarks the publication of the National Policy on Special Education from the Perspective of Inclusive Education (2008) and Decree nº 10,502/2020, which established the “National Policy on Special Education: Equitable, Inclusive, and Lifelong Learning”.

Method

Research Design

This study is grounded in documentary research methodology. According to Gil (2008), this technique relies on materials that have not yet undergone analytical treatment or that may still be re-elaborated according to the objectives of the investigation. As a stable source of data, documentary research is considered reliable and does not require high operational costs for its implementation.

Flick (2009) also emphasizes the relevance of this methodological approach for understanding Special Education policies, since the analysis of documents involves examining the conditions under which such materials were produced, as well as their objectives and intended purposes. Furthermore, this approach enables the analysis of the specific contexts surrounding the production of the documents under investigation.

Sources of Information

Regarding the sources of information used in this study, they 7reliminar documents published in the Official Gazette of the Federal Government (Diário Oficial da União), classified by Cunha (2001) as primary documents¹¹, since they are based on legislation. Thus, for illustrative purposes, Table 1 presents the materials analyzed in this investigation.

¹¹ Cunha (2001) also classifies congress proceedings, conferences, trademarks, technical standards, patents, journals, projects, technical reports, theses, dissertations, and translations as primary documents.

Table 1 – 8relimi Documents Analyzed

Document Type	Year of Publication	Document	Description	Version Consulted
Government Policy	2008	National Policy on Special Education from the Perspective of Inclusive Education	Not described in the document	Printed
Legislative Decree	2008	Legislative Decree No. 186, July 9, 2008	Approves the 8relimi the Convention on the Rights of Persons with Disabilities and its Optional Protocol, signed in New York on March 30, 2007	Digital
Guideline	2009	Resolution No. 4, October 2, 2009	Establishes Operational Guidelines for Specialized Educational Assistance (SEA) in Basic Education, within the Special Education modality	Printed
Decree	2011	Decree No. 7,611, November 17, 2011	Provides for Special Education, Specialized Educational Assistance (SEA), and other related measures	Printed
Law	2012	Law No. 12,764, December 27, 2012	Establishes the National Policy for the Protection of the Rights of Persons with Autism Spectrum Disorder and amends §3 of Article 98 of Law No. 8,112/1990	Digital
Law	2012	Law No. 12,796, April 4, 2013	Amends Law No. 9,394/1996, which establishes the guidelines and bases of national 8relimina, to address teacher 8relimina and other provisions	Digital
Law	2015	Law No. 13,146, July 6, 2015	Establishes the Brazilian Law for the Inclusion of Persons with Disabilities (Statute of Persons with Disabilities)	Printed
Law	2017	Law No. 13,585, December 26, 2017	Establishes the National Week of Persons with Intellectual and Multiple Disabilities	Digital
Law	2018	Law No. 13,632, March 6, 2018	Amends Law No. 9,394/1996 (Law of Guidelines and Bases of National Education) to address 8relimina and lifelong learning	Digital
Law	2018	Law No. 13,652, April 13, 2018	Establishes the National Autism Awareness Day	Digital
Decree	2019	Decree No. 10,177, December 16, 2019	Provides for the National Council for the Rights of Persons with Disabilities	Digital
Law	2020	Decree No. 10,502, September 30, 2020	Establishes the National Policy on Special Education: Equitable, Inclusive, and Lifelong Learning	Digital

Source: Prepared by the author based on the study data.

Secondary sources were also employed, including theses and dissertations published in the Brazilian Digital Library of Theses and Dissertations (BDTD)¹², with the purpose of conducting a preliminary survey of studies previously published on the topic, as shown in Table 2.

Period

The data collection and analysis procedures included materials published between 2008 and 2020, considering as temporal landmarks the publication of the National Policy on Special Education from the Perspective of Inclusive Education (PNEEPEI) (Brazil, 2008) and the National Policy on Special Education: Equitable, Inclusive, and Lifelong Learning (Brazil, 2020¹³).

Data Collection and Analysis Procedures

The study was conducted through consultation of the electronic database of the Official Gazette of the Federal Government (Diário Oficial da União), maintained by the Brazilian National Press. After identifying the relevant documents, they were systematized according to the criteria presented in Table 1. The catalogued materials were organized chronologically, including information regarding their respective descriptions and publication dates.

With regard to secondary sources, the descriptors path dependence and “education” were combined in an advanced search carried out in the Brazilian Digital Library of Theses and Dissertations (BDTD), considering the fields title, subject, and abstract. The expansion of the search terms proved necessary because a preliminary investigation identified only one study associated with the descriptors path dependence and “educational policy”.

It should also be emphasized that no studies were identified combining the descriptors path dependence and “special education”. Based on the adopted search strategy, twelve academic studies were identified. The main information concerning these works was organized in Table 2, in chronological order of publication, including

¹² According to information available on the website of the Brazilian Digital Library of Theses and Dissertations (BDTD), the platform operates by integrating thesis and dissertation information systems from Brazilian educational and research institutions, encouraging the registration and dissemination of these works in electronic format. In addition, it enables the academic community to expand the circulation and visibility of theses and dissertations produced both in Brazil and abroad, thereby contributing to the strengthening and dissemination of national scientific production. According to the data currently available on the platform, the BDTD comprises 626,347 master’s dissertations, 231,276 doctoral theses, and a total of 857,624 documents, in collaboration with approximately 136 affiliated institutions (Brazil, 2023).

¹³ It should be noted that, although the publication of this document prompted numerous critical reactions from researchers, scientific associations, and different educational debate forums, its validity was subsequently terminated through the revocation established by Decree No. 11,370/2023, enacted following the inauguration of President Luiz Inácio Lula da Silva (Vinente, 2022).

authorship, year, type of study (master's dissertation or doctoral thesis), affiliated institution, and respective Graduate Program (PPG).

Table 2 – Profile of the Studies Available in the BDTD on Path Dependence and Education

Author/Year	Title	Type of Study	Institution	Graduate Program (PPG)
Carvalho (2011)	Public Policy for Higher Education in Brazil (1995–2008): Rupture and/or Continuity?	Doctoral Thesis	University of Campinas (UNICAMP)	Economics
Dias (2011)	The Implementation of the Policy for Reorienting Dental Education: Path Dependence and Institutional Stimuli at UFBA	Master's Dissertation	Oswaldo Cruz Institute (FIOCRUZ)	Public Health
Silva (2012)	Sustainable Innovation in the Industry of the State of Mato Grosso: Food and Timber Sectors (1970–2012)	Doctoral Thesis	Federal University of Pará (UFPA)	Sustainable Development of the Humid Tropics
Ravanelli (2013)	Institutional Origins and the Value for Money of Education in Brazilian Municipalities	Master's Dissertation	University of São Paulo (USP)	Law
Sumiya (2015)	The Literacy Hour: Actors, Ideas, and Institutions in the Construction of PAIC-CE	Doctoral Thesis	Federal University of Rio Grande do Norte (UFRN)	Administration
Queiroz (2018)	Student Financing Fund (FIES) – 2010 to 2015: Financing Mechanism for the Democratization of Access to and Retention in Higher Education	Master's Dissertation	University of Brasília (UNB)	Education
Andrade (2019)	Decentralization and Management of Public Security Policies at the Local Level in Brazil: Analysis of the Agenda of Challenges and Potentials in the Implementation of Citizen Security Policies in Municipalities of Minas Gerais in Light of Neo-institutionalism	Master's Dissertation	João Pinheiro Foundation (FJP)	Public Administration
Alves (2019)	The Impact of Student Financing (FIES) on Goals 12 and 20 of the National Education Plan (2014–2024)	Master's Dissertation	University of Brasília (UNB)	Education
Souza (2020)	Education and Work as Foundations of Public Policies for Professional and Technological Education	Master's Dissertation	University of São Paulo (USP)	Law
Miranda (2020)	The National Training Network: The Rio 2016 Olympic Games and Their Legacy Promises	Doctoral Thesis	University of Campinas (UNICAMP)	Physical Education

Source: Prepared by the author based on the study data.

In the data analysis process, the Comparative Politics Method¹⁴ was adopted, since this perspective makes it possible to move beyond the merely descriptive dimension of historical phenomena, favoring the construction of analytical explanations as well as the control of hypotheses and generalizations. As noted by Caramani (2020), this method may be understood as a field of inquiry focused on the study of political systems, actors, and processes, enabling the identification and interpretation of differences and similarities among distinct cases through the analysis of hypotheses, concepts, and variables.

Another aspect emphasized by the author concerns the explanatory capacity of the method in relation to central issues of political dynamics, such as: who exercises political decision-making power; how this power is constituted; what the bases of legitimacy of political authority are; and how formulated decisions impact the organization of social life. In this sense, considering the central objective of this research, the Comparative Politics perspective proves relevant for the understanding and analysis of the investigated object.

Results and Discussion

Studies that employ path dependence as a theoretical framework may contribute to the understanding of institutional changes concerning Special Education policies. As shown in Table 2, most studies addressing this topic were published during the last five years of the analyzed period (2016–2020), totaling ten studies, including six master's dissertations and four doctoral theses, defended in Graduate Programs (PPGs) from institutions located in the North (UFPA), Northeast (UFRN), Southeast (FIOCRUZ, USP, UNICAMP, and FJP), and Midwest (UNB) regions of Brazil.

The Graduate Programs associated with these studies also encompassed different fields, such as Education (Queiroz, 2018; Alves, 2019), Economics (Carvalho, 2011), Health Sciences (Dias, 2011; Miranda, 2020), Administration (Sumiya, 2015; Andrade, 2019), Law (Ravanelli, 2013; Souza, 2020), and Sustainable Development in the Humid Tropics (Silva, 2012).

Based on a systematic reading of the abstracts, studies more directly related to the field of Education were identified, even when developed within other Graduate Programs (Carvalho, 2011; Ravanelli, 2013; Queiroz, 2018; Alves, 2019; Souza, 2020). The remaining

¹⁴ Within Political Science, Comparative Politics is considered one of its three major subfields, alongside Political Theory and International Relations, focusing on internal political structures, actors, and processes (Caramani, 2020).

studies will not be discussed in this article and are reserved for future analyses. Anchored in the Comparative Politics approach, some of these aspects are discussed below.

Carvalho (2011) sought to understand the complex relationship surrounding public policy for higher education between 1995 and 2008, employing the historical strand of Neo-institutionalism through a three-dimensional analysis of policy (polity, politics, and policy). Among the relevant findings of the study, the author reconstructed the multifaceted environment surrounding the emergence of a public policy process that began with the constitution of the public agenda and extended through the formulation and implementation of educational policy during the governments of Fernando Henrique Cardoso (1995–2002) and Luiz Inácio Lula da Silva (2003–2008). The findings indicated that the public policy formulated by the Ministry of Education (MEC) both influenced and was influenced by governmental and social actors. Thus, according to the researcher, despite numerous elements of continuity, several signs of institutional rupture were identified within these policies.

Ravanelli (2013), in turn, when presenting the institutional determinants associated with the level of efficiency of municipal educational management in Brazil, concluded that at least two factors inhibit institutional dissemination. One of these factors concerns the absence of incentives for public agents to adopt performance indicators. The other is grounded in informal institutional effects that operate as path dependence mechanisms for the adoption of such instruments. In this way, the author identified the presence of informal institutions while considering socioeconomic and historical variables.

Queiroz (2018), supervised by Carvalho (2011), sought to analyze the extent to which the Student Financing Fund (Fundo de Financiamento Estudantil – FIES) functioned as a financing mechanism for democratizing access to and retention in private higher education in Brazil between 2010 and 2015. Through a descriptive and analytical study employing documentary, bibliographic, and quantitative analysis, the author also adopted the concepts of Institutions and path dependence derived from historical Neo-institutionalism.

The findings of Queiroz's (2018) study enabled comparisons among indicators such as revenues collected and tuition-related expenditures since the implementation of the program; increases in default rates; the program's contribution to the democratization of access to private higher education; and retention and dropout rates lower than those observed among students who did not benefit from the program.

Likewise, Alves (2019), also supervised by Carvalho (2011), analyzed the implementation of the FIES Program with the aim of examining how the financing policy contributed to achieving Goals 12 and 20 of the National Education Plan (2014–2024) between 2010 and 2017. Through a descriptive and analytical documentary study, the author

used several databases, including the Higher Education Microdata and Statistical Synopses produced by the National Institute for Educational Studies and Research Anísio Teixeira (INEP) between 2003 and 2016, as well as the Citizen Information Service (SIC) databases from FNDE and INEP. The findings indicated an expansion in access to and retention within higher education, especially private higher education, particularly between 2010 and 2014. It was also verified that the program promoted the expansion and democratization of access for students from public schools, Afro-descendant and Indigenous students, as well as students with disabilities in private higher education.

Souza (2020), when analyzing public policies for Professional and Technological Education based on their normative framework and the transformations in their institutional configuration over time, conducted a historical analysis of this educational modality, focusing on its political origins and institutional developments. The study enabled a broader understanding of processes of political change and institutional continuity.

The Central Role of Institutions in Theoretical Debate

According to Carvalho (2015), institutions occupy a central role in the study of politics, not only because of the importance of the State as both actor and author of specific actions, but also due to their capacity to influence political culture, actors' strategies, and the very production of the historical Neo-institutionalist research agenda. In a previous study, the author pointed out that the public policy developed by the Ministry of Education (MEC) both influenced and was influenced by governmental and social actors (Carvalho, 2011).

As argued by Mahoney and Thelen (2010), processes of gradual institutional change have historically not occupied a central position in the explanations developed within the social sciences. In this context, institutional analysts predominantly understood institutional transformations as phenomena occurring mainly during periods marked by abrupt ruptures and large-scale changes.

However, the authors emphasize that such episodes of intense institutional upheaval do not necessarily represent the most recurrent ways through which political institutions transform over time. They argue that significant institutional changes frequently occur incrementally, through gradual modifications and seemingly limited adjustments which, when historically accumulated, may produce profound and substantial institutional transformations (Mahoney & Thelen, 2010).

Mahoney and Thelen (2010) therefore advocate a theory of gradual institutional change grounded in the understanding of institutions as arenas permeated by power disputes.

From this perspective, they emphasize both the permanent conflicts among internal actors and the influence exerted by already consolidated institutional arrangements, conceiving stability and change as inseparable dimensions of institutional dynamics. The characteristics of institutions themselves thus constitute a central element for understanding the mechanisms through which institutional transformations occur.

Within this framework, institutional rules are not conceived as rigid and univocal structures, but rather as arrangements subject to different interpretations and varying degrees of enforcement. Such a condition produces margins of ambiguity that may be strategically mobilized by actors interested in promoting institutional change (Mahoney & Thelen, 2010).

The authors further emphasize that, after their establishment, institutions tend to transform slowly and progressively over time. Although fragmented and often barely perceptible at first, these gradual changes may exert significant effects on the organization and standardization of social practices. They also criticize part of the institutional change literature for privileging interpretations centered on exogenous shocks and abrupt ruptures, thereby relegating to the background endogenous transformation processes that develop incrementally and which, when historically accumulated, may result in substantive institutional reconfigurations (Mahoney & Thelen, 2010).

The main strands of institutional analysis — notably Sociological Institutionalism, Rational Choice Institutionalism, and Historical Institutionalism — present limitations regarding the explanation of institutional change processes (Hall & Taylor, 1996; Mahoney & Thelen, 2010). To a large extent, these approaches have concentrated on understanding institutional stability, devoting comparatively less attention to gradual dynamics of institutional transformation.

From this perspective, institutional change tends to occur when ambiguities related to the interpretation and implementation of rules create margins of action through which different actors begin to operationalize existing norms in new ways. Such an understanding makes it possible to observe and theorize processes of incremental change that are often neglected by traditional institutional approaches.

In proposing an analytical model aimed at understanding gradual institutional change, Mahoney and Thelen (2010) formulate a set of propositions relating specific modalities of incremental change to the characteristics of the institutional context and to the constitutive properties of institutions themselves.

Despite the differences among the various concepts of institution, there remains a prevailing understanding that institutions are constituted by relatively enduring elements of political and social life, such as rules, norms, and procedures, which structure actors' behavior and cannot be modified immediately or easily. Therefore, the discussion now turns to the

central concepts mobilized in this study, articulating them with Special Education policies and the documents underpinning the present analysis.

The Perspective of Special Education Policy as an Institution

Based on the analysis of the documents, the political field of Special Education was historically constituted within Brazilian education as a parallel system of schooling. Only after the promulgation of the Constitution of the Federative Republic of Brazil (Brazil, 1988) do subsequent documents begin to characterize Special Education as a modality of school education, offered preferably within the regular education system.

The National Policy on Special Education from the Perspective of Inclusive Education¹⁵ (Brazil, 2008) itself introduced incremental changes related to this modality of school education. As stated in the document, from the perspective of Inclusive Education, Special Education came to constitute part of the school's pedagogical framework, defining its target population as previously mentioned. Special Education would therefore operate in articulation with mainstream education, guiding the provision of educational support aimed at meeting the special educational needs of these students.

It is important to consider that, within this revised framework, all previous provisions that maintained the provision of specialized services in special classes, resource rooms, and special schools ceased to be formally recognized as public policy guidelines. This represented a rupture with the therapeutic and clinical orientation that had characterized the previous model of service provision, moving instead toward the construction of a pedagogical approach aimed at supporting these students within public education systems.

Subsequently, Legislative Decree No. 186/2008, which approved the text of the Convention on the Rights of Persons with Disabilities and its Optional Protocol, signed in New York on March 30, 2007, together with CNE/CEB Resolution No. 4/2009, which established the Operational Guidelines for Specialized Educational Assistance (SEA) in Basic Education within the Special Education modality, reinforced and ratified the changes introduced by the National Policy on Special Education from the Perspective of Inclusive Education.

¹⁵ As stated in the document, the Secretariat of Special Education (SEESP) of the Ministry of Education (MEC) sought to implement this policy with the objective of following advances in knowledge and social struggles, aiming to establish public policies capable of promoting quality education for all students. This perspective of schooling is aligned with the proposal of "full inclusion" or "total inclusion," translated in Brazil from the concept of full inclusion proposed by Gartner and Lipsky (1989) and Stainback and Stainback (1984).

As emphasized by Mahoney and Thelen (2010), institutional rules are never capable of achieving a level of precision sufficient to encompass all the complexities and situations produced by social reality. Thus, the emergence of new guidelines, demands, or interpretations may place existing norms under tension, leading institutions to promote adaptations aimed at responding to new historical and political conditions. Such transformations may occur either through the formulation of new rules or through the reinterpretation and creative expansion of existing norms, thereby enabling institutions to address emerging social demands and realities.

A more recent case emerged with the publication of Decree No. 10,502/2020, which sought to establish a “National Policy on Special Education: Equitable, Inclusive, and Lifelong Learning” (Brazil, 2020). As previously discussed in another study, this document resulted from a proposal submitted for Public Consultation and developed by the Secretariat for Continuing Education, Literacy, Diversity and Inclusion (SECADI), seeking to respond to market-oriented logics (Vinente, 2022).

The objective was to update the previous policy document (Brazil, 2008) in accordance with current legislation. In this context, considering the negotiations and disputes surrounding the construction of this normative text, it was possible to observe different groups with distinct interests actively participating in political life, either contesting the regulation or supporting the proposed changes (Vinente, 2022).

As noted by Mahoney and Thelen (2010), institutional actors responsible for the implementation, interpretation, and enforcement of norms – such as state bureaucracies and the Judiciary – play a significant role in processes of institutional transformation and evolution. From the authors’ perspective, the constitutive characteristics of institutions themselves carry potentials for change, particularly due to their distributive effects on power relations.

In this sense, incremental institutional change tends to emerge within the spaces of indeterminacy existing between the formulation of a rule and its interpretation, as well as between the established norm and its effective implementation. It is precisely these “gaps” or “zones of ambiguity” that enable the strategic action of institutional actors in the gradual redefinition of institutions (Mahoney & Thelen, 2010).

Modes of Institutional Change

Streeck and Thelen (2005) identify four central modes of institutional change: (1) displacement; (2) layering; (3) drift; and (4) conversion. These analytical categories seek to

explain the different mechanisms through which institutions may transform over time, especially in contexts of gradual change.

Displacement refers to the replacement of existing institutional rules by new normative arrangements. This form of transformation may assume an abrupt character and produce profound institutional changes, approximating the notion of “radical change” frequently emphasized by traditional institutional theories.

Although the publication of the National Policy on Special Education from the Perspective of Inclusive Education (Brazil, 2008) introduced a new discourse extending beyond the notion of Special Education as merely a modality of school education, it cannot be classified as a form of displacement. This is because previous documents had already incorporated the term “Inclusive Education,” including governmental programs and actions implemented during the Lula administration (2003–2006).

Layering corresponds to the incorporation of new institutional rules or arrangements superimposed upon existing structures. In this type of change, entirely new institutions are not necessarily created; rather, amendments, revisions, or additions are introduced into previously established norms.

Even when implemented gradually, such changes may produce significant institutional transformations, especially when the newly introduced elements modify the institution’s operational logic or weaken the stable reproduction of its original core. Decree No. 7,611/2011 recovers some of these aspects, particularly regarding the financing of specialized services provided by private institutions serving students in Special Education.

Drift refers to changes in the effects produced by institutional rules as a consequence of transformations occurring within the social, political, or economic contexts in which those rules operate. In this form of transformation, the norms remain formally unchanged; however, the emergence of discrepancies between the rules and their forms of application generates new institutional effects, often associated with situations of omission, neglect, or the absence of normative updating in response to environmental changes.

Conversion, in turn, corresponds to the redefinition of the use and application of existing rules through processes of strategic reinterpretation. In this mode of institutional change, norms remain formally preserved but begin to be operationalized in ways different from those originally intended.

As highlighted by Mahoney and Thelen (2010), this process tends to occur in contexts where institutional rules contain ambiguities that allow multiple — and, in some cases, even divergent — interpretations from the meanings originally attributed to the norm. As Carvalho (2011, p. 383) argues,

“[...] political actors and institutions (polity) are essential for understanding the political process (politics), as well as the design and configuration of public policies (policies). From this perspective, the participation of individuals, groups, social classes, and the State in the political process — and the ways through which they interpret (ideas) and pursue their interests, as well as the outcomes of their efforts — are shaped by the institutional framework, just as the trajectory of political action (politics) shapes and is simultaneously shaped by the material dimension of policy (policy)”.

In this context, it becomes essential to highlight the role played by social movements of persons with disabilities, as well as the political engagement of community-based and philanthropic associations within the field of Special Education. Such organizations, while incorporating the principle of “education for all” present in international agreements ratified by Brazil, also mobilize in defense of their own institutional and economic interests, thereby revealing the complexity of the disputes that permeate the formulation and implementation of educational policies.

In this direction, the reflection proposed by Steven Levitsky and Daniel Ziblatt (2018) regarding American democracy proves relevant to the debate, particularly when the authors argue that there are no institutional or cultural guarantees fully capable of preventing processes of democratic erosion. From this perspective, studies focused on Special Education policies and on the analysis of the universalization of access to education become relevant not only for understanding institutional dynamics, but also for strengthening democracy and consolidating the right to education as a principle effectively guaranteed to all individuals.

Conclusions

This study aimed to analyze the implementation developments associated with the concept of path dependence as a process of gradual change in Brazilian Special Education policy, considering as temporal landmarks the publication of the National Policy on Special Education from the Perspective of Inclusive Education (2008) and Decree No. 10,502/2020, which established the “National Policy on Special Education: Equitable, Inclusive, and Lifelong Learning.”

The findings of the study indicated that the path dependence perspective may serve as an important theoretical framework for scholars in the field of Special Education, particularly in the analysis of governmental programs and policies. It may contribute both to the consolidation of the theoretical field and to the expansion of interfaces with other areas of knowledge, as observed in this study through its dialogue with Political Science.

The Special Education policies implemented during the analyzed period indicate that gradual changes tend to be facilitated by one or more contingent events that establish a pattern of legitimacy. One example concerns the target population served by specialized services, as well as the services, resources, and modalities offered to these students within different contexts of Specialized Educational Assistance (SEA).

From this perspective, the National Policy on Special Education from the Perspective of Inclusive Education (Brazil, 2008) may currently be understood as an institution reproduced because it is perceived as legitimate, and, as argued by Mahoney (2000), the reproduction of an institution reinforces its legitimacy.

Thus, as observed through the survey conducted in the Brazilian Digital Library of Theses and Dissertations (BDTD), few studies employing the path dependence perspective were identified in the field of Education, while in the area of Special Education, Brazilian scientific production still lacks further advancement regarding analyses of these policies, especially in relation to understanding the incremental and more abrupt changes that have permeated the field.

This constitutes an important theoretical framework through which other researchers may mobilize and apply the contributions of path dependence in their own investigations, considering its academic and social relevance for studies in the field of Special Education. It is therefore expected that this preliminary study may contribute to expanding the understanding of the stages involved in the formation of public educational policy agendas, particularly within the academic field of Special Education, thereby supporting the advancement of knowledge in this area.

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