

UNIVERZITA KARLOVA
Fakulta sociálních věd
Institut mezinárodních studií

PROTOKOL O HODNOCENÍ DIPLOMOVÉ PRÁCE
(Posudek vedoucí)

Práci předložil(a) student(ka): **Andrea Žižková**

Název práce: The end of Roe? Mississippi's decades-long restrictions politics

1. OBSAH A CÍL PRÁCE (stručná informace o práci, formulace cíle):

Andrea Žižková's thesis focuses on approach towards abortion in the state of Mississippi in the context of recent Supreme Court's decision, which overturned the decision in *Roe v. Wade*. The goal of the thesis is "to provide comprehensive picture of abortion limitations in the State (sic) that challenged the Court to overrule *Roe v. Wade*. By examining the current restrictions on abortion access, the paper wants to answer the question of how abortion restrictions have evolved in Mississippi since *Roe v. Wade*, and why it makes sense that it was Mississippi that passed what was then the strictest restriction in the United States." (p. 4)

2. VĚCNÉ ZPRACOVÁNÍ (náročnost, tvůrčí přístup, argumentace, logická struktura, teoretické a metodologické ukotvení, práce s prameny a literaturou, vhodnost příloh apod.):

The author selected an interesting and timely topic to examine. The thesis is rather descriptive in nature, but the author relied extensively on the Mississippi code to put together a list of all the restrictions that were gradually implemented to restrict access to abortion in the state, under the helm of protecting the life of the unborn and of protecting state's legitimate interest. In the second part of the thesis, the author draws on Supreme Court's decisions and amicus briefs submitted by outside organizations.

The thesis is well organized and gradually leads the reader to a better understanding of the approach towards abortion on both the federal level and the level of the state of Mississippi. In the first chapter, the author provides a brief overview of the precedents established by the Supreme Court, with particular focus on the ruling in *Roe v. Wade*, *Casey v. Planned Parenthood*. The second chapter then looks at legislation passed in the state of Mississippi, which was selected as one of the states with the strictest policies regarding abortion access in the United States. It includes ban on partial-birth abortion, mandated waiting period and requirement of informed consent, and parental consent in case of minors. Subsequently, the author points out restrictions on self-induced abortion through medication and ban on telemedicine, targeted regulation of abortion provider laws, and funding limitations on anything that could be related to abortion. The author also takes a moment to look at restrictions on sex education in Mississippi where abstinence-only approach prevails in most educational institutions. Subsequently, the author goes on to analyze the impact of the so-called Gestational Age Act and the problem of access to abortion facilities, which is severely restricted - up until recently to only one clinic, which technically provided services to Mississippi's 694,045 women in reproductive age. Following the recent *Dobbs v. Jackson Women's Health Organization*, women in Mississippi have no such clinic available in their state and are therefore forced to seek abortion, if needed, outside of the state, which represents a significant challenge in terms of their resources as well as time. Mississippi is also one of the states that had a so-called Trigger law in place, which would entirely ban abortions at the moment the Supreme Court would overrule the decision in *Roe v. Wade*. The law was activated shortly after the current Supreme Court announced its decision.

In the following chapter, the author examines in detail the dispute in *Dobbs v. Jackson Womens Health Organization*, which led to the Supreme Court decision that returned the

abortion policy to individual states. The author is primarily looking at arguments and reasoning that were submitted in support of Supreme Court granting certiorari to the case and analyzes a number of amicus briefs from supporters as well as opponents of the case. The main arguments of the proponents of the case included objection to the legal reasoning in *Roe v. Wade*, abortion policy as an issue that should be decided by states - and hence by voters where women can have their voice heard. They also discussed the assumptions about the fetal pain and negative impact of late-term abortions on women's health. The author then quickly summarizes the stance of the respondents to the case (i.e. in support of the Jackson Woman's Health Organization) - which mostly relies on *stare decisis*. Finally, the author briefly summarizes the SCOTUS decision.

In conclusion, the author points to the disconnect between the popular opinion, which overwhelmingly supports some form of abortion accessibility, and the approach of the Mississippi's government, and subsequently of the Supreme Court. Mississippi's conservative leadership reached its goal - it became a "safe haven for unborn children" and thus serves as an inspiration and role-model for other conservative states that have been trying implement similar restrictive regulations of abortion - and especially now, after the Supreme Court decision overruling *Roe*, the policy is now in their hands.

3. FORMÁLNÍ A JAZYKOVÉ ZPRACOVÁNÍ (jazykový projev, správnost citace a odkazů na literaturu, grafická úprava, formální náležitosti práce apod.):

Andrea Zizkova presented a well-written work with excellent levels of English, although occasionally, there were small typos. Footnotes are consistent. The thesis also includes maps that showcase the difficulty of access to medical facilities that would provide abortion to Mississippi women.

4. KONTROLA ORIGINALITY TEXTU

Prohlašuji, že jsem se seznámil/a s výsledkem kontroly originality textu závěrečné práce v systému:

Theses Turnitin Ouriginal (Urkund)

Komentář k výsledku kontroly:

Based on the report from Theses, this work is original.

5. STRUČNÝ KOMENTÁŘ HODNOTITELE (celkový dojem z diplomové práce, silné a slabé stránky, originalita myšlenek, naplnění cíle apod.):

Andrea Zizkova selected an extremely interesting and timely topic. The thesis presents a comprehensive overview of all the policies and procedures that discouraged or prevented women from seeking an abortion in Mississippi (and by its example elsewhere). By presenting all the restrictions, the author puts together the entire puzzle to showcase the barriers created by a state to women who may make the personal decision to seek an abortion. The author also contrasts the legislation in Mississippi with other states and also uses statistics to showcase that some of the restrictions have a negative impact on women's health. Most importantly, the author demonstrates that the system is increasingly discriminatory towards poor women, which has a significant racial aspect, as Mississippi is one of the poorest states in the United States with significant Black population. This particular aspect would probably merit more attention, although it is not the primary goal of the thesis.

In some parts of the work, the author's arguments would merit a bit more explanation. For example, on p. 21, the author writes that "women living in states requiring in-person counselling were more likely to have a two-week delay of abortion than the others." Why is this the case? When the author selected the amici briefs for her analysis, she should explain

better the reasons for her choice. On p. 50, the author refers to an argument, used by the Court, that pregnancy was 75 times more dangerous than an abortion. I would be really interested on the basis of what data this claim was made and whether it was factually correct. The literature overview in the introduction could have been a bit more extensive and could have included a critical analysis of the sources used.

Overall, Andrea Zizkova delivered a well-researched and a well-written thesis in which she fulfilled all of the stated goals.

OTÁZKY A PŘIPOMÍNKY DOPORUČENÉ K BLIŽŠÍMU VYSVĚTLENÍ PŘI OBHAJOBĚ (jedna až tři):

- Can you explain the philosophical and political underpinnings of the state's legitimate interest? How does it fit in the overall emphasis on individualism, which is one of the basic features of American political culture?
- How does the structural problem of insufficient access to prevention and contraception for minorities that you are describing on p. 26 impact Hispanic women? And how do they compare with Black women?
- Do you envision a similar referendum happening in Mississippi as they held in Kentucky?

7. DOPORUČENÍ / NEDOPORUČENÍ K OBHAJOBĚ A NAVRHOVANÁ ZNÁMKA

(A a B výborně, C a D velmi dobře, E dobře, F nevyhověl):

Andrea Zizkova fulfilled the requirements of MA thesis and I recommend her thesis for defense. I propose grade A.

Datum: September 6, 2022

Podpis: Jana Sehnálková

Pozn.: Hodnocení pište k jednotlivým bodům, pokud nepíšete v textovém editoru, použijte při nedostatku místa zadní stranu nebo příložený list. V hodnocení práce se pokuste oddělit ty její nedostatky, které jsou, podle vašeho mínění, obhajobou neodstranitelné (např. chybí kritické zhodnocení pramenů a literatury), od těch věcí, které student může dobrou obhajobou napravit; poměr těchto dvou položek berte prosím v úvahu při stanovení konečné známky.