

UNIVERZITA KARLOVA V PRAZE
Fakulta sociálních věd
Institut mezinárodních studií
PROTOKOL O HODNOCENÍ DIPLOMOVÉ PRÁCE
(Posudek vedoucího)

Práci předložil(a) student(ka): **Tereza Pánková**

Název práce: **Disfranchising Prisoners in the U.S.: New Means of Segregation? Case Study of the Commonwealth of Virginia**

Vedoucí práce (u externích vedoucích uveďte též adresu a funkci v rámci instituce):

Jana Sehnálková

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

In her thesis, Tereza Pánková analyzes the issues of felony disfranchisement and loss of other rights and privileges of convicted felons in the United States. She uses the case study of Virginia, the state with one of the most restrictive approaches to felon rights, to demonstrate that the loss of rights and privileges leads to creation of a “second-class citizen” status for ex-convicts despite the fact that they were punished by prison sentence. In her thesis, Tereza argues that criminal justice system in Virginia is used to discriminate against minorities, because it disproportionately punishes people of color.

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

Tereza Pánková chose a very contemporary topic that has been receiving a lot of attention by researchers in the U.S., especially after the publication of Michelle Alexander’s book *The New Crow*, which Tereza uses as one of her sources. The thesis is well-written, its structure is logical. The author first introduces the general framework of felony disfranchisement on federal level and then proceeds to the case study of the implementation of felony disfranchisement in the state of Virginia, which belongs to states that are generally more restrictive towards ex-cons rights.

In the first chapter, the author states that “in 2010, 5.85 million people were disfranchised in the U.S. because of felony conviction” and observes that “nowhere in the democratic world can we find disfranchisement on such high levels” (p. 10). Following, Tereza points out that felony disfranchisement has a significantly disproportionate racial impact: “African Americans are overrepresented in prisons, they are also four times more likely to lose their right to vote than whites. In the United States as a whole, 7.7 percent of African Americans... as opposed to 1.8 percent of white Americans” are disfranchised (p. 11). According to statistics, the law enforcement is increasingly targeting people of color, which results in disproportionate levels of arrests and imprisonment of particularly Black American men. Authorities often use the pretext of the “War on Drugs” to stop and search African Americans, despite the fact that “white use drugs at comparable rates as blacks and sell drugs on higher rates” (p. 12). Looking at statistics of Virginia, the author finds out that “more than 20 percent of adult African Americans were disfranchised in Virginia in 2010 due to felony conviction” (p. 15).

In the second chapter, Tereza looks in detail into consequences of felony conviction. She points out that loss of voting rights is only one of many consequences and argues that punishment for a violating laws extends beyond prison. In what researchers term “the new civil death” or “invisible punishment”, former convicts not only lose the right to vote and thus the chance to influence politics around them, but they also experience loss of social benefits, parental rights,

and employment. Again, using the example of Virginia, Tereza shows what concrete barriers to returning to post-prison life ex-convicts face in the state.

The third chapter examines different efforts to reform the felony disfranchisement laws, as many see them as excessive punishment, violating Constitutional protections. Many civil rights activists argue that convicts are in fact punished twice - by prison and then by losing their rights. Beyond the legal argument, many activists and researchers argue that the disfranchisement laws in fact create a new segregated class of citizens who are, by law, stripped of many of their rights. In this way, the U.S. justice system creates new modes of discrimination and repression that targets particularly people of color. So far, attempts for reform through federal or state court decision or amendment to state constitution have not been successful. Using the example of Virginia, Tereza concludes that so far, reform via gubernatorial action seems to be the most efficient way how to restore rights to former convicts. However, gubernatorial actions may not have long-lasting impact, as they can be overturned by succeeding governor.

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

The thesis is well-written, arguments are clearly expressed. There are almost no grammar issues. The footnotes follow the norm. The author provides a well-founded overview of sources.

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

Tereza selects a highly controversial topic that has recently received a lot of attention of academic research. The thesis provides an interesting overview of the problem of felon disfranchisement and shows how it is implemented in a concrete state of Virginia. Tereza clearly explains the basic mechanisms behind disproportionate imprisonment of people of color and all the consequences that people who stay outside the prison machine rarely realize. Tereza answers all the questions, although I believe that in the third chapter, she could have explained better the interplay between the federal and state level.

5. SPOLUPRÁCE S VEDOUCÍM PRÁCE (komunikace s vedoucím práce, schopnost reflektovat připomínky, posun od původního záměru apod.)

The author consulted her work regularly.

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

In the decision in *Richardson v. Ramirez*, the SCOTUS ruled that a state does not have to prove that the felony disfranchisement laws serve a compelling interest. Can you please explain in plain words, what this actually means? How come the Supreme Court allows states to violate basic civil rights of its citizens who have already been punished by doing the prison term?

7. DOPORUČENÍ / NEDOPORUČENÍ K OBHAJOBĚ A NAVRHOVANÁ ZNÁMKA
(výborně, velmi dobře, dobře, nevyhověl):

The thesis fulfills all the requirements for Master's thesis and is therefore recommended for defense with grade **EXCELLENT**.

Datum: June 13, 2016

Podpis: Jana Sehnálková

Pozn.: Hodnocení píše 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. chybi 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.