FOREWORD

MISSISSIPPI PERSONHOOD AND INITIATIVE 26 SYMPOSIUM

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The Mississippi Law Journal is proud to present the Mississippi Personhood and Initiative 26 Symposium. This collection of nine articles aims to explore the potential implications of Initiative 26, a proposed amendment to the Mississippi Constitution that will appear on the statewide general election ballot on November 8, 2011. The language of Initiative 26 asks voters whether a “person” should be defined as “every human being from the moment of fertilization, cloning or the functional equivalent thereof.”

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As the personhood movement grows in strength and popularity, these initiatives have reached the ballot in multiple states.2 Some speculate that as many as 900 pieces of legislation dealing with unborn children and reproductive rights have been proposed across the country this year.3

The uncertainty surrounding the potential legal consequences of the proposed amendment has caused a fervent debate in Mississippi. Proponents of Initiative 26 believe that once personhood is established, Roe v. Wade and the pro-abortion argument “collapses,” and equal protection will be granted to the

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unborn child. Opponents of the initiative focus on the potential consequences to in vitro fertilization, birth control, and stem cell research.

The goal of the symposium is to clarify and expand the analysis of the impact of the amendment from an objective, legal standpoint. The authors contributing to this symposium discuss topics that include tort law, Roe v. Wade, divorce disputes over frozen embryos, in vitro fertilization, probate transfer of property, criminal law, birth control, feticide laws, women’s rights, and fundamental questions about the meaning of life.

The views expressed in these articles are solely those of the authors and are not associated directly with the Mississippi Law Journal or the University of Mississippi School of Law. Supra seeks to be a neutral forum for discussion regarding a paramount issue in the twenty-first century. With this goal in mind, the Mississippi Law Journal invites responses to the articles published in this symposium. Please direct all submissions to editor@mississippilawjournal.org, with the words SUBMISSION–SYMPOSIUM RESPONSE in the subject line.

In conclusion, we would like to thank the authors for contributing to the symposium and furthering an informed conversation on Initiative 26 for the citizens of Mississippi and the Nation.

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5 Id.