



Brandeis University

The Heller School FOR SOCIAL POLICY AND MANAGEMENT

The Limitations of Negative Rights for Studying Reproductive Health Policy

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Theories of Rights

Negative Rights

- “Freedom From”
- Government ensures public wellbeing by minimizing its role

Positive Rights

- “Entitlement To”
- Government actively safeguards public wellbeing

Reproductive Health as a Negative Right

- The right to seek reproductive healthcare without hindrance or coercion: “pro-choice”
- One-size-fits-all
- Prioritizes health services that prevent pregnancy and parenthood


- Narrow focus on:
 - Whose health needs are a priority
 - Which health services are a priority
 - The implications of health policy

Reproductive Health as a Positive Right

- The right to public safeguards for reproductive healthcare: Reproductive Justice
- Recognizes that social injustices affect different groups differently
- Prioritizes the full range of reproductive health services

- Broad focus on:
 - Whose health needs are a priority
 - Which health services are a priority
 - The implications of health policy

Considerations in Studying Policy

- How does the policy affect individuals' ability to have children?
 - How does the policy affect individuals' ability to *not* have children?
 - How does the policy affect individuals' ability to raise their children in safe and healthy environments?
 - How does the policy impact different groups of people?
 - What kind of role does the policy posit for the government?
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Sources & Acknowledgments

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