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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