What are Reproductive Rights?

"Reproductive rights" are the rights of individuals to decide whether to reproduce and have reproductive health. This may include an individual's right to plan a family, terminate a pregnancy, use contraceptives, learn about sex education in public schools, and gain access to reproductive health services.

Historically, the reproductive rights movement in the U.S. has seen many controversies due to the moral, ethical, and religious undertones of birth control, abortion, and family planning. Today, the subject of reproductive rights continues to be an emotionally and politically charged issue, especially in light of new technologies and recent laws.

Where do Reproductive Rights Come From?

The U.S. Constitution does not explicitly mention a right to reproduce, however, the Supreme Court has recognized it as a personal right that is deemed "fundamental" and which extends to procreation (Skinner v. Oklahoma), contraception (Eisenstadt v. Baird), family relationships (Prince v. Massachusetts) and child rearing (Pierce v. Society of Sisters). Moreover, a person's right to privacy is expressed in the Fourteenth Amendment of the U.S. Constitution and was the subject of the precedent setting case of Roe v. Wade.

Do Men Have Reproductive Rights?

The question whether men have reproductive rights is a hotly debated topic in the U.S. While reproductive rights have been legally recognized as a woman's right - especially in matters involving abortion, adoption, and procreation - men's reproductive rights have been less certain.

Even still, organizations such as the national Center for Men (NCM) have claimed men's reproductive rights on issues such as false paternity, adoption, abortion choices, and rights over frozen embryos, for example.

In a case known as "Roe v. Wade for Men", the Court rejected a biological father's claim that he had the right to reject financial obligations of an unwanted baby under the Equal Protection Clause. (The woman he had sexual intercourse with claimed she was unable to get pregnant).

All in all, the Court has not ruled a definitive answer to support a broad allegation of reproductive rights for men. Constitutionally, laws must only guarantee that men and women are treated the same if they are "similarly situated" - which they are not in matters of reproduction.

What are a Minor's Reproductive Rights?

While women, including those under 18, are entitled to make reproductive decisions concerning their reproductive health (including abortion), state laws such as parental notification and consent requirements have restricted their reproductive rights and placed burdens on abortion access. As such, many professional organizations concerned with minor's health rights have opposed these and other laws restricting minor's reproductive freedoms.

Abortion: What is Pro-life vs. Pro-choice?

Abortion is the single most controversial reproductive rights issue in the United States. The issue turns on whether a woman should have the "right" to terminate a pregnancy that would amount to a living human being if remained untouched.

On the one hand, pro-choice advocates argue that abortion falls within a person's constitutional right to privacy, believing the choice to terminate an "unborn fetus" lies with the individual and her doctor. On the other hand, pro-life advocates argue that a fetus is a living being at the moment of conception and argues abortion should be criminalized to protect the life of the unborn fetus.
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