

# **BEYOND JURIDICAL APPROACHES: WHAT ROLE CAN THE GENDER PERSPECTIVE PLAY IN INTERROGATING THE RIGHT TO HEALTH IN AFRICA?**

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## **ABSTRACT**

The right to health has been recognized in legal and institutional frameworks at the international, regional and national levels. This paper argues that although juridical approaches, which interrogate the right to health are necessary, they cannot adequately unravel the root causes of the violations of the right. Given that the right to health is influenced by a complex set of social, economic and cultural factors, juridical approaches, which are largely positivist in nature, are narrow and hence inadequate. The paper illustrates how the gender perspective can be employed to supplement juridical approaches to protect the right to health.