**Key Terms**

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Chapter 11: Social Contracts and Rights

**alienable right**  A right that can morally be given up or transferred to another—e.g., my right to my cell phone.

**difference principle** Adds certain social and economic inequities within a Rawlsian society for the benefit of all but never so as to suspend the equality principle.

**difficulty of consent** The social contract theory problem of ensuring the consent of all under the contract to that contract.

**difficulty of contract negotiators** The social contract theory problem of determining what groups participate in a contract’s negotiations.

**difficulty of the vulnerable** The social contract theory problem of protecting the interests of those who are unable to protect their own interests.

**equality principle** Assigns equal liberties, rights, and duties to members of a Rawlsian society.

**human rights** Rights that extend to all human beings, as given by either (a) Rawls’s theory or (b) the United Nation’s list of human rights.

**inalienable right** A right that cannot morally be given up or transferred to another—e.g., life, liberty.

**liberal democracy** A representative democracy that emphasizes protections of individual rights and freedoms by legal guarantees and by restraining political power. Examples: United States, other Western democracies.

**negative rights** Allow us to make claims on others regarding what they should not do to us; For example, I have a right to property.

**original position** A hypothetical situation in which free and rational persons negotiate a Rawlsian social contract under the veil of ignorance.

**personal domain** The part of our lives and ourselves over which we have exclusive rights—for example, our bodies, choices, and thoughts.

**positive rights** Allow us to make claims on others regarding what they should do for us, for example, a right to education.

**problem of overextending rights** The rights problem of people treating any personal interest as a right.

**right** A right allows its holder to validly make a claim upon another; most often, a right confers a privilege to protect, use, or exercise control over something or to act in certain ways without interference from others.

**rights-holders problem** The rights problem regarding what rights can be ascribed to which individuals.

**social contract** An agreement established by a set of people (usually theoretically) to set up a social system that fairly benefits all.

**state** A nation; a formal social system that includes a government, laws, etc.

**state of nature** A moral and social condition of people for which no government or formal civil society exists.

**structural violence** Structural violence exists in a society when its systems and structures channel socio-economic forces against certain of its people. Its victims have little ability to act for themselves but are regularly subject to unjust and brutal treatment.

**tacit consent** The idea that people born into an existing contract effectively consent to that contract by participating as adults in the state and accepting its benefits.

**veil of ignorance** Makes those in Rawls’s original position equal by removing from them any knowledge of the place or condition that any of them will occupy within society.