Distributive Justice and Hypothetical Device

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Social and political philosophy has always indulged in the discourse of distribution of benefits and burdens with fair principles, and liberal egalitarian-philosophers have often come forward with diverse distributive principles to tackle the debatable problem of justice. A foremost liberal egalitarian philosopher, John Rawls's two principles of a just society are best extracted from a hypothetical contract that is carried out in his 'original position' of equality behind the 'veil of ignorance' which does not involve trading off one's rights and liberties for financial gains and facilitates fair inequalities through his difference principle. However, another influential contemporary liberal egalitarian philosopher, Ronald Dworkin critiques the Rawlsian theory of justice on account of the difference principle because it has been opted when individuals are ignorant of what they are expected to know. Dworkin further advocates equality of resources wherein no veil is necessary for opting just principles. Here, Dworkin turns down Rawls's distributive justice theory of welfare due to its connection with a hypothetical device that steers it away from a deeper version of equality. The objective of this paper is to examine the Rawlsian and Dworkinian discourse in order to understand whether Dworkin's distributive justice theory of resources supersedes the Rawlsian doctrine or embraces the same fallacy.

Key words: Distributive justice, equality, difference principle, hypothetical device, resources.

Introduction

Distributive justice as a complete principle propounds a just distribution of resources wherein all individuals are sanctioned what s/he is rightfully entitled to have. It focuses on just distribution in matters of allocation or transfer of holdings that one possesses. However, the term 'distributive justice' cannot be neutral-- distribution and re-distribution are always required, and a single ideal principle cannot be successful in the due process of justice (Nozick, 1973). Taking this into account, it is imperative to construct the best possible theory of distributive justice where all individuals are treated as equals. These concerns have often resulted in the different variants of liberal egalitarianism in a diverse modern society. John Rawls and Ronald Dworkin are two of the most prominent liberal egalitarian political philosophers (Arneson, 2004, P. 79), who have continuously strived to establish the best possible theory of distributive justice of equality so that all members of the society can live well. Rawls's groundbreaking work *A Theory of Justice* (1971) designs principles of justice in a manner that these principles inspire all social, political, and economic institutions of a state to embrace fair means (Zelleke, 2005, P. 7). These principles of justice are best derived from a hypothetical contract of equality based on social welfare, and such contract is performed in '*the original position*'[1] of equality behind 'the veil of ignorance'.[2] These principles sustain all individuals' basic rights and liberties to ensure economic advantages and reduce disparities among the prosperous and destitute in any given society through the difference principle. The difference principle advocates more consideration towards worse-off individuals without discriminating against any individual. Through his principles of justice, Rawls neutralises the utilitarian theory of distribution[3] (which was a predominant theory in modern moral philosophy

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1   This hypothetical device divulges a method of reasoning to get abstract ideas about justice so that all persons can focus their power together on the choice of principles.

2   This is a kind of veil where every person is ignorant about the particular circumstances of their own society as her/his place, social status, a conception of the good, the particular rational plan of life, economic and political situation, civilization, generation, and the special features of psychology on the one hand, and on the other, every person is merely known about the particular circumstances of own society such as general facts about human society, the laws of human psychology and the general facts which affect the choice of the principles of justice. (See Rawls, 1971, pp.137)

3   Utilitarian distribution is based on the maximum benefit of maximum people principle, which does not work for everyone's benefit and trades off minorities' underpinning rights and liberties for any economic advantages.

at that time) and poses his theory as a modern hypothetical system of inquiry in the series of contractarian theories for establishing a just society (Singh, 2020, P. 84). As in the 20th-century Rawlsian distributive justice of welfare is the foremost concern; Dworkin, in the beginning, was influenced by Rawls (Dworkin, 1977) and made an attempt to discard other prominent 19th century doctrines, including a theory of individual liberty and overall utility because it was challenging to draw a balance between equality and other values (Dworkin, 2000, P.66). Further, his rebuttal of Rawls's theory of justice on account of the difference principle is due to its selection of *the original position* behind the 'veil of ignorance' wherein all persons are ignorant of particular information about their selves. Being an exponent of the equality of resources, Dworkin considers that any kind of blindfold is not needed. Dworkin castigates Rawls's distributive justice theory of welfare due to its link with a hypothetical device that entails a shallow version of equality. Thus, Dworkin replaces Rawlsian distributive justice of welfare with his concept of distributive justice of resources. Therefore, in this paper, I examine both Rawls's and Dworkin's process of reasoning on the hypothetical device and the execution of the just distributive principles upon society and also analyse to what extent, Dworkin's rebuttal of the Rawlsian difference principle succeeds.

The Difference Principle and Veil

For Rawls, justice is paramount to all societal and political systems, which is why, primary principles of justice should be employed into the basic structure of society (Rawls 1971, P. 7). The basic structure of society needs social co-operation where all individuals do their respective work under the same public conception [4]of 'justice as fairness'[5]. Within a society, individuals have different expectations in life, and these different expectations facilitate them with different social statuses. Often these social statuses will either favour or disfavour an individual. To eliminate the individual's unjust gain by the institution of society, Rawls elucidates

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4   Here, Rawls elucidates all individuals acknowledge and concur on the same principles of justice, and these principles are generally satisfied by the basic social institutions in a well-ordered society.

5   One should not fall on the confusion regarding the term 'justice as fairness' by accepting justice and fairness; both words are interchangeable. To make it clear, Rawls gives an example of another term, 'poetry as metaphor', which reflects poetry and metaphor are entirely different words. Justice as fairness sustains when social institutions are to be fair to all cooperative members of society, regardless of their race, gender, religion, class of origin, a reasonable conception of the good life, and so on.

two principles of justice as a cooperative venture for the mutual advantage of the basic structure of society (Lehning, P. 47):

First Principle:

P1:   The Principle of Equal Liberty:

Every person has claim to equal rights and basic liberties in the scheme of the most extensive total system of equal basic liberties compatible with a similar system of liberty for all (the principle of equal liberty).

P2: The Second Principle (which has two separate parts):

Social and economic inequalities are to be arranged so that they are both:

P2.1: Attached to offices and positions open to all under conditions of fair equality of opportunity (the principle of fair equality of opportunity);

P2.2: To the greatest benefit of the least privileged, consistent with the just savings principle (the difference principle).

The Priority Rules (L) (which give the principles of justice their lexical order):

L1:   Principle P1 is lexically prior to principle P2 (the priority of liberty).

L2:   Principle P2.1 is lexically prior to principle P2.2.

L3:   Principle P2.2 is lexically prior to the principle of efficiency and to that of maximizing the sum of advantages (the priority of justice over efficiency and welfare).

As mentioned above, the difference principle is the second part of the second principle of Rawls's theory of justice. Lexically, this principle was lastly opted principle, but it has a significant effect on maintaining harmony between the prosperous and destitute, which plays a pivotal role in the economic progression of society despite the advancement of civilisation (Barry, 1973, P. 45). The difference principle is based on the maximin rule, which maximizes the resources of the most least advantaged persons of the society as a solution to inequality in the contemporary society, which is why the difference principle is designated as a maximin principle (Rawls, P. 154). This principle can be proposed under any course of action, ensuring the best possible theory of distributive justice. To better understand, I explain how an institution should opt for just distribution of resources under the difference principle. Suppose there are four individuals L, M, N, and P, who get the three different resources through the three distributions; Q, R, S, and T, respectively.

Individual	Q	R	S (√)	T
L	20	15	16	19
M	4	11	7	9
N	14	8	6	3
P	7	2	12	10

As per the above-mentioned table, S-distribution is more adoptable due to its favourable consideration towards the least advantaged individual without discriminating against any individual based on her/ his power or status. Thus, it reduces disparities between the prosperous and destitute of a society (Singh, 2019, P.60-61). Further, this principle is conducive to the development of the whole society as it leaves no negative impact on an individual's personal loss or gain. Thus, this distribution is better than the average and total utilitarian distribution, which maximizes the utility of individuals. Similarly, Dworkin refutes the utilitarian distribution scheme by expounding that justice is not merely a matter of total gain. Justice, in association with rights cannot deprive some of the individuals' fundamental rights on behalf of maintaining overall utility, which is why securing everyone's rights by providing the basic right to 'equal concern and respect' to all is of utmost importance (Dworkin, 1977, P. 273). So, no government can interfere with anyone's basic rights. Here, Dworkin reasonably justifies his idea in contemporary liberalism by applying his concept of basic rights ('equal concern and respect') to the Rawlsian theory of justice. (Singh, 2017). Thus, Dworkin's strategy of refuting the utilitarian distributive scheme to set up his own doctrine stands him closer to the Rawlsian approach.

Justice fits in the welfare of a society which is why Rawls's difference principle is on par with the equality of welfare distribution. Though the difference principle is the second part of the second principle, Rawls places it in the last order as per his lexical rule; thus, the difference principle is a baseline for distributive equality. Let me put this in different way; in contemporary society, different persons have different expectations in her/his life and accordingly s/he attempts to get benefits and burdens. These structural inequalities are being justified by the different principles where the least advantaged people must be benefitted. This consideration of treating all individuals as equals through the uplift of the least advantaged makes this principle pivotal in the distributive scheme as different

positions, powers, talents, ambitions, and resources are a dominant factor in society.

Dworkin opines that the Rawlsian version of distributive justice demands a deeper version of equality that must be based on individualistic rather than social groups. Though it is vital that equality among different social groups be maintained, social groups are not just confined to economic groups, these groups comprise several individuals belonging to different tastes, preferences, powers, positions, talents, ambitions, resources. The Rawlsian principle, however, facilitates the equal distribution of goods and burdens among certain economic groups (Dworkin, 2000, P.117). What Dworkin attempts to show is that the Rawlsian difference principle does not succeed in delivering justice among all individuals of a state because it advocates the 'veil of ignorance' as an instrument of the hypothetical contract.

In addition to this, Dworkin rejects hypothetical contract theory by asserting it as one of the 'starting-gate theories'[6] which does not uphold the requirements of equality (ambition sensitive and endowment insensitive) (Singh, 2018) because all individuals do not have the same expectations in life. It starts with equal division of resources and then leaves them to grow according to their efforts under a laissez-faire labour market. Such a combination contains inequalities and the slavery of the talented and it does not come up with a defensible political theory (Dworkin, 2000, P. 89–90). Hence, Dworkin puts Rawls's original position (a guiding idea of *a theory of justice*) on the same footing with other starting gate theories of justice where the hypothetical contract is the lone entrance of the social justice scheme. Dworkin goes on to state, "I shall try to show how such a theory would be distinguished, as a type, from other types of political theories, and why only such a theory could give the contract the role and prominence Rawls does" (Dworkin, 1977, P.169). Dworkin points out that Rawlsian hypothetical contract is different from other classical contractarian theories because it does not opt a distorted form of interest scheme. Comparing his hypothetical contract to classical social contract theories, Rawls also asserts that they somehow

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6   The foundation of these theories of justice is all individuals do not bluff each-others while commencing in the same conditions. Here, Dworkin terms all contractarian theories as starting-gate theories.

correspond with his contract but not completely (Rawls, 1971, P. 17) because the outcome of his hypothetical contract---justice as fairness—which upholds all moral relationships, including rational choice---makes his contract incongruent with the long line of traditional contract theories. Moreover, Dworkin admits that "if we distinguish broadly between theories of equality of welfare and of resources, the difference principle is an interpretation of equality of resources" (Dworkin, 2000. P.113). Thereafter, he considers that Rawlsian hypothetical contract cannot be a part of the true distributive justice process because assumptions of the difference principle make this theory's requirements shallow. His rejection of the difference principle is based on two factors. Firstly, people's moral powers, which is the condition of hypothetical contract, under which no one knows her/his status, position, race, gender, and all other qualities that are generally latent in any individual personality; and secondly, it stands on a background of presumptions (Dworkin, 2000, P.118). Since, the veil of ignorance is an instrument of Rawls's original position that is a hypothetical contract, and all individuals choose the difference principle behind such a veil. Dworkin however, considers this principle in a manner that eliminates the whole concept of Rawls's distributive equality of welfare and replaces it with his distributive equality of resources. Hence, in the next section, I shed light upon the connection between justice and hypothetical contract in the Rawlsian doctrine.

Connection between justice and hypothetical contract

As cited above, the two principles of justice are Rawls the chief concern, and he thinks of them as non-ideal theory in which the first principle is designed to curb natural limitations and historical contingencies, and the second one is designed to curb injustice (Rawls, 1971, P. 246). Despite being a chief part of his theory of justice, Rawls believes that these principles work out merely in a well-ordered society under the strict compliance of a just basic structure which must be an ideal theory. Rawls's advocacy of an ideal theory in lieu of a non-ideal one divulges a necessary condition between hypothetical contract and justice deliverance because before taking the assumptions of a basic structure, one cannot deliver a just social doctrine. Thus, Rawlsian distributive equality of welfare opts for a hypothetical contract prior to a real one. Therefore, for Rawls, *the original position* is the guiding idea of distributive justice because the basic structure of a society

is an object of this original position (Rawls, 1971, P.11).This original position is a hypothetical contract under which all individuals, as equal, moral, rational beings, follow a fair procedure and choose two principles of justice. So, all are equal people and have the same rights in this position, and these conditions, inculcate within everyone, a notion of their good and sense of justice (Rawls, 1971, P. 19). To dispel biasness and maintain fairness through such hypothetical contract, Rawls suggests 'veil of ignorance' as an instrument of *the original position* under which one knows nothing about one's position in society or about her/his class, gender, ethnicity, social position; they are simply rational, free, and morally equal human beings. Thus, social institutions have no reason to favour or disfavour any individual. Rawls's justice theory ultimately aims to accelerate people's welfare through the two principles of justice opted in a hypothetical contract.

To achieve Rawls elucidation of a just, common principle, for the whole society, firstly, a social contract is needed and all must coincide to it. In that process, all should gather together and work towards governing our collective life. However, a cacophony of proposals came forward that made the choice confusing. Alternatively, one had to agree on several principles due to different individuals having different positions, race, class, gender, status, reason, bargaining power on account of inheritance, or different expectations in life. Therefore, all individuals should ideally gather in an original position of equality, and there we put all individuals behind a certain veil where individuals have no knowledge about themselves, which defuses the hindrance of choosing a just principle of justice. This social contract that generates justice, is a hypothetical one because an actual social contract cannot uphold such moral force. An actual contract certainly, sometimes obligates us as an instrument of reciprocity or consent. But these instruments are not a necessary condition of obligation because any contract on conventional fact cannot establish the fair terms of its contract. Moreover, in the advancement of an actual contract, one can find that there are moral limits of consent and reciprocity as the basis of obligation because, in real life, an actual contract with these two moral force ideals might not consistently uphold the realisation of its ideals. The ideal of reciprocity and consent in an actual contract is subject to the contingency that would not deliver just results; that is why a hypothetical device is the lone requirement of justice. Thus, Rawls imagines a contract wherein all individuals are equal in power and knowledge

rather than unequal as in actual contract (Sandel, 2009). Rawlsian assertion of the hypothetical contract as a necessary condition of the distributive justice showers accolades on the Kantian idea of 'autonomy,' and 'categorical imperative' as an autonomous will can only be regarded as an end and freely legislate universal laws to her/himself or to other rational beings (Kant, 1969, P. 396). In a convention, all men and women possess different characteristics that would not necessarily conform to the principle of right. Hence, initially, to create a condition of equality on the way to think about justice, a hypothetical device is needed. Considering this, Rawls proposes two principles of justice in *the original position* behind the veil of ignorance. In the next section, firstly, I explicate the Dworkinian notion of distributive justice and then analyze to what extent his argument strengthens/ weakens the Rawlsian doctrine.

Equality of Resources and a Comparative Analysis:

The Dworkinian notion of distributive justice is all about enhancement of substandard life and formation of a just society. For the establishment of a just society, one should not get involved into ideal form of equality, but equality which makes balance with other values that is distributive equality which maintains equilibrium between natural resources and human beings to set up a just society. Dworkin put forward idea of equality of resources to treat people justly at best and goes on to state that an ideal form of equality for a state, does not have any value (Dworkin, 2000, P.11-12). Dworkin's equality of resources is based on the mechanism of an egalitarian distribution of socio-economic resources to ensure that individuals receive a fair, if not equal distribution of resources which would fetch welfare accordingly. As per Dworkin, equality is a matter of private rather than public ownership that depends on 'open-texture relationship'[7] in political power. At first, for equal division of resources, Dworkin assumes a form of economic market idea which would allow the fixing of prices for different range of

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7   Such kind of relationship defines through various facets of which must be fixed politically rather than simple relationship betwixt an individuals and material resources.

goods and services. During the construction of his theory, Dworkin himself admits that "the best theory of equality presupposes some actual or hypothetical market in justifying a particular distribution of goods and opportunities" (Dworkin, 1983, P. 38). Interestingly, Dworkin's assertion stands him on the Rawlsian court that the best possible theory of people as equals cannot be constructed without a hypothetical device. To put up an abstract form of distribution of the impersonal goods, Dworkin uses the idea of a hypothetical market scheme which he explains with an example. He asks us to imagine survivours of a shipwreck on a desolate island that is enriched with myriad resources. There are no indigenous people are on this island, nor do any of the survivours own any of this island's resources prior to the equal allocation. The resources cannot be divided equally among survivours until a test of equal division of resources is satisfied. Dworkin designated this test as the 'envy test' wherein after the equal division of the resources is over, none of the survivors prefer to own the bundle of resources of others in lieu of her/his own bundle of resources. Here, I turn my focus on the Rawlsian conception of the person in the basic structure of the society where *the original position* is the guiding idea of choosing two principles of justice behind the veil of ignorance, and here, no one is envious of others. Further, I argue that Rawls states, "the special assumption I make is that a rational individual does not suffer from envy. He is not ready to accept a loss for himself if only others have less as well. He is not downcast by the knowledge or perception that others have a large index of primary social goods. Or at least this is true as long as the differences between himself and others do not exceed certain limits, and he does not on injustice or is the result of letting chance work itself out for no compensating social purpose" (Rawls, 1971, P.143). By stating this, Rawls inculcates some common features (Wolfe, 1977, P. 28)[8] in all persons who can help them opt just principles because these common features shine back moral attitudes which plays a pivotal role in living a successful human life. Rawls opines the notion of a person as a moral being with two moral powers; reason and rationality; thus, this notion is likely to be of use to flourish a political doctrine of justice (Pogge, 1989, P. 96–97). Moreover, to develop and exercise these two moral powers, he introduces the notion of 'primary goods'[9] to select

8   All persons are rational and reasonable moral powers, not envious and have similar needs, interests, and accordingly capable of discovering their own preferences.

9   In primary goods, providing equal basic liberties that underlies the freedom of thought and liberty of conscience, political liberties come under primary goods so that one can choose according to her/his preference with respecting their self-respect and prerogatives without any biasness entitled with some income and wealth (See Lehning, P. 20).

the principles in *the original position* representing equality among human beings as moral persons, and here, through his assumption, Rawls tries to eliminate envy from all individuals for the larger welfare of society. However, Dworkin's assumptions of the shipwreck survivours in the equal auction, is a reflection of Rawls's original position because prior to being shipwrecked, all individuals have their taste, ambitions, preferences, and position in a society. And after being shipwrecked, they have totally ignored all prior information and accepted the given equal terms to execute the idea of fairness. Here, again, Dworkin's case of the shipwreck survivours has some links to Rawls's idea of hypothetical contract behind the veil of ignorance. (Brown, 2009, P.53-54).

Dworkin's envy test faces problem when one distributes available milking cow to all immigrants considering that all milking cows are not identical and not even available for persons equally. Such a problem crops up not only in case of the physically non-divisible resources (milking cow) but also in the case of divisible-resources of arable land, because arability is not exactly same at every point. The error with the envy test remains intact also in the auction for the equal distribution due to the difference in taste and preference of the immigrants, for example, in the equal allocation of plovers' eggs, which some would hate and some would like. As a result, many of immigrants would prefer others' bundle of resources. As a response to this problem of envying others, Dworkin proposes the equal division of clamshells in auction to all immigrants of that deserted island where these shells are in ample numbers. Independently these shells have no value at all, but can be used by immigrants as money for free trading. When the auctioneer bids to sell the resources, the immigrants buy according to their tastes and preferences and do not prefer others' bundles of resources. Thus, the problem of envying others' bundles of resources is eliminated. Dworkin further states that, "under the equality of resources, however, people decide what sorts of lives to pursue against a background of information about the actual cost of their choices impose on other people and hence on the total stock of resources that may fairly be used by them. The information left to an independent political level under equality of welfare is therefore brought to the initial level of individual choice under equality of resources" (Dworkin, 2000, P.69). It is to be noted that, in his distribution, Dworkin concedes equal distribution initially and laissez-faire thereafter, but, he reprimands a similar notion while putting Rawls's deep theory

as one of the starting gate theories (as discussed under the previous heading). This reveals the latent contradiction in Dworkin's assertion.

Equal auction is an ideal device for developing equality of resources in his distributive justice scheme. However, Dworkin admits the several problems that arise in this auction but tries to make possible fair distribution through 'authentic preferences'[10] of immigrants. Although, when the auction is over after successful allocation, immigrants prefer others' bundles of resources due to differences in looks, lifestyle, attitude, health etc. Taking this into consideration, Dworkin explicates that post-auction development is not consistent with the equality of resources where luck factor plays a pivotal role in the immigrants' life. To neutralise this inconsistency, he expounds two different kinds of luck that impact immigrants' lives as a matter of degree. Firstly, 'option luck' can be good or bad when an individual gains or losses through calculated gamble as after purchasing a lottery. For instance, if I win a car, then my luck is good. But, 'brute luck' is all about unanticipated risk, for example, if I am struck by a meteorite, my luck is brute (Dworkin, 2000, P.73). As a response to this, Dworkin proposes an insurance market device that is hypothetical in nature and bridges the gap between good and brute luck so that all immigrants have an equal chance to choose a safe or risky life option. Again, against the backdrop of the hypothetical device, Dworkin tries to justify all dissimilarities of society in the distributive equality of resources, as I have mentioned in the section above, to how Rawls justifies inequalities of a society by the least advantaged in his difference principle. Matthew Clayton also expounds that despite theoretical differences, Rawls and Dworkin, , apply hypothetical reasoning in their theories of distributive justice (Clayton, 2015). By the same token, I find that the way Rawls opted a hypothetical device for his difference principle, Dworkin does the same, though some theoretical differences are latent.

Moreover, Dworkin's connection of consistency between the equality of resources and all individuals despite dissimilar possessions or earnings by virtue of option luck, facilitates a just distributive social system. According to different ambitions and expectations to lead a life, an individual needs to pay the price by using

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10   Dworkin considers authentic preferences as true preferences which are opted by the agent her/himself, not imposed by the economic system.

her/his clamshells to gamble. In the gambling process, the risk factor is always inherent, and accordingly winners enjoy life, and losers miss the chance to enjoy life as they want to live in a crunch. And another group is available who do not like to gamble and enjoy life by preferring a safer side with less fortune. Here, in his hypothetical device background, through the example of gambling, Dworkin makes an attempt to maintain a fair process of his distributive justice. Similarly, Rawls, in his principles of justice against the backdrop of a hypothetical device through the example of gambling as an idea of pure procedural justice, facilitates justice as fairness, in his distributive equality of welfare. Rawls asserts that "justice as fairness is able to use the idea of pure procedural justice from the beginning" (Rawls, 1971, P. 120). Pure procedural justice is the methodology that can be better understood through the example of gambling. In this procedure, individuals opt for a fair method to get a fair outcome but there are no independent criteria for definite results. Basically, Dworkin and Rawls concede that the procedure of justice depends on fair terms against the backdrop of the hypothetical device, but there is no expectation of gain.

Conclusion

Dworkin's rebuttal of Rawlsian distributive justice of welfare is grounded upon Rawls's difference principle which is opted behind the veil of ignorance that is an instrument of *the original position*, and this original position is a hypothetical device which upholds the realisation of two equal moral force ideals for all individuals, notwithstanding the fact that expectations in life are different. According to Dworkin, this theory, therefore, lags behind in delivering justice among all individuals of a state. On the other, in the advancement of the distributive theory of resources, Dworkin puts forth an abstract form of distribution of the impersonal goods in the auction and employs the idea of a hypothetical market scheme by stating that equal auction is an ideal device for developing equality of resources in his distributive justice scheme. Thereafter, to neutralise post-auction inconsistency due to the direct impact of the luck factor on the immigrants' life, he propagates an insurance market device which is hypothetical in nature and bridges the gap between option and brute luck so that all immigrants have an equal chance to select a secure or precarious life.

Following that Dworkin proposes real and hypothetical device for fair distribution of goods and opportunities. Taking this into account, Dworkin concurs with the Rawlsian assertion that the ideal of reciprocity and consent in an actual contract is subject to the contingency that would be unable to discharge fair results, which is why a hypothetical device is a necessary requirement of justice. Therefore, through the establishment of his distributive justice theory of resources, Dworkin does not entirely overthrow Rawls's doctrine of difference principle because it bolsters the tie between distributive justice and hypothetical device to justify all dissimilarities of society.

References:

Arneson, Richard J. 2004. "Cracked Foundations of Liberal Equality." ed. Justin Burley in *Dworkin and His Critics: with replies by Dworkin*, Blackwell Publishing.

Barry, B. 1973. *The Liberal Theory of Justice- A Critical Examination of the Principal Doctrines in A theory of Justice by John Rawls*. London: Oxford University Press.

Brown, Alexander. 2009. Ronald Dworkin's Theory of Equality: Domestic and Global Perspective. London: Palgrave Macmillan.

Clayton. Matthew. 2015. "Rawls and Dworkin on Hypothetical reasoning." ed. By Timothy Hinton in *The Original Position* (Classic Philosophical Arguments), Cambridge: Cambridge University Press. P. 97–118.

Dworkin, Ronald. 2002. *Sovereign virtue: The theory and practice of equality*. Cambridge: Harvard University Press.

Dworkin, Ronald. 1983. "Comment on Narveson: In Defense of Equality."*Social philosophy and Policy* 1, no. (1): 24-40.

Dworkin, Ronald. 1977. *Taking Rights Seriously*. London: Duckworth.

Kant, Immanuel. 1969.*Foundation of the Metaphysics of Moral.*trs. Lewis White Beck. Indianapolis.

Lehning, Percy B. 2009. *John Rawls: An Introduction*. Cambridge: Cambridge University Press.

Nozick, Robert. 1973. "Distributive justice." *Philosophy & Public Affaiars*3, no. 1 (Autumn): 45-126.

Pogge, T. W. 1089. *Realizing Rawls*. Ithaca: Cornell University Press.

Rawls, John.1971.*A Theory of Justice*. Oxford: Oxford University Press.

Sandel, Michael J. 2009. *Justice: What's The Right Thing To Do?* New York: Farrar, Straus and Giroux.

Singh, Mayavee. 2020. "The Notion of Good Life: A Dialogue on the Moral Foundations of Legitimacy."

*Journal of Indian Council of Philosophical Research*37, no. 1 (January): 83-95.

Singh, Mayavee. 2019. "Social Justice and Sustainable Development." *Journal of Problemy Ekorozwoju/ Problems of Sustainable Development* 14, no. 2: 57-62.

Singh, Mayavee. 2018. "Equality of Resources, Ethical Principles and Sustainable Development," *Journal of Problemy Ekorozwoju/Problems of Sustainable Development*13, no. 2: 185- 190.

Singh,Mayavee. 2017. "A Contemporary Approach towards Liberalism." *Philosophy Pathways*, (ISSN 2043 0728)Issue-214.

Wolfe, C. 1994. "Liberalism and paternalism: A critique of Ronald Dworkin." *The Review of Politics* 56, no. 4: 615–640.

Zelleke, A. 2005. "Distributive justice and the argument for an unconditional basic income." *Socio-Economics* 34: 3–15.