

What is the role of reflective equilibrium and symbolic interactionism in a society in a quest for Justice? A Mixed Methods Analysis

Clarence St. Hilaire¹

The aim in this article is to take a look at John Rawls's concept of 'reflective equilibrium' as an alternative to justify his principle of justice, and analyze it from a societal standpoint, using symbolic interactionism. I also considered the role of 'justice as fairness' as a political conception, in conjunction with 'reflective equilibrium' in a dialectic perspective. By offering a comprehensive critique of Rawls's concept of 'reflective equilibrium', I argue that 'reflective equilibrium' is in agreement with symbolic interactionism. I advocate for the adoption of a mixed methods model in which individuals involved in social interactions and social justice are viewed as part of a single cohort. I propose a new paradigm with two models: a justice interactionism model (JIM), and a symbolic reflective justice interaction model (SRJIM), which claims that: 1) Individuals' interactions are determined by a constant need for justice, and 2) The symbolic reflective justice model compensates Rawls's maxim of equal basic rights and liberties. [Article copies available for a fee from The Transformative Studies Institute. E-mail address: journal@transformativestudies.org Website: <http://www.transformativestudies.org> ©2014 by The Transformative Studies Institute. All rights reserved.]

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¹ Clarence St. Hilaire received a Bachelor's Degree in International Marketing with a minor in Economics from Bernard M. Baruch College of CUNY, a Master's Degree in Public Administration from Florida International University, and a Post- Graduate Certificate in Conflict Analysis and Resolution from Nova Southeastern University. His area of research includes diaspora, ethnic and social justice studies, symbolic interactionism, and democracy. He has written a review on Philippe Zacaïr's Book: *Haiti and the Haitian Diaspora in the Wider Caribbean* for the *Journal of Ethnic and Racial Studies*, Department of Sociology, University of Surrey, United Kingdom. He is also a published poet, and a Ph.D. student in Human Sciences at Saybrook University. e-mail: Email: klarynz@gmail.com.

The term 'reflective equilibrium', paramount for the concept of justice, as it applies to individuals, groups and institutions, and coined by John Rawls in both of his writings: *A theory of Justice*, and "Justice as Fairness: Political not Metaphysical", lacks immediate and practical application for advocacy groups engaged in the field of social justice. Based on Rawls's (1971: 224), admission in *Justice as Fairness: Political not Metaphysical*, that the notion of justice as fairness is intended as a political conception of justice rooted in the "basic structure" of a modern constitutional democracy, I have espoused the theory of symbolic interactionism in order to offer a comprehensive map of understanding how individuals in society makes sense of their interactions with others, and voice their dissent in search of justice, liberty and equality.

The 'reflective equilibrium' concept is defined by Rawls (1971) as people's 'sense of justice' in finding ways to adjust their beliefs, moral values and judgments and reflections until they reach an equilibrium level. Rawls (1971:228) calls "reflective equilibrium", a state in which each level supports and is supported by its neighbors: justice supporting fairness and vice-versa. Rawls writes:

we express this by saying that a political conception of justice, to be acceptable, must be in accordance with our considered convictions, at all levels of generality, on due reflection or in what I have called "reflective equilibrium"

Peritz (2003:13- 14) adds:

Rawls' account of pursuing a reflective equilibrium among our judgments of justice presents a practical philosophical method for constructing coherent and shared conceptions of justice that build on and systematize persons' existing senses of justice. A pre-reflective sense of justice is viewed by Rawls as an essential aspect of human moral personality. It almost invariably develops in children reared in families and broader social circumstances that provide at least minimally supportive conditions. It develops through their exercise of reason, judgment and imagination over time as children and adults struggle with issues of justice and the right in cases that range widely in their details and levels of generality. However, the sense of justice that emerges from these judgments is neither self-pellucid, error free, nor fully determinate on all issues of justice. Rather, given the normal limits on the powers of reason, judgment and

imagination, persons often lack full confidence in at least some of their judgments of justice and differ, sometimes strongly, with themselves and others on many issues of justice. Reflective equilibrium does not merely aim then to characterize our sense of justice as we already find it because this sense is usually unreliable and often defective in ways that Hobbes presented in a famous if exaggerated form. Rather, reflective equilibrium is a method to organize, order, revise and rework our judgments of justice so that they can be expressed in an internally coherent and mutually acceptable conception of justice. It thus involves an active process of refashioning our understanding of justice in order to accomplish important practical goals.

The argument made above is that reflective equilibrium is not only a way of describing a sense of justice, but also for us to question our practical reasons or judgments that are reasonable to others. The method of reflective equilibrium requires a set of principles rooted in the human sense of justice, which is the capacity that both provides the material for the process of reflective balance and a motivation to adhere to principles one judges to be morally sound. They are practical when they offer real political and economical results. To that end, I argue that it also extends its applications to institutions that embrace the concept. I also contend that certain principles of justice cannot be justified and applicable unless they are shown to be stable and practical for the public in a liberal democracy¹. Principles of justice are stable if, among other things, the members of society regard them as authoritative and reliably compliant with them.

Tools of dissent such as rallies, protests individuals use to support or seek justice are tied with symbolic interactionism. Symbolic interactionism claims that people make sense of the meaning of things, based on their convictions. In Rawls's theory, "considered judgments" that arise from his idea of justice are also to be appreciated in light of symbolic interactionism. I argue that it is at the juncture of "reflective equilibrium" and symbolic interactionism that social and political conflicts stemming from power, issues, such as equal rights and freedom of citizens in society can be resolved.

JOHN RAWLS'S CONCEPT OF JUSTICE

John Rawls's Theory of Justice as fairness attracts a considerable amount of attention. Rawls attempts to develop a theory that combines

the strengths of utilitarianism with those of the deontological position of Kant, while avoiding its weaknesses. For Rawls the central task of government is to preserve and promote the liberty and welfare of individuals. He sees hope for people and institutions that do not confer arbitrary rights or advantages at the expense of others. Thus, principles of justice as fairness are needed. However, how can institutions formulate principles of justice as fairness?

Rawls offers an answer by making use of a hypothetical device he calls “the original position”. The original position invites to imagine ourselves in a position of equality, in which we do not know most of the socially significant facts about ourselves: race, sex, religion, economic class, social standing, natural abilities, and even our conception of the good life². He terms such phenomenon as the “veil of ignorance”. The original position, Rawls (1971:234- 235), with its veil of ignorance, characterizes a state in which alternative notions of justice can be discussed freely by all. Since the ignorance means that individuals cannot gain advantage for themselves by choosing principles that favor their own circumstances, the eventual choices of people will be fair, he claims. Individuals, Rawls contends are assumed to be rational. They will be persuaded by reason and arguments. These features of the original position lead Rawls to term his view “Justice as fairness”. Rawls (1971:227) states that the “original position” would agree on the following two maxims:

- 1) each person has an equal right to a fully adequate scheme of equal basic rights and liberties, which scheme is compatible with a similar scheme for all.
- 2) Social and economic inequalities are to satisfy two conditions: first, they must be attached to offices and positions open to all under conditions of fair equality; and second, they must be to the greatest of the least advantages members of society. The first principle has priority over the second, and both principles are to govern basic structures: political, economic, and social, which determine people’s positions in society.

However, people in society are confronted with many positional issues that are excluded from the notion of fairness. What is the reason? The answer lies in the subjectivity of the notion of ‘fairness’. Moreover, the “veil of ignorance” may well have some unintended effects on social changes, and catalysts that address societal ills. I argue for a current

position that calls for real social actions and facts, derivatives of ideologies, in lieu of an original position.

DEFINITION OF REFLECTIVE EQUILIBRIUM

Philosophers often indirectly ask us to determine if our moral judgments, convictions and intuitions correlate with our principles because we can be confused in our thinking. However, by successfully advancing principles which seem to accord with most of our intuitions and re-examining any conflicting positions, we move to a step towards a position of “reflective equilibrium”, in which our considered intuitions are fully in harmony with our considered principles. Rawls uses the method of reflective equilibrium to justify his principles of justice. Accordingly, it is people; and I believe, citizens’ acceptance of the basic notions, methods, and results of Rawls’s framework at its different stages that are called to establish his Justice as Fairness. Implied is the notion that every single individual supposedly has already accepted a moral view of the world, though not the same one. It is, with regard to that moral view of the world, or in Rawls’s terms, a comprehensive theory of the good, from which the principles of justice can be justified.

From the point of view of Rawls’s work, or from the point of view of any particular citizen engaged in a discussion of a just society, something else could matter. What is the point of justification provided for by reflective equilibrium that is not provided for by our comprehensive theories of the good? The answer lies in the set of beliefs, moral judgments and principles held by a particular person, and the relevance of the theory.

The request of reflective equilibrium may facilitate agreements in two ways: first, by asking us to reconsider initial positions of justice of Rawls’s proposed principles. Second, on settling what may be seen as the second best solution of what a just society is like from the standpoint of a single comprehensive view. I understand that Rawls had both of those requests in mind when he asks us to go back and forth between a set of principles of justice, and our existing considered judgments and convictions (Rawls 1971:228- 229).

From the concept of reflective equilibrium, others have advanced several forms of equilibrium (equilibria). Authors such as Daniels (1979) illustrated in general that “narrow reflective equilibrium” could only be a method for analyzing. The proposal of principles of justice may lead us to consider the reflective equilibrium between Rawls’s proposed principles of justice and our theory of the good, and reconsider the

reflective equilibrium from our own principles of justice. Yet, the likely results of such narrow equilibria would invite someone to stick to his or her own principles of justice, which are part of our theory of the good. Therefore, narrow reflective equilibrium is a concept presented as a plea for reconsideration.

Another concept Rawls uses is wide reflective equilibrium (Daniels 1979; Schroeter 2004). Daniel (1979) echoes that when using wide reflective equilibrium, a person begins by collecting moral judgments (such as “abortion should be allowed”) which a woman may find intuitively plausible, then she proposes alternative sets of moral principles (such as “killing human beings is wrong”) that have varying degree of fit with the moral judgments. Finally, she seeks support for those moral judgments and moral principles from background theories (such as “a fetus is not a human being”) that are, in her view, acceptable. As Daniels (1979) writes, we can imagine the agent working back and forth, making adjustments to her considered moral judgments, her moral principles and her background theories. Finally, she arrives at an equilibrium point that consists of the ordered triple (a), (b) and (c). Moral judgments included in this point are taken to be justified. Reaching such a point may be difficult; as Rawls puts it, achieving it is an ideal situation. In my view, Rawls uses the wide reflective equilibrium to make us reconsider our intuitions against the background of our respective theories of the good.

The reflective equilibrium is the point of view of being-a-citizen in society. It implies that a society consists of citizens with certain basic capacities, that they are equal and free as citizens. A society is a venture not only of coordination but also of cooperation, and so on. It is this last point of view of a citizen with its background principles, which in Rawls's theory gives the method of reflective equilibrium its standing in society. Being-a-citizen in society is supposedly not in apparent contrast with the most firmly held parts of most comprehensive theories of the good.

As Daniels (1979:22) describes, reflective equilibrium is a method which attempts to produce coherence in an ordered triple sets of beliefs held by a particular person, namely (1) a set of considered moral judgments, (2) a set of moral principles, and (3) a set of relevant background theories (scientific and philosophical). Rawls also asks those of us who hold other views to bring into reflective equilibrium a moral ground: reflective equilibrium, and our citizen reflective equilibrium. In the same vein, authors such as Schroeter (2004:110), Scanlon 1992, 1995) contend that reflective equilibrium can be understood as a moral theory.

The term of ‘ethical theory’ or ‘moral theory’ is interchangeable. Schroeter explains:

A moral theory is a structure of propositions which, for any action A falling into the extension of ‘is morally right, offers an articulate explanation of why action A, as opposed to alternative courses of action, is morally right (Schroeter 2004:114).

As stipulated, Schroeter’s definition is based on a “morally right” theory. An inference is made that actions that are considered as right are part of a moral theory. Scanlon (2004) advocates that reflective equilibrium is committed to the existence of a moral theory.

The concurrent supports by other authors also affirm my own disagreement. The extent to which morality is tied to the notion of equilibrium is vague. I believe a moral theory should not only be based on its philosophical tenets because justice is a word of action, or as I call it, an ‘actionable word’. When justice is ‘actionable’, it brings positive changes, and it enlightens society and also brings down barriers. This is an objective approach of justice. However, justice can be both subjective and objective; but a moral theory of the good in its pure essence is subjective.

THEORETICAL FRAMEWORK

One theoretical framework, or sociological perspective, which helps to understand human action and capture the essence of the human being, is the theory of symbolic interactionism (Blumer 1969). Briefly, symbolic interactionism claims that humans act towards things on:

- 1) The basis of the meanings that things have for them.
- 2) The meanings of things derive from social interaction.
- 3) These meanings are dependent on, and modified by an interpretive process of the people who interact with one another.

The main reason why I believe symbolic interactionism is more applicable than many other sociological perspectives in understanding human action as it relates to justice, is that it focuses on the immediate or the present social actions and interactions, as opposed to others structures that claim them. Furthermore, one can learn from the behavior of the actors engaged in social actions. Symbolic interactionism requires actions, citizens’ participation through peace initiatives or grievances,

and even something to fight for, to advocate or die for. As discussed by Joel Charon (2007:42), symbolic interactionism regards the human being as “active in the environment, an organism that interacts with others and with self; a dynamic being; a being that defines immediate situations according to perspectives developed and altered in on-going social interactions”. Thus, each interaction that occurs within the symbolic interactionism will have some form of impact on human action through symbolic communication. Building on this, as discussed by Blumer (1969), “human action is built up through a process of self-indication” (96). This process occurs interactively, constantly, and continuously, in all interactive situations and “is not a release of an already organized tendency but rather is constituted by a flow of self interaction in which the individual indicates various things and objects to himself, defines them, judges them, selects from among them, pieces together his selections, and thereby organizes himself to act” (94). Blumer (1962:180) explains:

The term "symbolic interaction" refers, of course, to the peculiar and distinctive character of interaction as it takes place between human beings. The peculiarity consists in the fact that human beings interpret or "define" each other's actions instead of merely reacting to each other's actions. Their "response" is not made directly to the actions of one another but instead is based on the meaning, which they attach to such actions. Thus, human interaction is mediated by the use of symbols, by interpretation, or by ascertaining the meaning of one another's actions. This mediation is equivalent to inserting a process of interpretation between stimulus and response in the case of human behavior.

According to Blumer (1969), the characteristics of this approach are (i) human interaction, (ii) interpretation or definition rather than mere reaction, (iii) response based on meaning, (iv) use of symbols, and (v) interpretation between stimulus and response. Blumer proposed an interpretive model for sociology which "inserts a middle term into the stimulus response couplet so that it becomes stimulus-interpretation-response". Charon (2007) defines symbols as ‘social objects’: they are created socially and used in many different situations in many different ways, and the users understand them. “Symbols are meaningful. We know when to use them, why we are using them, and have particular set of assumptions or expectations as to how they will be interpreted by others” (Smith 2009:8). Charon describes that “symbols allow us to share

understanding, to tell others what we think, what we know, what we are, what we intend, what we feel”, as well as that “symbols are also used to communicate to ourselves, to think with, to converse about ourselves and about objects in our environment” (Charon 2007: 50).

The first question asked by Smith, is why interaction occurs? or more specifically, why human action occurs and particular symbols are used to communicate, I think is best answered through the sociological theory of pragmatism. To help motivate and justify this claim, Smith (2009) drew from the work of Charon (2007: 31- 32), who outlines that pragmatism is a key part of symbolic interactionism and is grounded in four central concepts, including:

- (a) “humans do not respond to their environment; instead, they almost always interpret their environment. The world does not tell us what it is; we actively reach out and understand it and decide what to do with it”
- (b) “humans believe something according to its usefulness in situations that they encounter. Knowledge is learned, remembered, and believed in relation to our ability to successfully apply it”.
- (c) Humans “are selective in what we notice in every situation. Objects that we notice are defined by us according to their usefulness”.
- (d) Understanding humans should be done so by observing and understanding human action as it occurs in the present. “It is not personality, past events, a trait or quality that is central, but what actors are doing in their situation”.

I claim that the symbolic interactionism theory, as a new argument is the material aspect of justice. Thus, if we use the first three principles above as a theoretical guideline, it is clear that an individual’s choice of symbols used to interpret, and subsequently act out, during a situation is dictated by the following: active interpretation of the situation in the moment, the individual’s previous experience, understanding, knowledge, and beliefs regarding the situation (and/or issue), and a selective focus pertaining to particular objects of interest in the situation. Based on the theory it is clear that all acts made by the individual are purposeful. Therefore, by observing the use of symbols during interaction, I argue that one can have a better understanding of how a situation is being defined by an individual, how his or her knowledge and experience regarding the issue, is acquired and defined. I call it the “communicative aspect of justice”.

Cox (2006:12) defines environmental communication as a form of symbolic action. “language and symbols do more than transmit information: they actively shape our understanding, create meaning, and orient us to a wider world”. From this explanation, it is clear that Cox has incorporated the same principles of symbolic interactionism into his definition of environmental communication. From my perspective, Cox is implying how environmental communication occurs: with symbols. Cox also describes that environmental communication serves two different functions: it is pragmatic and constitutive. When considering the aim of this article, these are two key phenomena in building upon this theoretical framework. In particular, as Smith (2009) wrote, these two phenomena are keys to understanding why interaction occurs, and what results from interaction. Through interaction and the use of symbols, we come to learn, to know, and to remember. When individuals or groups protest using signs and posters, they send a message that the use of symbols evidences symbolic interactionism.

The next question of my theoretical investigation seeks to better understand the results of interaction in symbolic interactionism as they relate to Rawls’s principles of justice that ask us to constantly consider our judgments and convictions. In that sense, the results of interaction, and constitution of an issue can be summarized by presenting three mutually occurring phenomena: learning, perspective change and knowledge creation (Charon, 2007).

From a theoretical point of view, each of these results occurs in an interdependent manner and is facilitated through symbolic interaction. As discussed by Charon (2007:113), learning takes place primarily through “taking the role of the other” during symbolic interaction; that is, “we do not simply react to words or acts of others; we also try to get into their heads and try to understand their words from their perspective”. Linell (2005) adds to this, his theory of dialogism, claiming that “It is the disruptive influences of the other which introduce tensions”.

Dialogism is a general framework for the understanding of human action, cognition, communication and language, and may be construed as a counter-theory to monologism, which is associated with individualism (Linell, 2005b). Dialogism stresses relational processes in the individuals’ interaction with others, and in general with the environment. Such interactions are carried out in different ways in different contexts. Hence, interaction, contexts and other-orientation are key concepts.

The linkage between Reflective Equilibrium and Symbolic Interactionism

Given that the nature of justice offers many interpretive filters, it is valid to admit that “reflective equilibrium” and symbolic interactionism, since both shares the justice concept, I argue should not be seen as distant theories. In a society full of competing interests that sometimes generate conflicts, I believe that issues forcing people or individuals to find a balance when dealing with social, economic, political and ethical problems are pressing ones. They are based on actions, convictions and judgments. Furthermore, social actions that permit citizens’ participation for instance in conflict situations or mediated conflict situations in symbolic interactionism may be seen as identical to those guided by reflective equilibrium (Peritz, 2003). When, for example people decry an injustice made, there are many avenues possible to them: the judicial system, bargaining and protest. Those three alternatives are paramount in a just society, I think. For example, when people protest they also espouse the notion of social justice, and linked with Rawls’s two maxims from the original position. Therefore, symbolic interactionism is within the sphere of social justice. How is this linkage established? I offer two possible ways: 1) A position-based interactionism 2)An interest-based interactionism.

The position-interest-based interactionism is a common thread. It is what people want to happen or accomplish in a society. In the module of position-interest-based interactionism, positions that people hold affect outcomes in conflict situations. People’s interests consist of global needs and specific needs³. Interests consist of global needs and specific needs. Examples of global needs are respect, communication, power, trust, control, acknowledgment, relationship, acceptance, safety and security. An example of a specific need is money. I think the concepts of needs (Burton 1986), positions and interests are also at the core of reflective equilibrium and symbolic interactionism. In *Justice as Fairness: Political not Metaphysical*, Rawls does not seem to depart from the above concept because liberty and equality are both needs. For example, if a person’s position is based on global needs such as respect, communication, power, trust, control, relationship, acceptance, safety, security and acknowledgment, discriminatory practices against him or her will offer a fertile ground for some form of justice rectification to be made. When no action is taken, conflict occurs. Moreover, societal changes and challenges that occur because of sociopolitical unrest seem to suggest that a sense of justice is heightened when reflective equilibrium and symbolic interactionism are present, and the position-interest based

interactionsim I proposed is negated. Here are some examples with a key notion of justice: flag burning, revolution, and the demise of dictatorial regimes. However, the linkage between reflective equilibrium and symbolic interactionsim is also evolving due to unpredictable political and social actions and people's behavior.

Analysis and Critique

The point of justification of reflective equilibrium in Rawls's Justice as Fairness: Political not Metaphysical, and A Theory of Justice, is that the debate on justice is consistent. However, the dynamics of justice is evolving due to consistent social demands that ask for actions and equilibrium. Reflective equilibrium presents different kinds of narrow equilibria that are subject to different problems. Here, one of them is of special interest: The safe-ground reflective equilibrium, which is a component of wide equilibrium. It is only safe once chosen, but its choice may be in need of further justification. According to Rawls (1971), the ongoing process of reasoning and reflection can only provide for this justification. However, since different institutions have different principles that govern them, I think in terms of justice, it cannot be formulated as a method of reflective equilibrium that serves the aim of defining a realistic and stable social order. The process of reflective equilibrium is not static; it changes overtime as individuals reevaluate issues and explore the results of their principles. The rationale perhaps is due to the complexity of reasoning to facilitate agreement given the plurality of reasonable theories of the good and justice. Furthermore, I think our intuitions may need to be filtered before they can be admitted into a reflective equilibrium mode. Thus, in evaluating principles of justice, it is doubtful that sexist or racist institutions would enter the equilibrium base since such institutions are not likely to survive impartial examination, no matter what their initial appeal. What does that tell about the intuitions that appear in the reflective equilibrium test by espousing Rawls's idea of justice? I content they must be widely shared among reflective persons, not only minority views, but institutions as well.

Another problem lies in the way people systematize moral judgments using the wide reflective equilibrium concept. According to critics, wide reflective equilibrium is not a clever way to systematize moral judgments. An obvious problem is that 'moral judgments' are not credible. Instead, they are a result of accidents (Räikka, 1996). According to Daniels (1979:31), however, the "no credibility" objection

is merely a burden-proof argument. He writes that it is “plausible to think that only the development of acceptable moral theory in wide reflective equilibrium will enable us to determine what kind of ‘fact’, if any is involved in a considered moral judgment”. While some answer to the question about the reliability of moral judgments is required, there is no reason to think that there is no such answer. Hence, such concept of reflective equilibrium is justified, and is a necessary part of Rawls’s theory of justice. I also think it is a platform for a political theory that Rawls intended to offer when he writes that a conception of political justice for a democratic society relies on intuitive ideas that are embedded in political institutions (Rawls 1985:225).

Symbolic interactionism offers a stronger and solid basis for analyzing individual interactions. It has however, some drawbacks. At the group level, it offers a limited view. From a micro-macro social level⁴, it invites further analysis. I believe it is important that this ‘individualistic’ component of interaction should be recognized and acknowledged. While interaction stresses action between individuals (i.e. “inter”), recognizing the uniqueness of action that occurs within individuals (or “intra”) is of equally high importance. Due to this individualistic component of interaction, I believe that there must be caution taken in regarding the phenomenon as being normative in nature. In addition, while I view interaction as meaningful, useful, and highly important, there is no concrete method for predicting the results of interaction, nor is there conclusive means of establishing a pre-defined framework (or arena) for guaranteeing purposeful or meaningful interaction. It is important to make this reflection, as my analysis was not meant to take on a critical stance towards the structure of the interaction, or to suggest areas for improvement. Rather, it was meant to serve as a reflective basis for trying to better understand the role of reflective equilibrium and symbolic interactionism within the framework of justice.

A New Proposed Paradigm, The Qualitative Approach

Kuhn (1971:15) enunciates that out of crises, new paradigms emerge. The impact of Kuhn’s theory on the social field is important. It has also helped create some interesting theories. Kuhn writes “In the absence of a paradigm or some candidate for paradigm, all the facts that could possibly pertain to the development of a given science are likely to seem equally relevant”. Nevertheless, within the context of reflective equilibrium and symbolic interactionism combined, such relevance to a

single set of paradigm has not yet been determined. My propositions are as follows:

- 1) Individuals' interactions are determined by a constant need for justice.
- 2) The symbolic reflective justice model compensates Rawls's maxim of equal basic rights and liberties.

Individuals' interactions are determined by a constant need for justice

At the personal and group levels, there is a need for self-actualization, which cannot be frustrated (Dollard, 1939). When frustrations occur, social, political and interpersonal conflicts become a dominant factor. A cry for reparation and a sense of justice are present because the need of justice is shared by every human, and embedded in a deeply rooted notion of care and conception of what a 'just society' should be. True enough, social interactions can create conflicting meanings conducive to social conflicts; and for that reason, justice becomes paramount. To redress this phenomenon, individuals and institutions should be engaged in the pursuit of justice based on two models: (a) A justice interactionism model (JIM) (b) A symbolic reflective justice interactionism model (SRJIM).

The maxim of equal basic rights and liberties is compensated by the symbolic reflective justice model

The proposed models complement each other. Both, the justice interactionism model (JIM) and the symbolic reflective justice interactionism model (SRJIM) in figure 1.0 and figure 1.1 below, consist of three main branches: communicative process, justice interactionism and agents. Individuals, actors, institutions, groups, lawyers, law enforcement agents represent the constituents of justice interactionism. In the other branch: agents, we find: education, history, meaning of justice, language, interpreters and procedures as characteristics. Nonetheless, this order can be rearranged based on the analysis one seeks. Here are some proposed definitions for each characteristic:

Education: defined as a process through which agents acquire the necessary knowledge and expertise in the justice interactionism and symbolic reflective justice models.

History: defined as the depository of judicial decisions, activities and events relating to justice or a lack thereof.

Meaning of justice: defined as one's or an entity's signification of justice.

Language: expression of ideas by words or written symbols; mode of speech.

Interpretation: defined as the art of interpreting or explaining the meaning of something for the benefit of others.

Procedures: are acts, method of proceeding.

Within both branches, a pattern of open communication occurs. It yields to actions, and a reflective notion of equilibrium. Such equilibrium, rather than being achieved only through the concept of justice as fairness, and a conception of the good, is established by the means of a communicative process and interactions.

In the JIM Model, the communicative process, and the factors are classified because the demand for justice requires a notion of understanding. The agents involved in this model interact with the process. An equilibrium (at the intersection) is achieved when agents communicate in order to understand the meaning of justice, and use a clear language. The new equilibrium created is interactive and reflective. Each factor in this model can be realigned to produce other results. The interactions that follow are interesting to consider. I argue that the 'sense of justice' that Rawls implied offers some support. The models generate an equilibrium based on social interaction rather than political interaction.

In the symbolic reflective justice interaction model (SRJIM), the justice interactionism and the agents' characteristics are reversed. The characteristics of the agents within the justice interactionism model become part of justice interactionism in the symbolic reflective justice model and vice-versa. The same equilibrium principle is applied. An equilibrium is achieved when groups, individuals, and lawyers, as agents involved in justice interactionism, use the meaning of justice, a clear language, and sound interpretation in the symbolic reflective justice interactionism model (SRJIM). However, the order of the factors may be reversed.

The symbolic reflective justice interactionism model (SRJIM) allows institutions, actor, groups, etc. to be active participants of justice. It may be used as a tool for peace building activities, conflict resolution, training and facilitation. The model here presented is simply not predictive in nature, but suggestive. It offers a new option to analyze and consider how justice functions and fits within a society where social interactions and conflicts continuously occur. It departs from the reflective

equilibrium test that Rawls proposed. Theories of pragmatism, human behavior, communication and social conflicts are implied in this model. I conclude that the end-result is an interdisciplinary map to reconsider Rawls's theory of justice as fairness. The diagram below shows the two models.

Figure 1.0. Justice Interactionism Model (JIM)

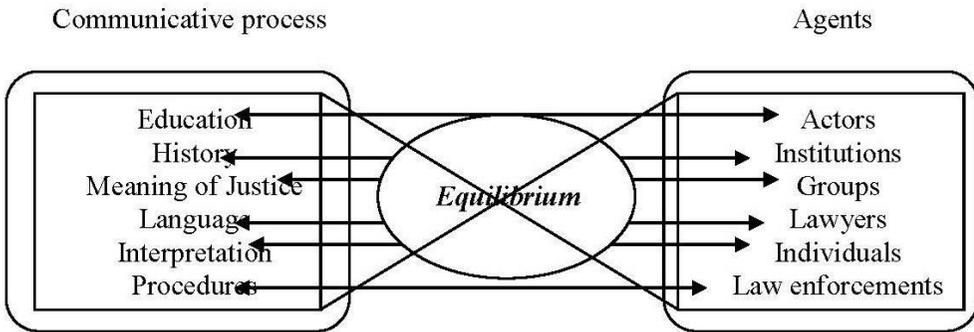
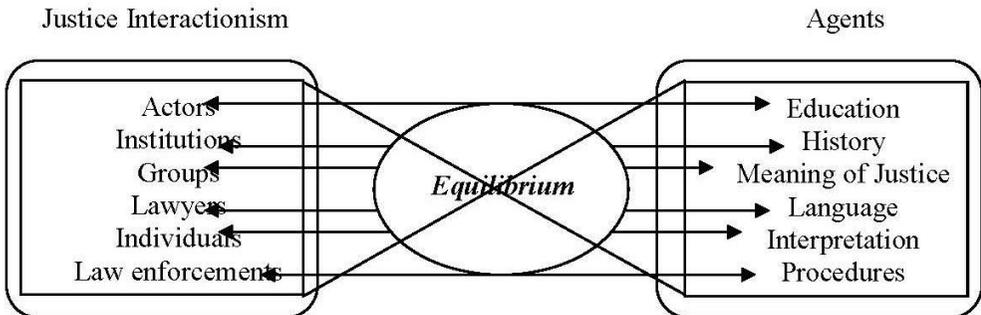


Figure1.1. The Symbolic Reflective Justice Interactionism Model (SRJIM)



A Quantitative Approach, Methodology and Descriptive Statistics

This section presents a limited analytical framework and research methodology that guides the study. It calls for further data collection methods and analysis. The quantitative analysis is a valuable tool for

clarifying and making decisions by answering empirical research questions (Frankfort-Nachmias & Leon-Guerrero, 2006). This article has espoused a hypothetical quantitative approach to understanding factors that may greatly contribute to (1) the understanding of reflective equilibrium, (2) the role of Justice, using the Justice Interaction model (JIM), and the symbolic reflective justice interactionism model (SRJIM).

For each of the models, a research design and method may be applied. For example, starting with the process of compiling data sets capable of sustaining the quantitative analysis, data collection is possible in the JIM and SRJIM models. Quantitative data collection and analysis can be possible for any particular sample size of the 12 references or nodes that derived from the coding of each variable, on one hand : education (ED), history(HIS), meaning of justice(MOJ), language(LAN), interpretation(IN), procedures (PRO), and on the other hand: actors(ACT), institutions(INS), groups(GRP), lawyers(LAW), individuals(IND), and law enforcements (LE). To this end, after one decides on the research question, the hypothesis, the variables, the level of measurement for the statistical analysis of data, a numerical range, to code the variables can be used (Frankfort-Nachmias & Leon-Guerrero, 2006). The reason is for statistical analysis, and to make use of a simpler and reasonable method for the data and research problem.

The following Sample Data Dictionary in Table 1.0 and Table 1.1 below can help in the decision of what variables might be needed during the planning stage (Elliott & Woodward 2007).

Table 1.0. Sample Data Dictionary

Variable Name	Label	Type	Value Codes	Missing Code
ED	Education	Numeric	None	None
HIS	History	Numeric	None	None
MOJ	Meaning	Numeric	None	None
LAN	Language	Numeric	None	None
INT	Interpretation	Numeric	None	None
PRO	Procedures	Numeric	None	None

In Table 1.0 above, the various labels are attributed to the six variable names in the JIM Model data set: ED, HIS, MOJ, LAN, INT, and PRO. The variable names are considered as dependent variables from the

‘communicative process’ category. They are paired, using the JIM model, against the chosen independent variables under the ‘agents’ gamut, namely: ACT, INS, GRP, LAW, IND, LE. The same consideration is implied in Table 1.1 below, in which the ‘agents’, using the SRJIM model, are now considered as dependent variables: ACT,INS, GRP,LAW,IND, LE, and paired against the chosen independent variables: EDD, HIS, MOJ, LAN, INT, and PRO. The types, value and missing codes, using specific quantitative data software can help further describing and examining the data for statistical analysis.

Table 1.1. Sample Data Dictionary

Variable Name	Label	Type	Value Codes	Missing Code
ACT	Actors	Numeric	None	None
INS	Institutions	Numeric	None	None
GRP	Groups	Numeric	None	None
LAW	Lawyers	Numeric	None	None
IND	Individuals	Numeric	None	None
LE	Law Enforcement	Numeric	None	None

CONCLUSION

My aim in this article was to investigate the role of reflective equilibrium with the concepts of justice and human interaction, using symbolic interactionism to understand interpretations towards the phenomenon of justice. My efforts to pursue this endeavor were two-fold in nature. First, to provide the theoretical framework on which I perceive interactions are to be based; and second to offer a hypothetical quantitative framework capable of testing the theoretical basis of justice as fairness.

From a theoretical perspective, I have shown that human interaction can be viewed as being dictated by human actions and symbolic interactionism. I believe that, when trying to understand interaction in light of the reflective equilibrium concept, as well as how we develop our own interpretations or perspectives towards the issue, we must try to better understand symbolic interactionism as it occurs in the present context. I proposed, as an alternative, a new paradigm of justice

interactionism model (JIM), and symbolic reflective justice interactionism model (SRJIM).

To summarize my theoretical inquiry, I have shown that, when considering how interaction occurs, it can be stated that it is dictated by human actions occurring through symbolic communication; when considering why interaction occurs, pragmatism can be theorized as the underlying reason; and when considering what results from interaction, I have suggested that both concepts of symbolic interactionism and reflective equilibrium can coexist in a new qualitative model. The new paradigm offers a new equilibrium test, which is less reflective, but interactive and interesting to analyze due to its interdisciplinary appeal. It departs from Rawls's notion of reflective equilibrium, and his principles of justice. There is a need for additional studies.

REFERENCES

- Anderheiden, M., (1996). "John Rawls", *Information Philosophie Heft* 4(S): 36 – 39
- Anderheiden, M., (2009) "Justification by Reflective Equilibrium in Rawls's More Recent Work". Universitat Heidelberg. Retrieved October 11, 2009 from <http://www.bu.edu/wcp/Papers/Law/LawAnde.htm>
- Blummer, H., (1962). "Society as Symbolic Interaction", Pp 179-192, in *Human Behavior and Social Processes: An Interactionist Approach*, edited by A.M. Rose. Boston: Houghton-Mifflin.
- _____. (1969). *Symbolic Interactionism. Perspective and Method*. CA: University of California Press.
- Burton, J. & Sandole, D.J.D., (1986). "Generic Theory: The Basis of Conflict Resolution: A Response to Critique". *Negotiation Journal* 3:97-99.
- Charon, J.M., (2000). *Symbolic Interactionism: An Introduction, An Interpretation, An Integration*. 9th edition. NY: Prentice Hall.
- Cox, R., (.2006). *Environmental Communication and the Public Sphere*. CA: Sage Publications.
- Daniels, N., (1979). "Wide Reflective Equilibrium and Theory Acceptance in Ethics", *Journal of Philosophy* 76(5): 256 - 282.
- _____. (1966). *Justice and Justification*. Cambridge: Cambridge University Press.
- Dollard, J., (1939). *Frustration and Aggression*. New Haven: Yale University Press.

- Gaines, B. R., (1994). "The Collective Stance in Modeling Expertise in Individuals and Organizations". Knowledge Science Institute. University of Calgary, Alberta, Canada.
- Elliott, A. C., & Woodward, W. A., (2007). *Statistical Analysis. Quick Reference Guidebook with SPSS Examples*. California: Sage Publications, Inc.
- Frankfort-Nachmias, C., & Leon-Guerrero, A., (2006). *Social Statistics for a Diverse Society*. 4th Edition. California: Pine Forge Press.
- Kuhn, T. S., (1971). *The Structure of Scientific Revolution*. Chicago: The University of Chicago Press.
- Linell, P., (2007). "Essentials of Dialogism. Aspects of a dialogical approach to language. Communication and Cognition". Paper prepared for the Department of Communication Studies. Linköping University.
- Peritz, D., (2003). "Sustantative and Procedural Deliberative Democracy: Reflections on the Reasonable and rational in Rawls and Habermas". Paper prepared for discussion at the Nuffield College Political Philosophy Seminar, March 3, 2003
- Räikkä, J., (1996). "Are There Alternative Methods in Ethics?" *Grazer Philosophische Studien* 52:173-189
- Rawls, J., (1985). "Justice as Fairness: Political not Metaphysical." *Philosophy and Public Affairs*, 14(3): 223-251.
- Rawls, J., (1974). *A Theory of Justice*. Cambridge: Harward University Press.
- Rorty, R., (1997). "Justice as a Larger Loyalty".Pp 142-165 in *Justice and democracy: Cross-Cultural Perspectives*, edited by Bontoke, Ron and Marietta Stepaniants, Honolulu: University of Hawaii Press.
- Scanlon, T., (1982). "Contractualism and Utilitarianism", Pp. 103 – 128, in: Sen. Williams,
- _____. 1992. "The Aims and Authority of Moral Theory" *Oxford Journal of legal Studies* 12:1-23.
- _____. (1995). "Moral Theory: Understanding and Disagreement", *Philosophy and Phenomenological Research* 55:343-56.
- Schroeter, F., (2004). "Reflective Equilibrium and Antitheory". *NOÛS* 38(1): 110-134. The University of Melbourne.
- Smith, S., (2009). "Human Interaction in the Swedish Biogas Sector: An Arena for Change". Unpublished Thesis. Upsala: Swedish University of Agricultural Sciences.

NOTES

¹ Joseph Schumpeter. 1950., has also formulated the liberal democracy concept. It is a system in which people have constant opportunities to choose their leaders through competitive elections. He termed this process as “the classical theory of democracy”. Nonetheless, people do not rule in a liberal democracy. Accountability and the role of the elites in a liberal democracy is very important (Peeler 2009).

² Rawls’ “good life” concept departs from Aristotle’s reflective notion of good life for humans. Aristotle suggests excellent intellectual activity from a superior group. The Aristotelian concept does not embrace the good life for slaves.

³John Burton, a leading intellectual figure in the field of conflict resolution, defines human needs as food, security, group identity and the like. The theory of human needs is at the core of many conflicts, and separates power theories from conflict resolution theories (Burton, 1986).

⁴ In Simmel, Georg. 1898. The Persistence of social groups. *American Journal of Sociology* 4:662-98,829-36.

_____.1950. *The Sociology of Georg Simmel*, in Kurt Wolf (ed. and trans). New York: Free Press.