

# Indifference to Difference or in Deference to Difference: A Treatise of Inclusion<sup>1</sup>

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## Abstract

This paper is a critical investigation of the concept of inclusion. It argues that the alternatives or disjuncts in the strict or exclusive disjunction are mutually exclusive: either we exclude, or we include – no middle ground. The choice to either totally exclude or totally include is a political exercise of freedom of being indifferent to differences or being deferent to differences respectively. In this context, inclusion is viewed as a critical attitude towards pluralism that accepts, but not without deep examination, the breaches of totality and the advances of the radical alterity. The paper begins with [1] a careful examination of the politics of exclusion that exposes and discusses exclusive tendencies of some laws, systems, policies, views, traditions, cultures, and practices. The succeeding parts deal heavily with [2] the navigation of inclusive spaces as a response to conditional or quasi-inclusive spaces, [3] moral justifications of inclusion using Immanuel Kant and John Rawls' ethical frameworks, and [4] a thoughtful exploration of the role of language in the inclusion of the alterity in a pluralistic age in the lenses of Emmanuel Levinas and Paulo Freire. The paper ends with [5] an articulation of the logic of exclusion-inclusion towards the dialectics of inclusion as a necessarily transforming or transformative process - the means and the end. Save a few, most of the concrete historical examples that are [re]presented in the discussions are admittedly landmark Philippine jurisprudence. Even the laws that are [re]cited never escaped the Philippine context.

**Keywords:** Difference, inclusion, exclusion, alterity, social justice, dialectics, philosophy.

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<sup>1</sup> I do not consider this view as Filipino philosophy so to speak just because I am a Filipino. The issues on exclusion and social injustices transcend national boundaries and penetrates every nationality, Noel Pariñas, "Filipino Philosophy?" in *Synkretic Journal of Indo-pacific Philosophy*, No. 1, (2022), 127-130; Noel Pariñas, "Filipino Philosophy?" in *Academia Letters*, Article 442, (2021), 1-7.

## Preliminary Considerations<sup>2</sup>

Cerebral scrutiny on the concept of social justice is worthy of unqualified prioritization considering that it is a worldwide concern because the society has turned necrophilic<sup>3</sup> and unjust. Social injustice manifests itself in the non-equalization of social and economic forces due to exclusion. Exclusion of the other has become the tendency of the human person in the name of favoring preservation of self-interest, status quo, conviction, and fanaticism, or viewed as the conservative way to secure views, theories, and traditions. The life-denying character of exclusion is the result of the inability to accept and adapt to plurality, multiplicity, diversity, or differences. Exclusion of the other, because of the inability to be adaptive to diversity<sup>4</sup> and accept differences, has served as the solution to life's insecurity for self-survival. As a mindset, it denounces openness for other better alternative grounds that recognize the other as a free subject, as a dignified possibility, and as a person.

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<sup>2</sup> Before I begin to speak about my subject properly, let me make a few introductory remarks. I feel I may have great difficulties in communicating my thoughts to you and I think some of them may be diminished by mentioning them to you beforehand. The first one, which almost I need not mention, is that English is not my native tongue, and my expression therefore often lacks that precision and subtlety which would be desirable if one talks about a difficult subject. All I can do is to ask you to make my task easier by trying to get at my meaning despite the faults which I will constantly be committing against the English grammar. The second difficulty I will mention is this, that *probably many of you come up to this article of mine with slightly wrong expectations.*

<sup>3</sup> 'Necrophilia' is a term borrowed by Paulo Freire from Erich Fromm referring to perverted love or sadism which by loving dehumanization loves death. It simply refers to the rejection of life. On the other hand, 'biophilia' is a term borrowed by Paulo Freire from Erich Fromm referring to the love of the self and love of others and thereby, loves life and rejects death. Dennis Collins, *Paulo Freire: His Life, Works and Thought*, (New York: Paulist Press, 1977), 59.

<sup>4</sup> "Diversity is an asset that brings to the process varied resources, talents, knowledge and skills. Yet, an appreciation for an understanding of diversity does not necessarily happen by chance. Working within diverse context requires deliberate attention to cultural differences and commonalities, as well as to the links among power, privilege, prejudice and oppression", B. Jacob, *Service Learning in Higher Education: Concepts and Practices*, (San Francisco: Jossey-Bass, 1996), 37 & 38.

This 'exclusive' tendency of man<sup>5</sup> to respond to differences legitimizes a dominating structure that leads to manipulation<sup>6</sup> and dehumanization. The net result, therefore, is the negation of the other as a person.

Exclusion of the other is a manipulative and repressive way of coping up with differences.<sup>7</sup> To exclude the other is to break him, objectify him, and treat him merely as a function to attain certain objectives. In short, Exclusion refers to the isolation, alienation<sup>8</sup> or non-recognition of the other as a free-dignified-humanizing-subject.<sup>9</sup> It deprives the

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<sup>5</sup> Whenever I have conformed to contemporary English usage in this paper and used 'man' or 'men,' it should be understood to speak of all humans inclusively, male and female of every age. In other words, the term 'man' or 'men' is taken in its generic sense. Even the pronouns 'he' and 'him,' just the same, never imply sexist biases. Consistently then, the term is used in the same meaning throughout. I see the relevance of defining the term in order not to offend feminist readers.

<sup>6</sup> "Manipulation is a typical feature of those societies which undergo the process of historical transition, from the 'closed' type of society to an 'open' one in which the presence of the emerging masses makes itself felt. In the preceding stage of the process, the masses are 'submerged' in society. When they emerge from the transition, they undergo a change of attitude. From being mere spectators, they insist on participation and a share in running affairs. These circumstances produce the phenomenon populism which is the answer to the emergence of the masses. Populist leadership, as a part of the action of manipulation, becomes the mediator between the emerging masses and the oligarchic elites." Paulo Freire, *Extension or Communication*, Bigwood and Marshall (Trans.), (New York: Seabury Press, 1973), 114.

<sup>7</sup> Paulo Freire and Ira Shor. *A Pedagogy for Liberation: Dialogues on Transforming Education*, (Massachusetts: Bergin and Garvey Publishers, Inc., 1987), 19.

<sup>8</sup> 'Alienation' refers to the inferiority of the popular masses of the deprivation of man's commitment to his world. In the process of the denial of his hominization, he becomes nostalgic. Paulo Freire, *Cultural Action for Freedom*, (Harmondsworth: Penguin Books 1970), 14 & 15.

<sup>9</sup> The term 'subject' has a flavor of independence, status, and integrity, reflecting the perverted value system by which it is consistently asserted that conscientization, engendered by dialogue, is the means of transforming objects into subjects, the oppressed into liberated.

other of acceptance, dialogue,<sup>10</sup> participation, and cooperation. Clearly, exclusion blocks man's access to humanization or worse, it serves as the avenue towards the destruction of humanity.

If exclusion is the identified problem, then anything that negates it becomes the solution. The logical contradiction of exclusion is inclusion; hence, inclusion is the solution. Inclusion means that the boundaries of the community are open for all, also and most especially for the lost, the least, and the last.

Inclusion is a precondition of a real social transformation. It is simply a laudatory term for social justice. Inclusion is the announcement of [re]humanization<sup>11</sup> through the accent of critical consciousness with due consideration to man's freedom to communicate, cooperate, and respect others. As an eschatological response to such a problem of exclusion, inclusion is the means and the end. Inclusion refers to man's commitment to dialogue, recognition, acceptance, understanding, support, and response to the diversity of people's needs and abilities including differences in their ways of living within the humanizing climate of critical hope and sensitive conscience.<sup>12</sup>

## The Politics of Exclusion

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<sup>10</sup> 'Dialogue' is "the theoretical context of problematization that refers to the examination and appropriation of mediating reality by conscious actors who stand in a subject-to-subject relationship to one another", Paulo Freire, *Cultural Action for Freedom*, 10. "It seeks cooperation and unity whose matrices are love, humility, hope, trust, and critical thinking", Paulo Freire, *Education as the Practice of Freedom*, Ramos (Trans. & Ed.), (New York: Seabury Press, 1973), 45. "Dialogue unites subjects together in the cognition of a knowable object which mediates between them", Paulo Freire, *Cultural Action for Freedom*, 29.

<sup>11</sup> 'Rehumanization' or 'humanization' refers to the supreme or principal human goal or finality through a process of liberation, Paulo Freire and Ira Shor. *A Pedagogy for Liberation*, 67. It is the radical involvement with man-in-the-concrete. It speaks of the involvement which is directed toward the transformation of whatever objective situation in which man-in-the-concrete is prohibited from being more. Ibid., 73 & 74. The goal of humanization is a social goal, Paulo Freire, *Cultural Action for Freedom*, 67.

<sup>12</sup> Noel Parifias, "The Paralysis of Traditional Schools and the Future of Education" in *Social Ethics Society Journal of Applied Philosophy*, Vol. VI, No. 2 (2020), 49.

We oftentimes experience (as a second or third person) exclusion when the government exercises its powers whether in the enactment of statutes or in the implementation of the same, or in the execution and interpretation of the Constitution. We also witness exclusion in management, policies, and practices. Exclusion is likewise evident in some cultures, traditions, and systems. It is the objective of this section to critically expose and provide details of the different manifestations of exclusion as herein described.

The Constitution should ideally reflect the authorship of ‘all’ its citizens. As the fundamental law of the land, it should be broad<sup>13</sup> and comprehensive to cover all persons within the territory. When a constitutional provision favors a particular class, exclusion arises. In the preamble of the 1987 Philippine Constitution, it is quite apparent that the authorship includes only “the sovereign Filipino People” who are “implore the aid of Almighty God” to the exclusion of the non-believers to whom the concept of God does not exist. How can atheists implore the aid of Almighty God if they do not believe in God?

*We, the sovereign Filipino people, imploring the aid of Almighty God, in order to build a just and humane society and establish a Government that shall embody our ideals and aspirations, promote the common good, conserve and develop our patrimony, and secure to ourselves and our posterity the blessings of independence and democracy under the rule of law and a regime of truth, justice, freedom, love, equality, and peace, do ordain and promulgate this Constitution.*<sup>14</sup>

Though the preamble (from the Latin word *preambulare*, which means ‘to walk before’) is not an essential part of the Constitution because it is not a source of substantive rights that people can draw upon since it is merely an introductory statement of a seemingly political speech, as a foreword, it sets down not only the scope and purpose of the Constitution but also the origin or authorship which is supposedly the

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<sup>13</sup> Breadth is an essential requisite of a good written Constitution. It shall also be brief and definite, Isagani Cruz, *Constitutional Law*, (Quezon City: Phoenix Press, Inc., 2003), 5.

<sup>14</sup> Highlight supplied, *The 1987 Philippine Constitution*.

'will of the sovereign Filipino people'<sup>15</sup> (not only of those who implore the aid of Almighty God).

Add to this, directly or indirectly, the preamble seems to be inconsistent with Article III, Section 5 of the 1987 Philippine Constitution which provides that "[n]o law shall be made respecting an establishment of religion or prohibiting the free exercise thereof". This provision prohibits the 'establishment' of any religion being violative of 'freedom of religion' as well as the 'separation of Church and State' under Article II, Section 6. However, by expressly making the concept of God explicit in the preamble, it tacitly endorses theism. Such endorsement of theism is contrary to the 'non-establishment principle'.<sup>16</sup>

Another Constitutional provision that seems to be not in harmony, this time, with some statutes is Article III, Section 1. The section provides that "[n]o person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the *equal protection of the laws*<sup>17</sup>". Non-observance of the 'equal protection clause' by the State results in exclusion.

The State is inherently powerful. Its powers are exercised through/by the government as its instrumentality. Sometimes, the power of eminent domain, the power of taxation, and the police power are abused by the legislative, the executive, the judiciary, or by any person (natural or juridical) who is given the mandate to discharge or exercise the powers. An inevitable consequence of the abuse of powers is oppression or exclusion.

The non-observance of the 'equal protection clause' is an example of abuse of power in the form of 'class legislation'. Republic Act No. 9262 [also known as 'Anti-Violence Against Women and their Children Act of 2004'], for example, is a law that favors a specific

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<sup>15</sup> Joaquin Bernas, *The 1987 Philippine Constitution: A Reviewer-Primer*, (Quezon City: Rex Printing Company, Inc., 1997), 6-8.

<sup>16</sup> When the government designates Sunday as a non-working day since it is a day intended for worship, is this not a form of establishing Christianity as the State religion to the exclusion of those whose day of worship is Friday or Saturday like the Moslems and the Jews?

<sup>17</sup> Italics supplied.

class and excludes the members of the male class *belonging to the age of majority*.<sup>18</sup> The State, through its judicial branch, justified the constitutionality of the statute by saying that it is an exception to ‘class legislation’ because the ‘classification is reasonable’ on the following grounds: [1] the classification rests on substantial distinction, [2] the classification is germane to the purpose of the law, [3] the classification is not limited to existing conditions only, and [4] the classification applies equally to all members of the same class.<sup>19</sup> The requisites of a valid<sup>20</sup> or reasonable classification laid down by the court of justice, wittingly or unwittingly, may seem to be convincing, but still, it does not escape the exclusionary effect on the part of any member of the male class who belongs to the age of majority. It could have been inclusive if the law condemns all forms of (domestic) violence against humans not just against women (and their children). RA No. 9262 protects the women against any form of violence like sexual, physical, psychological, and economic abuses committed by their intimate partners. Sadly, there is no law *as strong and emphatic* as RA No. 9262 that protects men against psychological, financial, or verbal abuses committed by their partner in both heterosexual and homosexual relationships. RA No. 9262 excludes men from the protection it guarantees against domestic abuses. By implication, because it partially welcomes domestic abuse, it does not totally end violence.

The Anti-VAWC, on one hand, is a *good law* as it provides protection to women against domestic abuses including verbal abuse. Repeatedly swearing at one’s intimate woman partner can be considered verbal abuse that may constitute psychological abuse, which is legally a crime. On the other hand, however, if the offended party is a man who is repeatedly insulted or verbally abused by his intimate partner regardless of biological sex (man or woman), there is no crime because there is no law that classifies such abuse as a crime. On this note, it is a *bad law*. For not covering violence against

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<sup>18</sup> The phrase has been italicized because the ‘C’ in the Anti-VAWC is inclusive of both the male and female children.

<sup>19</sup> Jesus Garcia vs Alan Drilon (G.R. No. 179267: June 25, 2013).

<sup>20</sup> I understand that validity is a logical principle; however, not all valid arguments are true. Both validity and truth are non-negotiable requisites of a sound argument.

men, impliedly, it accommodates violence. For purposes of emphasis, consider this deductive syllogistic formulation:

*Any law that allows violence is oppressive;  
RA No. 9262 allows violence;  
Ergo, RA No. 9262 is oppressive.*

It is an elementary principle in ethics that what is legal is not necessarily moral. One may ask: why did the legislators not just craft Anti-Violence Against Humans so that the law would be fair and impartial to cover and end all forms of violence whatever the gender of the offender is? Anti-VAWC, a law that was supposed to create a space of inclusive justice, is a law that fuels a new form of discrimination.

Another law that seems to mold a culture of exclusion in the attempt to categorically establish a regime of homophobic and compulsory heterosexuality that excludes same-sex couples to validly enter marriage is EO No. 209 as amended by EO No. 227 [more familiarly known as ‘The Family Code of the Philippines’] The specific provisions are as follows:

*Article 1. Marriage is a special contract of permanent union between a **man and a woman**<sup>21</sup> entered into in accordance with law for the establishment of conjugal and family life. It is the foundation of the family and an inviolable social institution whose nature, consequences, and incidents are governed by law and not subject to stipulation, except that marriage settlements may fix the property relations during the marriage within the limits provided by this Code.*

*Article. 2. No marriage shall be valid, unless these essential requisites are present:*

*[1] Legal capacity of the contracting parties who must be a **male and a female**<sup>22</sup>; and*

*[2] Consent freely given in the presence of the solemnizing officer.*

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<sup>21</sup> Emphasis supplied.

<sup>22</sup> Emphasis supplied.



The legal provisions are not just exclusive and violative of the 'equal protection clause'. They are apparently unconstitutional for not being congruent with Article 15 of the Constitution that has not been framed as exclusively for the heterosexual couples. Nowhere in Article 15 has marriage been defined as a union between a man/male and a woman/female exclusively. Clearly, the Constitution does not deny the same-sex couples the right to marry. It is the discriminatory provisions of the Family Code that set statutory obstacles to their exercise of the said fundamental right inherent in the liberty of the person.

*ARTICLE XV  
THE FAMILY*

*Section 1. The State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development.*

*Section 2. Marriage, as an inviolable social institution, is the foundation of the family and shall be protected by the State.*

In the exclusionary character of Articles 1 and 2 on one hand, the Congress, in the exercise of legislative power, may be compared to a '*principal by induction*' for crafting a law that perpetrated social injustice. On the other hand, the executive branch, whose participation is done in the continuous implementation of the unjust provisions of the law, is a '*principal by direct participation*'. What about the judicial branch? Did it participate as an '*accomplice*' in its failure to declare the statutory provisions as unconstitutional when it was offered the chance to do so in a petition filed by Jesus Nicardo Falcis III? The separation of powers, as well as the blending of powers of the three branches of the government, do not help to identify one single culprit in this case.<sup>23</sup>

This time let us examine Article 16 of Presidential Decree No. 1083, otherwise known as the 'Moslem Code of the Philippines'. Is there class legislation in the provision that excludes a particular group of people? The provision allows a Moslem male who is at least 15 years of age to validly enter marriage, and a Moslem female who is at least 12 years of age and has attained the puberty stage to validly contract

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<sup>23</sup> Falcis III vs Civil Registrar General (G.R. No. 217910: September 3, 2019).

marriage.<sup>24</sup> The difference or gap of age between male and female may be prejudicial to the female party who shall marry and get pregnant at the age of 12. Considering the tenderness of the age, the child is expected to be studying at that age but needs to stop attending classes due to maternal concerns. Primary educational institutions do not allow pregnant students to attend (face-to-face) classes. In this case, the female spouse is excluded from availing her educational right due to her pre-natal, natal, or postnatal condition.

Another provision of PD No. 1083 that has some exclusive characters and implications is Article 13. The provision of the law allows a Moslem groom to marry a monotheist bride [whether Moslem or non-Moslem] but allows a Moslem bride to marry a Moslem groom only to the exclusion of all non-Moslems. The exclusive character of the provision, though acceptable to Moslems, amplifies a discriminating treatment between the male and female classes. Surprisingly, even Article 27 of the law brings into surface an exclusive and discriminatory treatment between male and female for allowing polygyny on the part of the husband to have at most four wives, yet not allowing polyandry on the part of the wife who is expected to be faithful to one and only one husband.<sup>25</sup>

Add to this, a husband whose marriage has been solemnized under the Moslem Code is not governed by the provision on the crime of Bigamy under Article 349 of Act No. 3815, otherwise known as the 'Revised Penal Code' as compared to a husband whose marriage has been solemnized under the Family Code. Article 349 reads:

*The penalty of prision mayor shall be imposed upon any person who shall contract a second or subsequent marriage before the former marriage has been legally dissolved, or before the absent*

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<sup>24</sup> The marrying age under the EO No. 209 as amended by 227 is at least 18 years.

<sup>25</sup> Corollary to the provisions on marriage are certain provisions on dissolution of marriage through divorce that are exclusive as well. EO No. 227 amending 209 (Family Code), which is a *general law* allows **relative** divorce only. PD No. 1083 (Moslem Code), which is a *special law*, allows **absolute** divorce. The provisions of the law on succession are likewise exclusive since the Civil Code allows **written** wills (notarial will and holographic will) only, while the Moslem Code allows **oral** will (nuncupative will).

*spouse has been declared presumptively dead by means of a judgment rendered in the proper proceedings.*

Two other provisions that have the tendency to be exclusive, as contemplated in this paper, are Articles 333 and 334 of the Revised Penal Code that clearly provide the distinction between adultery and concubinage as felonies. Article 333 defines adultery as a felonious act committed by any married woman who shall have *sexual intercourse* with a man not her husband... whereas Article 334 defines concubinage as a felonious act committed by a married husband by: [1] keeping a mistress in the conjugal dwelling, [2] having *sexual intercourse under scandalous circumstances* with a woman who is not his wife, or [3] cohabiting with a woman who is not his wife in any other place. Obviously, there is only one way for adultery to be committed and there are three possible ways to commit concubinage. Moreso, only sexual intercourse is required in adultery, but sexual intercourse qualified by scandalous circumstances as the second mode of commission in concubinage. Article 333 is *categorical*, while Article 334 is *hypothetically* disjunctive as it provides alternative modes of commission with qualifications even.

How does exclusion happen with these provisions of the law? Married women are excluded from the stricter or tighter requirement for the commission of the crime of adultery as compared to married men who may be bound to answer for the commission of the crime of concubinage. In short, it is easier to prove adultery as compared to concubinage. Why should this be so when both felonious acts are equally constitutive of infidelity?

Worthy also of critical examination are the exclusionary implications of Act No. 3815 as distinguished from PD No. 1083 in relation to the age of sexual consent. As tacitly deduced, although without express provision of the laws, the age of sexual consent in relation to- [1] the crime of Seduction is 18 as provided in/by Act No. 3815, [2] Statutory Rape is 16 as the general rule (and 13 under exceptional circumstances) in accordance with RA No. 11648<sup>26</sup>, and [3] PD No. 1083 is 12 for the married female and 15 for the married male.

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<sup>26</sup> Republic Act No. 11648 is An Act Providing for Stronger Protection Against Rape and Sexual Exploitation and Abuse, Increasing the Age for Determining the Commission of Statutory Rape.

History has revealed how systems, policies, and management prerogatives have been oppressive and exclusive. The experience of Evelyn Chua-Qua, before she sought relief from the Supreme Court, is a landmark example of exclusion due to unconditional love. Briefly, below is the story of Evelyn.

*Tay Tung High School, Inc. is an educational institution in Bacolod City. Evelyn Chua had been employed therein as a teacher since 1963 and, in 1976 when a dispute arose, was the class adviser in the sixth grade where one Bobby Qua was enrolled. Since it was the policy of the school to extend remedial instructions to its students, Bobby was imparted such instructions in school by Evelyn. In the course thereof, the couple fell in love, and on December 24, 1975, they got married in a civil ceremony. On February 4, 1976, Tay Tung High School, Inc. filed with the sub-regional office of the Department of Labor at Bacolod City an application for clearance to terminate the employment of Evelyn on the ground that her romantic relation with her student is “abusive and unethical conduct unbecoming of a dignified school teacher and that her continued employment is inimical to the best interest, and would downgrade the high moral values, of the school.” The case reached the Supreme Court and poetically it ruled [without citing Blaise Pascal] that **when two people “eventually fell in love despite the disparity in their ages and academic levels, this only lends substance to the truism that the heart has reasons of its own which reason does not know”**.<sup>27</sup>*

Roel Ebralinag and his classmates were also witnesses to exclusion during their expulsion from school by reason of their religious view. Briefly, here is the story of Roel and his classmates.

*Roel Ebralinag and his classmates, members of the Jehovah’s Witnesses, were elementary and high school students who were expelled from their classes by public school authorities for refusing to salute the flag, singing the national anthem, and reciting the patriotic pledge as required by RA 1265 and DepEd Order No. 8. Members of the Jehovah’s Witnesses teach their children not to*

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<sup>27</sup> Emphasis supplied, Evelyn Chua-Cua vs Jacobo Clave (G.R. No. 49549: 189 SCRA 11, August 20, 1990).

*salute the flag, sing the national anthem, and recite the patriotic pledge for they believe that those are acts of worship or religious devotion which they cannot conscientiously give to anyone or anything except God. They feel bound by the Bible's command to "guard ourselves from idols [1 John 5:21]. They consider the flag as an image or idol representing the State."<sup>28</sup>*

There are numerous examples that we can [re]cite as we reconstruct history/herstory: the exclusive schools as opposed to the combined education schools, the exclusion of women by men, the exclusion of the Blacks by the Whites, the exclusion of the Gentiles by the Jews, the exclusion of the Jews by the Germans,<sup>29</sup> or the exclusion of the Lumads in the RA No. 8371 through the National Commission on Indigenous Peoples.<sup>30</sup> Just look and observe our schools and workplaces, most of the infrastructures are still non-inclusive, which highlights the physical impairment of people who are differently-abled as they are denied access to offices. How do we expect a student in a wheelchair to travel from the ground floor going to his classroom on the fourth floor independently if the building has no ramp, no elevator, or no escalator? Literally, these spaces, so to speak, are not differently-abled friendly.

With all the examples presented above, it is evident that exclusion is never neutral. It is always a political stance towards marginalization and dehumanization. The only way to eliminate exclusion as a choice is, first and foremost, to creatively [re]construct inclusive spaces.

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<sup>28</sup> Ebralinag vs Division Superintendent of Cebu (GR No. 95770: March 1, 1993).

<sup>29</sup> A concrete historical example of this point is the Holocaust, the systematic destruction of six million Jews by the Nazis during the World War II. John Roth and Frederick Sontag, *The Questions of Philosophy*, (Belmont: Wadsworth Publishing Company, 1988), 490.

<sup>30</sup> RA No. 8371 is an Act to Recognize, Protect, and Promote the Rights of Indigenous Cultural Communities/ Indigenous Peoples, creating National Commission on Indigenous Peoples, Establishing Implementing Mechanisms, Appropriating Funds Therefor, and for other Purposes.

## Towards an Inclusive Space<sup>31</sup>

To help provide clarity in the arguments and construct the path leading to the direction of this paper, I find it relevant to show first the distinctions among the concepts that are commonly misunderstood, misconstrued, and being used synonymously or interchangeably – exclusion and segregation, integration and inclusion. While exclusion occurs when a culture of silence is directly or indirectly prevented from or denied access to an opportunity, segregation occurs when the culture of silence is provided opportunities in separate environments designed to be used to respond to their needs only in isolation from the rest of the population. While integration is a process of placing the culture of silence in the existing mainstream if they can adjust to the standardized systemic requirements, inclusion involves a process of systemic reform embodying changes and modifications which are indispensable; hence, as a form of social Darwinism, integration does not necessarily translate to inclusion. In short, exclusion per se is categorical exclusion, segregation is conditional exclusion, integration is conditional inclusion, and inclusion per se is categorical inclusion.

Documents and testimonies have unconcealed the violence suffered by women in the patriarchal space. History will also prove how women were considered inferior to men in the past. Women were not given the opportunity to participate in politics, work, and even education. Their rights in these areas were set aside and their mobility was limited to household chores - motherly and wifely duties. It even led to the point where they were abused physically, verbally, psychologically, and even economically. These experiences prompted some women to examine the meaning of femininity, assert their rights, and loudly articulate their narratives. Because of the abusive patriarchy, the antithesis was born – feminism. Undeniably, the tension between the two classes is dialectic in character.

Feminism has played and continues to play a significant role in establishing the balance of the rights of every person. In the Philippines, the government has allocated funds for gender-sensitive programs that focused on women's empowerment. In the field of philosophy, feminism

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<sup>31</sup> Noel Pariñas, "Ang Espasyo sa Pag-iral ng Tao" in *Social Ethics Society Journal of Applied Philosophy*, Special Issue, (2024), 163-179.

aims to develop and claim its own space. A safe space or space free from violence against women has been successfully enacted. In fact, RA No. 9262 was enacted much earlier than RA No. 11313<sup>32</sup>.

What is alarming is the *possible* exchanges in the position of women and men in society due to the exaggerated response to the plea of some of the feminists.<sup>33</sup> When that happens, the former oppressor men and oppressed women will simply switch places. Women will overcome oppression, but men will be oppressed. In this conflict between the two classes, the equality that feminism is fighting for is wasted because the oppressive class just took a different form; yet violence and oppression remain in society.

At present, are the voices of Filipino women insufficient, or are they not heard at all? Are the opportunities not fair for them? Have they been marginalized or those who belong to the LGBTQ population have been marginalized more? Obviously, equalization of opportunities is evident in access to education, labor laws, and political participation. In the three branches of government, women held the highest positions. There have been presidents of the country and Supreme Court justices. Many also became members of the upper and lower chambers of the congress. Even in other government agencies, women are hired not because of their sex but because of their qualification and competence.<sup>34</sup> Political equality, as one of the foundations of democratic principles, is not an issue at all.<sup>35</sup>

Currently, there are more laws that empower women and there are more programs for women as compared to men. In these examples, the main goal of feminism, which is equality of rights, is forgotten.

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<sup>32</sup> Republic Act No. 1131 is An Act to Regulate the Employment of Women and Children.

<sup>33</sup> One might misunderstand the point here. Take note that the claim is that it is merely a *possibility* [permissive] and not a *necessity* [directive]. 'It may lead to', does not mean 'it certainly *must* lead to'.

<sup>34</sup> See Civil Service Commission Manual for the Qualification Standards.

<sup>35</sup> Political equality means that each qualified citizen who has attained the age of majority has the same opportunity to participate in the government decision making process. Simply, it means one-person, one-vote, regardless of education, social standing, ethnic group, or sex.

Let us examine the flaws of some of the government's gender-related programs. In the Gender and Development or GAD program for example, the government allocates a large amount of funds to GAD every year. Each government agency has an exclusive GAD office. The concept is good after all. It promotes gender education and development. What is disappointing is the recurring issue of women's rights year after year. Every time there is a seminar or conference on gender and development hosted by the government, the topic is always about women empowerment. There is no development, and no attention is paid to the other gender in society. Feminism would have been successful in the context of GAD if feminism was only used as a means towards inclusive humanity and not an end. Whether GAD is authentic is not only an epistemological question; it is also a moral question.

Inauthentic equality advocacy breeds renewed discrimination and conflict. Justice is different from equality. Justice affirms everyone's difference and emphasizes the beauty of differences. Meanwhile, equality tries to mold difference into sameness. When it comes to equal opportunities, men will never have the opportunity to give birth to a baby, nor can five women urinate in one toilet bowl at the same time. These differences should not be viewed as injustice. These are some of the differences that show how each one has his/ own characteristics and roles in society.

Some laws aim to facilitate the development of a safe space for women, gays, lesbians, and other genders against men. Is the male class to be judged? Isn't it that what should be suppressed is supposedly oppression, discrimination, and violence caused by oppressors, systems, programs, theories, perspectives, and traditions? The key to suppressing oppression is not creating a new dominant class. Every person dreams of existing in a safe, humane, and open space that is not based on gender or class. When a specific class is favored, some other classes are left behind and oppressed.

The Constitution clearly recognizes the role of women that they must play in the development of the nation. The Women's Commission has a basic provision in the Constitution. It is my hope that the provision of the Constitution will be used soundly to build a fair and inclusive space for all. While it is true that women who belong to the culture of silence need empowerment, women who are already in power



should not pretend to be voiceless in the guise of false projection of powerlessness. In the square of opposition, Aristotle reminds us about the wisdom of the law of subalternation which states that what is true to 'some' is not necessarily true to 'all'.<sup>36</sup> Only the sick needs medicine; only the voiceless needs to be heard; or only the excluded need to be included.

There is nothing wrong with feminism per se. It becomes problematic when *some* feminists unnecessarily exaggerate anti-non-feministic ideologies that lead to exclusion. I am among those who believe that feminism and the alternatives it offers are only *means* towards a society where everyone is welcome to be and to become more, but I am critical to those who advocate feminism as an *end-in-itself*. I am critical not because I support patriarchal ideology but because any type of society that is biased against gender or class should be condemned whether patriarchal or matriarchal.

The Constitution and statutes were not enacted out of nowhere or without basis. The fundamental law of the land, all other laws, and implementing rules have been crafted based on ethical precepts or moral imperatives. Inclusion is not just a political, legal, or spatial concept; it is also a moral obligation.

## Moral Dimensions of Inclusion

As this paper argues in favor of inclusion, it is seen lucidly that Kant and Rawls' moral views are substantially relevant ethical frameworks to support the argument in favor of inclusion. Kant's 'universality & humanity' and Rawls' 'veil of ignorance' are normative moral concepts that will be exhausted in the succeeding discussions to uphold inclusion against the epistemic and structural injustices brought about by exclusion.

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<sup>36</sup> "The truth of the subalternan implies the truth of the subalternate but not *vice versa*." Noel Pariñas, *Essentials of Logic*, (Meycauayan: IPM Publishing, 2014), 27-29.

## Kant's Principles of Universality and Humanity<sup>37</sup>

According to Kant, one should “[a]ct only on the maxim whereby you can at the same time will that it should become a universal law... Act as if the maxim of your action were to become a universal law of nature.”<sup>38</sup> This means that what is right for one must be right for everyone - whoever, whenever, and wherever. The principle of universality, somehow, is a test of one's imagination: how far will the rule stand? how many situations can it cover? and how many human beings can understand and articulate the usefulness of such a rule? For an act to be moral, it must be universalizable. To test the universalizability of an act, Kant's categorical imperative is indispensable and necessary. The categorical imperative is an imperative because it is a universal command with absolute validity. The imperative is categorical because it is unconditional as opposed to hypothetical imperative which is based on certain conditions whether [1] problematic/technical or [2] assertoric/pragmatic]<sup>39</sup>. If we apply the categorical imperative to an exclusive act or an inclusive act, we shall see that exclusion can never become a universal law unlike inclusion.

To test the morality of an exclusive or an inclusive act using the categorical imperative, consider two guide questions: [1] will it exist? and [2] will you will it to exist? Let me illustrate this with some examples below:

Systematic massacre of six million Jews [exclusive act]

Q: Will this kind of act exist?

A: Yes.

Q: Will you will this kind of act to exist?

A: No.

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<sup>37</sup> Noel Pariñas, *Ethics the Philosophy of Human Acts*, (Meycauayan: IPM Publishing, 2018), 133-139.

<sup>38</sup> Immanuel Kant, *Groundwork for the Metaphysics of Morals*, Wood (Trans. & Ed.), (Connecticut: Yale University Press, 2003), 421.

<sup>39</sup> An **assertoric** hypothetical imperative says that an action is good for some purpose that you necessarily do have. A **problematic** hypothetical imperative involves rules of skill based on preferences that vary from person to person.

The systematic massacre of six million Jews is not moral because it cannot be universalized without sustaining non-contradiction. There is a contradiction in massacre because I imposed upon myself the duty to kill others, yet I do not allow others to kill me. Furthermore, if massacre is the law of the land, then that will surely be the end of humanity.

Respect for Human Rights [inclusive act]

Q: Will this kind of act exist?

A: Yes.

Q: Will you will this kind of act to exist?

A: Yes.

Since the answers to both questions are affirmative, respect for human rights is moral because it can be universalized without committing contradiction.

The second Kantian principle is humanity. According to Kant, one should “[a]ct as to treat humanity, whether in his own person or in that of any other, in every case as an end withal, never as means only.”<sup>40</sup> This means that since the human person is a dignified subject and not an object, he must be treated with utmost respect. Following simplification as a deductive logical rule, the principle of humanity may be broken down into two sub-principles: [1] treat the human person not as a means, and [2] treat the human person as an end.

The human subject must be regarded as a person and not as a function. He has dignity<sup>41</sup>, and he is not a commodity or goods that

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<sup>40</sup> Immanuel Kant, *Groundwork for the Metaphysics of Morals*.

<sup>41</sup> Classical antiquity, the common understanding of dignity as deserving of honor and esteem according to personal merit, inherited, or achieved. In Ancient philosophy, particularly of Aristotle and the Stoics, dignity was associated with human abilities of deliberation, self-awareness, and free decision making. In many world religions, human dignity is predetermined by the creation of human beings in the image of God. Modern philosophy proposed secular understanding of human dignity and progressively associated this concept with the idea of human rights. To Mirandola, dignity is an aspect of personal freedom. To Hobbes, it is an embodiment of one’s public worth. To Kant, it is a universal virtue, unconditional and incomparable worth determined by one’s autonomy rather than origin, wealth, or social status. Generally, dignity is the intrinsic value of the human person capable of reflection, sensitivity, verbal communication, free choice, self-determination in conduct, and creativity.

may be sold, leased, or be subjected to commercial transactions (e.g. prostitution, slavery, human trafficking, or any other forms of human exploitation that are translations of exclusion). He should not be reduced to the level of a property that may be owned or possessed, objectified, depersonalized, and dehumanized. The human person's dignity, which is his infinite intrinsic worth, has no monetary equivalent. The human person should never be used as an instrument to attain certain objectives or purposes but must be treated as an end in himself because he forms part of the 'kingdom of ends.' Each person then must be treated respectfully, that is to cause no harm, no abuse, not to impose unwelcome models of personal good and happiness, and to consider the interests and welfare of the individual as not subordinate to others' interests and welfare.

### Rawls Veil of Ignorance Principle<sup>42</sup>

One of Rawls' fundamental persuasions is the inviolability of each person that does not allow him to be sacrificed even for the welfare of the whole. What is justly inclusive, he then maintains, must be considered apart from the question of what brings about the best for society.

Rawls argues that a group of people coming together, rationally self-interested and non-envious, possessed of general knowledge about human sciences, but ignorant of certain concepts of themselves behind the veil of ignorance would choose two general principles of justice to structure society in the real world namely: [1] Equal Liberties, [2.a] Equal Opportunities, and [2.b] Equal Distribution.<sup>43</sup> Veil of ignorance is necessary to ensure that no one will tailor his choices according to his own circumstances and advantages.

In the first principle, the 'principle of equal liberty,' each person has an equal right to the most extensive liberties compatible with similar

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<sup>42</sup> Noel Pariñas, *Ethics the Philosophy of Human Acts*, 143-147.

<sup>43</sup> According to John Rawls, there are two moral powers: firstly, the ability to propose and act on principles of justice that everyone can accept; and secondly, the ability to hold, revise, and pursue a conception of good. John Rawls, *Lectures on the History of Moral Philosophy*, Herman (Ed.), (London: Harvard University Press, 2000).

liberties for all. The basic liberties for all citizens are the following: Political liberty (right to vote and be eligible for public office); Freedom of speech and assembly; Liberty of conscience and freedom of thought; Freedom regarding your own person; Right to hold personal property; and Freedom from arbitrary arrest and seizure as these are understood under the rule of law.

The second principle is subdivided into two sub-principles – the principle of fair equal opportunity and the principle of equal distribution. In the principle of fair equality of opportunity, citizens with the same talents and willingness to use them should have the same educational and economic opportunities regardless of whether they were born rich or poor. The principle of equal distribution is also known as the difference principle, which states that the long-run expectations of the least advantaged social group should be maximized. In the difference principle, there is equal distribution of wealth, power, and responsibilities. Examples: [1] Holding positions of authority and offices of command open is clear enough like - No hereditary positions; No exclusions based on gender, race, etc.; No 'tests' based on wealth or property. [2] Arranging social and economic inequities so that everyone benefits.

However, Rawls provides the framework for thinking about this – original position and veil of ignorance. The veil of ignorance is a hypothetical state or moral reasoning device designed to promote impartial decision making by denying decision makers access to potentially biasing information about who will benefit most from the available options.

To Rawls 'equality' means sameness in some respects. On one hand, 'justice' signifies fairness. On the other hand, 'equity' is the application of fairness which may require unequal treatment. Ramon Magsaysay thoughtfully advocates this in his popularized slogan that "those who have less in life shall have more in law."

Rawls proposed a conception of justice committed to the individual rights associated with socialist and radical democratic traditions, and to a reasonable faith in the practical possibility of a form of constitutional democracy ensuring both liberty and equality. In summarizing his view, he said that justice as fairness aims to effect a reconciliation of liberty and equality.

In the legal lexicon, equity is simply defined as justice outside law. Equity is not equality but fairness. A more poetic articulation of equity or fairness was penned by Jose P. Laurel in a landmark Philippine jurisprudence, the case of Calalang versus Williams in his attempt to define social justice. Eloquently he engraved, “social justice is neither communism nor despotism, nor atomism nor anarchy, but the humanization of laws and the equalization of social and economic forces by the State so that justice in its rational and objectively secular conceptions may at least be approximated.”<sup>44</sup> Equalization of economic forces means fair distribution of wealth and equalization of social forces means fairness of opportunities to participate regardless of sex, race, economic status, or religious affiliations.

The next section is a continuation of the moral dimensions of inclusion but with due emphasis, this time, not on the normative or prescriptive aspects of ethics, but on its descriptive or suggestive character on the inclusion of the alterity.

### The Role of Language in the Inclusion of the Alterity<sup>45</sup>

Broken families, shattered relationships, religious and political wars are concrete results of excluding the alterity (or they are themselves phases of exclusion). In the lens of Levinas, exclusion of the alterity is totalizing. It is an attitude and behavior that does not value differences, or a culture that denies the idea that identity is simply a product of sociality. In this light, exclusion is both an ontological and ethical violence against the alterity - the different.

The ethical challenge of inclusion is a call towards responsible exercise of freedom in social and communal existence. Specifically, it moves us towards an open dialogue with other theories and traditions in view of mutual understanding and respect for the alterity. Social and historical contingencies define our pluralistic world. Pluralism is seen here as a blessing rather than a curse. Pluralism precisely affirms the

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<sup>44</sup> Calalang vs Williams (G.R. No. 47800: December 2, 1940).

<sup>45</sup> This section of the paper owes a debt to the ideas of Paulo Freire, and influence of Emmanuel Levinas, *Ethics and Infinity: Conversations with Philippe Nemo* (Pittsburgh, PA: Duquesne University Press, 1985).

richness and beauty of human existence. We can make sense of our pluralistic situation through language that defines our mode of relating with one another. In other words, it is through meaningful discourse that we interpret, communicate, and represent the vision of an inclusive lifeworld.

It is argued that the uniqueness of the 'I' arises out of differences. There can be no 'I' without the other. The 'I' presupposes a non-I, an alterity. 'I' is a working relational pronoun contained in the space of relations. The 'I' can only be understood within the context of relations, sociality, and participating in the realms of togetherness that can never be taken apart from the condition of an abundant I-thou affair.

Alterity, the face of the alterity, the face which is exposed and unconcealed reminds the 'I' of the 'I' 's infinite responsibility because the alterity, more than exhorting the 'I' 's recognition, is wrapped with responsibility. Without the alterity, responsibility is not possible. The whole idea of responsibility makes sense because of the alterity as the rhizome of infinity. Responsibility is what is incumbent on the exclusively and what humanly I cannot refuse, and therefore, the essential, primary, and fundamental structure of subjectivity. Responsibility is inescapable, which is to say, there is no way out of it. Its infinity marks the infinity of the alterity who demands justice and inclusion. The alterity is a concept with deep biblical resonance; the alterity is anyone that falls outside my own category; the alterity is not a projection of my own interiority but an exteriority that shatters my perception of totality; the alterity is irreducible and non-thematizable that marks the infinity beyond Being.

Humanity is the feeling of commiseration. It refers to the infinity and unfathomability of the other and the other other. This speaks of humankind in the state of justice. Humanity is the unconditional responsibility of the 'I' that extends from the other to the other other ultimately without any demand for reciprocity. Humanity, which is the third party, is the very call of Levinas' legacy for an effective, successful, and meaningful togetherness.

However, humanity is abstract. No one can be responsible for humanity without being responsible for the concrete other. The other is the radical alterity that invokes and reminds me of my responsibility. The face, the defenselessness of the face is the epiphany of infinity and responsibility. The apparition of the face commands me to respect

the other as alterity on an elevation, and not to take advantage of the weakness of the other. The face of the other is a command not of exploitation but of obligation, expressed in the most popular Levinasian injunction coined from the Jewish Torah 'thou shalt not kill.' The 'you shall not kill' pertains not only to the murdering of the person but to the modest withdrawal from the execution of the alterity of the other.

Undeniably, the other is a testimony to humanity. Humanity looks at me in the eyes of the Other. Every face participates in the unconsumability of humanity that precedes and antecedes me. To be responsible for humanity is expressed in the responsibility for the concrete other and therefore, to be responsible for humanity means to be responsible to anybody excluding nobody. It is never selective and exclusive.

The starting point of the inclusion of the alterity necessitates the very essence of language which is hospitality.<sup>46</sup> Inclusion of the alterity leans heavily on the use or articulation of an inclusive language.<sup>47</sup> For Paulo Freire, language provides generative metaphors.<sup>48</sup> It plays an active role in constructing experiences and in organizing and legitimating the social practices available to various groups in society.

Language belongs to the closest neighborhood of man's being.<sup>49</sup> Insofar as language is impossible without thought, and language and thought are impossible without the world to which they refer, the human world is more than mere rhetoric or vocabulary – it is word-and-

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<sup>46</sup> Jacques Derrida, *Adieu to Emmanuel Levinas*, (California: Stanford University Press, 1997), 133.

<sup>47</sup> Overhauling of patriarchal language is necessary in a just and humane society, as well as the preferential use of inclusive terms like the word *woman* which includes 'man'; the word *female* which 'includes 'male'; the word *lady* which includes 'lad'; the title *Mrs.* which includes Mr., and the pronoun *she* which includes 'he'.

<sup>48</sup> Paulo Freire's view of man as the language animal (*animal symbolicum*) is consonant with the conceptions of Whitehead, Pierce, Cassirer, Langer, and others from whom a liberation philosophy will be derived, Paulo Freire and Donaldo Macedo, *Literacy: Reading the Word and the World*, (Massachusetts: Bergin and Garvey Publishers, Inc., 1987), xiii.

<sup>49</sup> Martin Heidegger, *Poetry, Language, and Thought* Hofstadter (Trans. & Ed.), (New York: Harper and Row Publishers, 1975), 189.



action.<sup>50</sup> Considering this non-dichotomy of work-word and word-world, transformation of the world requires transformation of language.

Language should never be understood as a mere tool of communication. It is packed with ideology, and for this reason, it must be given prominence in any social relation that creates inclusive space for the emancipation of the alterity.<sup>51</sup> It has to do with social classes, the identity and power of each class being expressed in language.<sup>52</sup> It plays an undeniably crucial role in the struggle for inclusion. It is not only an instrument for communication, but also a structure of thinking for the historical being; it is a culture.<sup>53</sup> Language, bearing particular references, makes or breaks – liberates or dominates a person.<sup>54</sup> As social and contextual, language is a relational experience that denies or affirms a person depending on how language is used or, tragically, misused.<sup>55</sup>

Language is a pointer to reality. As a pointer, language is a ‘representative anecdote’ or a metaphor.<sup>56</sup> It discloses realities that are beyond its forms. It points not to itself but to reality which it accommodates, and which dwells in it as its house. Language, as a metaphor, is considered a sign. As a sign, it does not exemplify itself

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<sup>50</sup> Paulo Freire, *The Politics of Education, Culture, Power, and Liberation* Macedo (Trans.), (Massachusetts: Bergin and Garvey Publishers, Inc., 1985), 50; Paulo Freire, *Cultural Action for Freedom*, 29.

<sup>51</sup> Paulo Freire and Donald Macedo, *Literacy: Reading the Word and the World*, 128.

<sup>52</sup> Paulo Freire and Ira Shor. *A Pedagogy for Liberation*, 71.

<sup>53</sup> Paulo Freire, *The Politics of Education, Culture, Power, and Liberation*, 4.

<sup>54</sup> “The dominated are human beings who have been forbidden to be what they are. They have been exploited, violated, and violently denied the right to exist and the right to express themselves. This is true whether these dominated people represent a unique people, a social group [like homosexuals], a social class, or a particular gender [like women]” Paulo Freire, *The Politics of Education, Culture, Power, and Liberation*, 192.

<sup>55</sup> Paulo Freire, *The Politics of Education, Culture, Power, and Liberation*, 87.

<sup>56</sup> Paulo Freire and Donald Macedo, *Literacy: Reading the Word and the World*, xvi.

as such, but it arrows and addresses itself to a truth which is being signified, to a truth which is a reality.

How language is used is vital. The presuppositions informing particular definitions can be offensive and provide the basis of stereotyping and stigmatization. Destructive and enframing 'constructs' such as 'criminal,' 'homosexual,' and 'abnormal' dehumanize since these concepts arrest and imprison man in the cage of life-denying labels and propositions, vicious discrimination, and linguistic chauvinism.

Man's dynamism or the essence 'to be' is taken away from him in this sense.<sup>57</sup> 'Difference' has been taken as 'abnormality.' Voiceless, powerless, and virtually invisible people who conformed to normative values were labeled 'normal,' while those who did not were deemed 'abnormal' and aggressively dislocated or rejected.

Because language has both the enabling and disabling characters, it requires careful use.<sup>58</sup> Since language determines and creates reality, inclusion necessitates a decisive task to vigilantly investigate language's operation. The political nature of language, the non-neutrality of politics, and therefore, the non-neutrality of language call for a critical examination or even change of language.<sup>59</sup> "Changing language is a part of the process of changing the world."<sup>60</sup>

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<sup>57</sup> "The essence of man is to be in a continual non-natural process – to be more" Paulo Freire, *Cultural Action for Freedom*, 9. "'To be' and 'to be-becoming' are the English equivalent of Paulo Freire's words *ser y estar siendo* which express man's mode of being and becoming as situated in spatio-temporal reality" Dennis Collins, *Paulo Freire: His Life, Works, and Thought*, 49.

<sup>58</sup> Transformation of the world requires the unveiling of the real "essence of language which is goodness, friendship and hospitality" Jacques Derrida, *Adieu to Emmanuel Levinas*, 133.

<sup>59</sup> Paulo Freire, *The Politics of Education, Culture, Power, and Liberation*, 184.

<sup>60</sup> Paulo Freire, *Pedagogy of Hope: Reliving Pedagogy of the Oppressed* Barr (Trans.), (New York; Continuum Publishing Company, 1992), 67 - 68. Paulo Freire discourages the use of colonizer's language. He said that "to continue to use the language of the colonizer as the only medium of instruction is to continue to provide manipulative strategies that support the maintenance of cultural domination" Paulo Freire and Donald Macedo, *Literacy: Reading the Word and the World*, 117.

Paulo Freire, being an iconographic figure alongside the luminaries of the women's and black freedom movement, has also provided his readers an impression of his appeal for an inclusive language.<sup>61</sup> Inclusive language is the language of the humanizing being.<sup>62</sup> It is a language that enables every man to reflect upon and shape his own experiences and in certain instances transform such experiences in the interest of a larger project of social responsibility. This language is not a language of the metropolitan intellectuals or the high-priests of the post-avant-garde, although it may borrow from their insights. It is not a language of imposition, as a vocabulary of indoctrination and violence that positions individuals in such a way that they are made to see the world and where they stand in it from the perspective of the dominant.<sup>63</sup>

Inclusive language is a critique of the patriarchal, sexist, racist, and elitist language that, all throughout history, incessantly domesticates men.<sup>64</sup> This patriarchal, sexist, racist, and elitist language limits participation to few privileged who are acknowledged to be 'humans' by the society in accordance to the norms or standards imposed by

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<sup>61</sup> Paulo Freire, *Cultural Action for Freedom*, back cover. "Female readers of Paulo Freire frequently call attention to his discussion of human beings in an apparently chauvinistic manner by use of wo/man or wo/men to speak of the human race. He has acknowledged this as an oversight, and I believe publication of two booklets *Liberation of Woman: To change the World and Re-Invent Life* (1974) and *Toward a Woman's World* (1975) by Paulo Freire's Geneva *Institut d'Action Culturelle*, plus the use of the non-sexist pronoun s/he in Seabury Press' translation of two of his works are ample evidence of his concern to include women in every phase of human liberation" Dennis Collins, *Paulo Freire: His Life, Works, and Thought*, 90. "The rejection of a sexist ideology, which necessarily involves the re-creation of language, is part of the possible dream of a change of the world. Not to please women or displease men but simply to bring forth radical change" Paulo Freire, *Pedagogy of Hope: Reliving Pedagogy of the Oppressed*, 67.

<sup>62</sup> Inclusive language is, in the words of another Brazilian writer, "the language of the world...The language that everyone on earth was capable of understanding in their heart...Something older than humanity, more ancient than the desert – a universal language" Paulo Coelho, *The Alchemist*, (New York: HarperCollins Publishers, 1998), 45, 64, 72 & 94.

<sup>63</sup> Peter McLaren, *Paulo Freire: A Critical Encounter* Leonard (Ed.) (London: Routledge Publication, 1993), 49 & 70.

<sup>64</sup> Paulo Freire and Ira Shor. *A Pedagogy for Liberation*, 71.

the powerful 'matrices of constructs.'<sup>65</sup> Patriarchal language fails to recognize the humanizing character of participation since it excludes the dominated subjects from the project of the constant remaking of life.<sup>66</sup> Paulo Freire expresses his criticism of the logic of male domination, evidenced by the patriarchal language, upon taking a keen observation on women's exploitation and oppression. He argues that:

[w]omen's liberation is dependent on the elaboration of female language, on the celebration of the feminine characteristics of language. In the process of women's struggle for liberation, women must use their own language, not the patriarchal.<sup>67</sup>

Women must make their own liberation, with the contribution of some men who agree with them, who are with them in the struggle.<sup>68</sup> The appeal for the articulation of feminine language would not entail the swapping or switching of places of the dominating and the dominated. It is simply a mode of highlighting the possibility of an alternative language that would serve as the voice of every man regardless of existential situatedness in his affirmation of his being, and in his assertion of his becoming.

A rupture from a domesticating language is really a requirement in the transformation of the world.<sup>69</sup> A complete reversal from an exclusive

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<sup>65</sup> It appears as a fact that sexism is inherent in the prefabricated structures which define the relationship between language, literacy, and power itself. It is the male definition of literacy, which is validated, forged as it is in the public economy of the workplace and tempered as it is with cultural and social patriarchy, Paul Taylor, *The Texts of Paulo Freire*, (Buckingham: Open University Press, 1993), 138.

<sup>66</sup> "If we really want to reinvent society, in order for the people to be more and more free, more and more creative, this new society to be created by men and women cannot be racist, cannot be sexist" Paulo Freire and Ira Shor. *A Pedagogy for Liberation*, 167.

<sup>67</sup> Paulo Freire, *The Politics of Education, Culture, Power, and Liberation*, 186.

<sup>68</sup> Paulo Freire and Ira Shor. *A Pedagogy for Liberation*, 165.

<sup>69</sup> If we say that we cannot wait for a new society before we begin transforming racism and sexism, we can also say that dialogical education helps prepare the way for erasing sexist and racist attitudes. Critical education creates conditions for ending racism, sexism, or authoritarianism, Paulo Freire and Ira Shor. *A Pedagogy for Liberation*, 167.

language to an inclusive language is necessary in the transformation of thought because language is always in dialectical unity with thought. So that if language and thought are inextricably bound up together, change of language must imply transformation of thought.<sup>70</sup>

Transformation of thought is essential because it is always the case that thinking and being – reflection and action – should always be in dialectical harmony. The impossibility of the transformation of the world in the erroneous separation of action and reflection traces itself back to an exclusive language or to an exclusive thought.

‘Thinking’ should be an endeavor to originally generate different possibilities out of the given possibilities. It should be an ‘inclusive’ activity, which sees how we might see the world, others, and ourselves in a different light, and find out how this can contribute to our well-being as members of the communities. It should not be an altered way of seeing things, but rather an attempt at creating new modes of being.

‘To think inclusively’ is supposed to be to liberate, discover and rediscover the best possibilities not by means of destroying what has already been given, but through exploring the limits and parameters that are set in those. It is, to say, a kind of critical thinking which transcends the boundaries of the norms not for the sake of simply transcending but for the sake of better humankind. ‘To think inclusively’ lies in the promotion of a better quality of life in terms of an everyday life led thoughtfully, carefully, and truthfully for and with others. It is a practice of thinking about the fundamental modality of being human to be a kind of person and to act in a certain way that others can see.

‘Thinking inclusively’ is a critical way of thinking. This task of the practice of criticism is clearly a transgressive, yet creative exercise

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<sup>70</sup> “We can even invent a new verb, ‘to think-speak’ or ‘to speak-think.’ ...One of the tasks of critical education and radical pedagogy is to help the critical thinking-speaking process to re-create itself in the re-creation of its context” Paulo Freire, *The Politics of Education, Culture, Power, and Liberation*, 187.

of freedom. It seeks to open a possibility of inaugurating experiences of self and human solidarity.<sup>71</sup>

As a critical venture, inclusive thought is not a commission of anarchy or idiosyncrasy. It is rather an honest endeavor, a manner through which we can enhance the character of our inevitable relatedness to others in view of improving the quality of our lives. Inclusive thought is a new mode. It is a genealogical interruption of the usual possibility of imposing our will to the other. It transgresses imposed trends and patterns of life. The practice of inclusive thinking is something we owe to ourselves as free human persons.

‘Thinking inclusively’ is not simply ‘thinking inclusively’ for the sake of ‘thinking inclusively,’ rather, a ‘living inclusively.’ To think is to be. The inseparability of knowing and doing - creative vision and a stylistic action - explains that what/how we think defines who we are.

Hence, inclusion of the alterity is a transformative process that depends on the use of inclusive language and a predisposed inclusive thought. Inclusion of alterity is a transformative way of life which is necessarily dialectically inclusive.

## Dialectics of Inclusion<sup>72</sup>

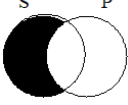
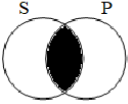
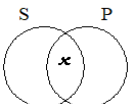
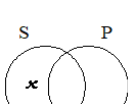
The Logic of inclusion and exclusion may be traced back as far as the ancient period. The four categorical propositions of Aristotle, for example, are distinguished from one another in terms of quantity, quality, distribution of terms, truth value, and using the inclusion-exclusion principle. According to Aristotle, the universal affirmative proposition, on one hand, asserts that the whole subject class is included in the predicate class being the contradictory of the existential negative proposition asserting that part of the subject class is excluded from the

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<sup>71</sup> Paulo Freire has also discussed the aesthetics of education in line with the point on creativity of freedom. He pointed out that the aesthetic character of education traces itself back to verbal reinvention, vocal recreation, and the life-giving quality of knowing. See *The Teacher as Artist* in Paulo Freire and Ira Shor. *A Pedagogy for Liberation*, 115 - 118.

<sup>72</sup> Dialectics of inclusion has been contemplated as a result of the findings obtained in the earlier works, [1] *Dialectics of Pedagogy (2011)*, and [2] *Pedagogy of Inclusion (2007)*.

predicate class. On the other hand, the universal negative proposition asserts that the whole subject class is excluded from the predicate class that contradicts the existential affirmative proposition asserting that part of the subject class is included in the predicate class. Coming from the modern period, Leonhard Euler and John Venn were, indeed, successful in illustrating the Aristotelian inclusion-exclusion theory of the four categorical propositions using diagrams. Consider the Venn diagrams below:<sup>73</sup>

Proposition	Venn Diagrams	Inclusion-Exclusion Theory
Universal Affirmative		No members of S are excluded from P.
Universal Negative		No members of S are included in P.
Existential Affirmative		Some members of S are included in P.
Existential Negative		Some members of S are excluded from P.

The Venn diagrams illustrate the relation of classes by drawing overlapping circles. Each circle represents a class – either the subject or the predicate class. A proposition is diagrammed by placing a single mark in one of the areas of a pair of overlapping circles – either shade the area or place an ‘X’ in the area.

Using classical logic as the basis of evaluation, real or actual exclusion happens in the existential propositions only when part of a class is included in or excluded from another class. The universal

<sup>73</sup> Noel Pariñas, *Essentials of Logic*, 44-46.

propositions do not illustrate real or actual exclusion since both propositions totally include or exclude equally 'all' members of a class to or from another class respectively.

The contradictory relation either between the universal affirmative and the existential negative propositions, or the universal negative and existential negative propositions, somehow, brings into surface the foundation of dialectic logic that struggles to unite the opposites [thesis and antithesis] to incessantly transform towards a new ethical, social, or political order [synthesis]. Inclusion is always a dialectic process that operates both as a means and an end at the same time.

It is argued that there is no way to inclusion because inclusion is the way. As such, it is a respect for freedom, a testimony for democracy, the virtue of living with and sensitivity to differences that spring from the understanding that evaluates and transforms values in a dialogical manner. It opens man's access to a society where everyone belongs and is accepted. It simply puts into practice the idea that no member of society is left behind or abandoned, and where social institutions interdependently exist to promote the common good.

As a critical intervention to the manipulative, inhuman[e] and oppressive tendencies of the society that denied and deprived man the opportunity of participation, inclusion aims and endeavors to echo the voices of the 'culture of silence.' Differentiated not simply by poverty but by their deprivation of the right to determine their own history, the 'culture of silence' includes the historically, culturally, and socially marginalized, the discriminated, the radically excluded, the oppressed, the hopeless, the objectified and the dominated. It struggles to eliminate sexual, racial, cultural and class discrimination. Re-confronting reality, it sees the world as the realm of complex relations, a world of plurality and not a singular world. It aspires to respond to multiplicity or differences not through limiting opportunities of participation for some but through equalizing of opportunities for all. In other words, inclusion is a creative practice, which seeks to include the other in an active search for the pursuit of liberation. It aspires to integrate or incorporate the marginals into the healthy society that has been forsaken.

What gives inclusion its democratic character is openness to listen rather than to deafen. Inclusion as dialogical, participatory, and



humanizing reminds each one of his roles as a subject of discovering other alternative ways of dealing with other subjects considering their differences. It lets man realize that, as a consciousness, there is also a consciousness other than him.

Furthermore, inclusion is an advertisement of an inclusive language whose 'grammar' pronounces respect for differences. It promotes authentic participation that welcomes recognition and acceptance of the plurality of modes of being. Oriented towards humanization, it flourishes friendship and love between and among men.

Because it is transformative, inclusion affirms life's adventure. It speaks of a freshness of approach whether in thinking or acting that grows out of the awareness of the contrast between what is and what could be. It provides a framework that gives meaning and purpose to the human person's noblest aspirations and integrates him into the structure of the cosmos. It sets the human person to unwaveringly pursue higher ideals – truth, goodness, beauty – that shall carry humanity towards a new and advanced level of existence.

Corollary to this, inclusion invites man to pay attention to the optimistic resignation from [and dismissal of] prescriptive, calculative, manipulative, repressive, imposing, dominating, marginalizing, mechanistic, cybernetic, and hegemonic mindsets that are asphyxiating. As such, inclusion leans heavily on the values and virtues of acceptance, respect, altruism, collaboration, friendship, love, trust, commitment, faith, and justice that are requirements in the restoration of humanity.

Moreover, inclusion not just exposes the alienating situations and experiences of the culture of silence, but it also restively struggles to hominize and liberate them from their oppressive condition. It promotes a social order of respect, justice, love, solidarity, and peace not in a terminal moment, but in an eternal process.

With the hope to attain man's potential as human being, inclusion, therefore, is an honor for and a devotion to the dream and proclamation of a new and better world – a world in which men meet in the process of ongoing liberation. It is a kind of world that acknowledges the differences of opinions, beliefs, and ways of life, and allows these to freely flourish. The creation of the new world will come

from opening the self and society to new possibilities for leading a richer and fuller life. As giving rather than given - refigured rather than prefigured - the new world is not purely a utopian vision. It is a result of the transformation of the social situation into a channel of more open and enriched possibilities.

In short, the logic of inclusion simply tells us that as long as there is one exclusive human being in the crowd, social inclusion is never possible. Let me illustrate the point using the truth-table for conjunction-

$\{[(A \& B) \& (C \& D)] \& [(E \& F) \& (G \& H)]\} \& \{[(I \& J) \& (K \& L)] \& [(M \& N) \& (O \& P)]\}$   
*t t t T t t t T t t t T t t t F t t t F f f t F t t t T t t t*  
*1 1 1 1 1 1 1 1 1 1 1 1 1 0 1 1 1 0 0 0 1 0 1 1 1 1 1 1 1*

The notation above presents an instance when the falsity of one conjunct affects the truth value of the conjunctive statement. The falsity of the first conjunct 'K' of the second conjunct (K & L) of the first conjunct [(I & J) & (K & L)] of the second conjunct {[(I & J) & (K & L)] & [(M & N) & (O & P)]} falsifies the entire conjunctive statement. It is a basic principle in logic that for a conjunctive statement to be true, all conjuncts must be true.

## SUMMARY AND CONCLUDING REFLECTIONS

The alternatives or disjuncts in the strict or exclusive disjunction are mutually exclusive: either we exclude, or we include – no middle ground. The choice to either exclude or include is a political exercise of freedom of being indifferent to differences or being deferent to differences respectively. While exclusion is a dehumanizing political stance, inclusion coherently argues that the right to be included in the life of society is inherent in being human because it is constitutive of living with others. Inclusion is the desired quality for social existence. Being human takes place within the context of evolving relationships that make up a human society distinctly characterized by a common vision. Out of these dynamic interactions arise the identity and destiny of all individuals. The beginning and end of every human person unfold within the sphere of sociality. Expressed through an interpretative or hermeneutical frame, every text of the self is imaginable because of the context of society.

Inclusion is a unifying vision of humanity. It sees the human situation as infinitely morally perfectible. In other words, inclusion stakes the firm belief that can and must always be made better to the benefit of all cultures and societies. From an inclusive standpoint, the way to global harmony is reasonably through an enlightened and an improved social existence where everyone strives to live together in mutual respect and harmony.

Fluid and responsive to the advances of differences, inclusion emphatically pronounces heterogeneity in all aspects of living. Life is meaningful and beautiful because not everything is the same. What makes the world beautiful is 'differences.' 'Differences' is the essence of beauty; differences are breaches of singularity. Inclusion as an acknowledgement and respect for human differences is a positive outlook of the beauty of existence. Since beauty is only realized within the economy of differences, differences must be seen as sources of richness and diversity, and not as problems.

In a world where everything is the same [although this world does not exist], existence would not make sense because there is no room for improvement. Life is boring because nothing is to be appreciated. Man cannot anymore speak of identity and uniqueness. He cannot become and become more. This is the result of making everything the same; this is the consequence of manipulating others to be the extensions or projections of the self; this is the outcome of imposing the image and likeness upon others because of insecurity and fear of differences.

It is imperative that self-preservation finds its perfection outside the self. The passionate creation of the self necessarily involves the ethical edification of the social realm. Self-creation must lead to social inclusion. Once the philosophy of inclusion has been internalized by every member of the community and institution, it becomes a customary habit for everyone which will not any longer require sanction. It becomes a creative way of life resulting in autonomous volition and initiative of every agent, and the community and institution remain inclusive atmospheres of respect and acceptance.

Will inclusion be realized? Surely, inclusion is a utopian perspective, but it is a needed one at times when humanity seems to be going nowhere and when the human spirit appears down. It is then submitted that the question is not a matter of 'can' but a question

of 'when'. The issue of inclusion is one that will not go away. It will keep coming back to challenge social systems, beliefs, attitudes, and practices.

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