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The Limits of Logic in Social Analysis: *A Reply to Pariñas*

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Abstract

In *Indifference to Difference or in Deference to Difference: A Treatise of Inclusion*, Dr. Noel S. Pariñas "argues that the alternatives or disjuncts in the strict or exclusive disjunction are mutually exclusive: either we include or exclude - no middle ground."1 The argument then goes further to say that non-absolute inclusion in one way necessitates exclusion in another. This is perhaps best summarized by how he examines Republic Act No. 9262 or the Anti-Violence Against Women and Children Act and concludes that because it specifically highlights women and children, it does not provide an equivalent protection for men in society in cases of domestic violence. I argue that this analysis based on syllogistic logic, is flawed for two interrelated reasons: the first is the irreducibility of certain statements to logic, the second is the usage of the myopic and limiting lens of exclusionary positivism in viewing social phenomena. While Pariñas' article is a prime example of these flaws, it is not an isolated case in the philosophical community. It is therefore hoped that the following account provides a sobering view for philosophers everywhere who choose to critically examine society and its problems. As a positive contribution to this end, and in line with the trend of analytic philosophy shifting focus from formal logic to ordinary language, I propose that the analysis of RA No. 9262 should instead go through the lens of performative utterances and speech acts, as the creation and implementation of this law goes beyond the mere logical valuation of its propositions but towards what message it sends to the Filipino people regarding social justice and the struggle for inclusion and equality.

Keywords: *Analytic Philosophy, Inclusion, Performative Utterances, Philosophy of Language, Speech Act Theory*

1 Noel S. Pariñas, "Indifference to Difference or in Deference to Difference: A Treatise of Inclusion," *Mabini Review* 15, no. 1 (2025): 85, https://doi.org/10.70922/p48d2e93.

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Inferences in *Indifference*

In the most charitable sense, Pariñas seems to argue for the politics of inclusivity, ensuring that absolutely everyone is indeed included whenever there is a movement to change an aspect of inequality in society. In particular, he focuses on what he characterizes as exclusionary laws in the Philippine context and concludes that the language used in these laws must be transformed to enable a transformation in society.[2] The most recurring example of these dynamics of inclusion and exclusion is that based on gender. While not immediately apparent in the abstract, introduction, or keywords, gender-based inclusion and exclusion runs through his examples: in viewing Anti-Violence Against Women and Children laws, same-sex marriage, concubinage, age of consent, and government Gender and Diversity or GAD programs, among others.[3] This is made more apparent when the object of criticism transforms from these specific laws to the broad characterizations of feminist movements and philosophies.[4]

This, to me, reveals the overall target of critique in the article. Hiding in its language of inclusion is a critique of a perceived version of feminism and the philosophy surrounding gender. By any means, these are not new or novel criticisms in the field of philosophy in general and the discourse around feminism in particular. The most egregious example in his paper will be extensively analyzed here and will serve as the launch point for the broader criticism of the seemingly logical framework that Pariñas is using throughout this work. I am referring to his analysis of RA No. 9262, or the Anti-Violence Against Women and Children Act of 2004, a landmark law that seeks to protect women and children from domestic violence.[5] He claims that by explicitly including women and children, the law excludes adult males, with the implication being that it allows violence and domestic abuse against men.[6] He even goes to show this in the form of a valid deductive syllogism, saying:

> Any law that allows violence is oppressive;
> RA No. 9262 allows violence;
> Ergo, RA. No. 9262 is oppressive.[7]

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2 Pariñas, "Indifference to Difference," 88–89, 114.

3 Pariñas, "Indifference to Difference," 90–93, 95, 100.

4 Pariñas, "Indifference to Difference," 98–101.

5 Republic Act No. 9262, Anti-Violence Against Women and Their Children Act of 2004 (2004).

6 Pariñas, "Indifference to Difference," 90.

7 Pariñas, "Indifference to Difference," 92.

The analysis of RA No. 9262 in this way, while formally valid, is fundamentally flawed. It is an elementary principle of logic that validity does not equate to soundness. This, for sure, is not lost on Pariñas, as he mentions the very same principle in a footnote on the page that precedes this syllogism. That is to say, while the form of this syllogism is universally recognized as a basic and valid one, there is something to be said about its soundness. The assertions in the premises are questionable at best, and blindingly deceptive at worst. If we take the first premise to be true, we must be prepared for what implications it will have for all the laws in a given system. While not necessarily producing a logical absurdity, it nevertheless produces a practical one when we consider Pariñas' overly inclusionary usage of the word *allows.* Taking from the lead up to this syllogism, he implies that any law that does not explicitly forbid anything, implicitly allows the same. The absurdity becomes more apparent when coupled with the second premise, as it seems, any law that does not explicitly ban violence in any sense implicitly allows it. As a demonstration, let us replace the law in the syllogism with RA No. 10931, popularly known as the Universal Access to Quality Tertiary Education Act.[8] When we subject it to the same reasoning that the syllogism employs, RA No. 10931, devoid of any mention of violence towards any class or individual, implicitly allows violence for all of them. It becomes the formally valid but blatantly absurd syllogism of:

> Any law that allows violence is oppressive;
> RA No. 10931 allows violence;
> Ergo, RA No. 10931 is oppressive.

Here, the truth of the first premise is practically refuted. Such a sweepingly simplistic summary of laws in relation to violence and oppression inevitably leads us to say obviously absurd things. Further, the second premise fails to consider the existence of RA No. 9262 in the context of a greater system of laws. Painting RA No. 9262 or the Anti-Violence Against Women and Children (Anti-VAWC) law as something that allows violence against men for the sole reason that men were not explicitly stated in the protection conveniently forgets some factors that led to its creation and its place in the overall system of laws. The Anti-VAWC law was indeed created to protect a certain class, because the circumstances surrounding its development was that its proponents deemed the current laws of the land to be insufficient in giving protection to women and children. I am certain that this is not lost on Pariñas as he echoes the justifications of constitutionality made by the judicial branch in the same article.[9] Further, there are surely other laws in the same system that a man can use in defense of

8 Republic Act No. 10931, Universal Access to Quality Tertiary Education Act (2017).

9 Pariñas, "Indifference to Difference," 91.

his person if ever he is subject to abuse, say laws that protect everyone against assault, serious physical injuries, or harassment. I am equally certain that the existence of this system, and that the Anti-VAWC law exists in the context of this system, is also not lost on Pariñas as he cites the Revised Penal Code further down in the article.[10]

We see then in the above section how even within the system of classical syllogistic logic that is used, the argument produced is not a strong one. It confuses validity for correctness and ignores the real-world conditions in which the premises are said to exist. Having definitively shown this, we now turn our attention to the criticism that can be generalized to this kind of approach. I see this line of criticism as necessary as it seems to not be an isolated case where philosophers resort to formal logic as the sole lens of analysis used for social and political phenomena. In March 2025, Christopher Ryan Maboloc took to social media to assert that Randy David's opinion column titled *In the aftermath of the Duterte arrest* contained a logical fallacy.[11] Multiple people, including Justin Felip Delgado Daduya and Vlademire Kevin Bumatay have weighed in on the limitations of formal logic in these types of analysis.[12] What I wish to add here is not new to students of the history of analytic philosophy, but perhaps should serve as a timely reminder to philosophers about the nebulous relationship between language, truth, logic, and society.

The angle that I wish to bring up here involves the work of two general trends in the Anglo-American analytic tradition. The first would be the abandonment of stwrict, logical positivism, and the second would be the subsequent shift to a more pragmatic and commonsensical approach to empiricism and linguistic analysis. This is represented in this paper by two influential philosophers in the analytic tradition: Willard Van Orman Quine and John Langshaw Austin. Best remembered for their contributions to language and logic, both of these philosophers, I believe, acknowledged the limitations of formal logic in practical matters, and it is their frameworks that I hope philosophers remember when applying the systems of logic in viewing, analyzing, and critiquing social realities.

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10 Pariñas, "Indifference to Difference," 95.

11 Randy David, "In the Aftermath of the Duterte Arrest," *INQUIRER.net*, March 23, 2025, https://opinion.inquirer.net/181821/in-the-aftermath-of-the-duterte-arrest; Christopher Ryan Maboloc, "This is a fallacy," Facebook, March 23, 2025, https://www.facebook.com/share/19y3CmT43A/.

12 Justin Felip Delgado Daduya, "Argument Translation and the Limits of Formally Analyzing Duterte's Arrest," Facebook, March 23, 2025, https://www.facebook.com/share/1G8c45cHfV/; Vlad Bumatay, "A certain philosopher from the PH South launched a tirade against me," Facebook, March 25, 2025, https://www.facebook.com/share/1D6DkWVVwd/.

Radical Reductionism

One of W. V. O. Quine's most influential works is his criticism of logical positivism espoused in the article *Two Dogmas of Empiricism.* The two titular dogmas refer to the ill-founded trust that empiricism placed on the absolute division between analytic and synthetic statements, and on radical reductionism. The articulation of these two dogmas became the source of a serious reconsideration of the core positions of logical positivism, as it forced them to reconsider the explanatory power of logical systems. For the purposes of this paper, I shall focus on the second dogma, but it would be remiss to say that the two are not interrelated, as Quine himself says that the two dogmas are intimately connected through the verification theory of meaning.[13]

Radical reductionism, in Quine's article, is the belief that all meaningful statements can be broken down, reduced, and expressed in logical notation. At its core, radical reductionism in empiricism assumes that for every phenomenon, there is a finite set of observation sentences, each reducible to logical notations that when taken together wholly constitute everything that can be said about the same phenomenon.[14] In this original context, this applies to expressions of scientific explanations of material and empirically verifiable phenomena. Quine's criticism is lodged primarily towards earlier writings of Rudolf Carnap, particularly in the *Aufbau.* In Quine's article, he acknowledges that Carnap's attempt at reduction does succeed in injecting a level of formality into empirical statements. However, it must also be acknowledged that both Carnap and Quine agree that at best, this account is sketchy and incomplete. Quine takes the criticism further and brings it to the conceptual level, as merely stating individual observation sentences about a certain empirical phenomenon cannot account for the inclusion of both sense data and logic. Hammering the point home, Quine says that it would be nonsensical to divide the truth of a phenomenon to quantized individual statements.[15] Scientific explanation and material phenomena, therefore, is bracketed on all sides of unquantifiable human experiences. The explanations must account not just for linguistic accuracy, but for factual experiences as well

This lens of irreducibility is now something that I will transpose from the empirical sciences towards social analysis. Quine creates space in his article for shifts and renegotiations of even the most fundamental aspects of logic when faced with a phenomenon that defies traditional logical explanations.

13 Willard Van Orman Quine, "Two Dogmas of Empiricism," *The Philosophical Review* 60, no. 1 (1951): 38.

14 Quine, "Two Dogmas of Empiricism," 36.

15 Quine, "Two Dogmas of Empiricism," 39.

As an example, he refers to the uncertainty embedded in the then new and rising field of quantum mechanics as a basis to revise the logical law of the excluded middle, and asks that we become open to doing so in other scientific fields.[16] This criticism of fundamental logical principles in favor of a more practical approach is not actually new when Quine wrote the *Two Dogmas,* and can in fact be found even at the beginning of modern empiricism. In the *Novum Organon,* Francis Bacon criticizes the Aristotelian deductive and logical approach to science. Bacon says that there is a limitation on Aristotle's method, as he had made experience, induction, and investigation a mere bondservant to his system of logic.[17] In other words, Aristotle's science is flawed because he mistakenly thought that the totality of the universe would fit within the square of opposition.

While both Quine and Bacon talk about the natural sciences, I propose that this must surely also extend to the field of social sciences. A common thought would be that the natural sciences are simple: rote, mechanical, and explainable by scientific calculations and laws. This is, after all, what the physical or natural sciences often do through experiments.[18] This simplicity would contrast with the more nebulous nature of a study that seeks to explain individual and collective human behavior. For being thorough, I would like to state here that I believe that phenomena in the natural sciences and the social sciences each come with their own nebulousness. In any case, the complications of all phenomena that need a scientific explanation should be enough for us to critically examine any analysis that includes language but not experience. Paraphrasing Quine, our knowledge and belief systems cannot be separated from distinctly human experiences.[19] As they are definitely experienced by human beings, this obviously includes the fields of jurisprudence and socio-political philosophy.

Expanding the scope of Quine's analysis explicitly to laws and social phenomena exposes the first of the fundamental flaws in Pariñas' account. A purely linguistic and logical approach to the political intricacies of the question of who is and is not included in progress would result indeed in a very dull analysis. It is this flaw in analysis that results in the incorrect thinking that because

16 Quine, "Two Dogmas of Empiricism," 40.

17 Francis Bacon, *The New Organon; or, True Directions Concerning the Interpretation of Nature*, version prepared by Jonathan Bennett, Early Modern Texts, 11, https://www.earlymoderntexts.com/assets/pdfs/bacon1620.pdf.

18 Samir Okasha, *Philosophy of Science: A Very Short Introduction* (Oxford University Press, 2002), 12.

19 Quine, "Two Dogmas of Empiricism," 42. Quine here is talking about algebra and the relationship of rational to irrational numbers, which he sees as analogous to the relationship of physical phenomena and experience. While the former does not cleanly reduce to the latter, even the fringes of an overall belief system "must be squared with experience."

RA No. 9262 does not explicitly mention the protection of the rights of men in a domestic relationship, it implies that the law therefore allows violence against men. If, a la Carnap, Pariñas' account would wish to continue the analysis of this law in this radically reductive manner, it must include all observation sentences that relate to the Anti-VAWC law. As the proposal of a law is a lengthy process, it must include all true observation sentences in each step. This means that it must account for all previous versions of the law, such as House Bills No. 5516 and No. 6054, and Senate Bill No. 2723, before they were consolidated into RA No. 9262.[20] Since the law also establishes the Inter-Agency Council on Violence Against Women and Children,[21] it must also account for all true observation sentences about the twelve government agencies that make up this council. The same could also be extended to all members of the legislative branch that voted for, against, or abstained from this Act. Even if we are to hone in on just the aspects of the law that explicitly refer to domestic abuse, the logical analysis must include all true observation sentences about all hitherto cases of domestic abuse. The fact that this pedantry could go on and on *ad nauseam* is itself a supporting point. Despite the best efforts of legal scholars and historians, this task would be Sisyphean. Here, Carnap's description of this kind of limited analysis as sketchy is highlighted. It would be practically impossible and frankly absurd to accurately state all discrete observation sentences.

Moving to Quine's more fundamental criticism, even if we were to assume that somehow, we miraculously succeeded in listing all the finite observation sentences, the actual human experiences relevant to the development of the Anti-VAWC act would be irreducible to the formality of logical systems, syllogistic or otherwise. We must admit that attempting to define, for example, domestic abuse, in a strict, logical sense would not capture the intricacies for actual cases involving actual lives of true oppressors and victim-survivors. Suppose we say that domestic abuse *D* occurs when oppressive partner *P* strikes victim-survivor *V* with force *F* at time *t.* Does this capture the entire social reality of abuse? Or the full effect and interpretation of the law? Surely it does not. The system of laws by itself is not perfect in the logical sense. If it were, there would be no need for the legal profession and their different interpretations, nor would there be any need for additional proposals or amendments to the laws. The fact that discussions in these chambers continue implies that there remains more to be said about individual laws in particular, and the legal system in general.

20 Republic Act No. 9262. Following section 50, among the approval and certification statements, the act is described as "a consolidation of Senate Bill No. 2723 and House Bill Nos. 5516 and 6054."

21 Republic Act No. 9262, sec. 39, "Inter-Agency Council on Violence Against Women and Their Children."

As examples of what these fruitful discussions may look like, we can view a case wherein RA No. 9262 was clarified because of an interpretation, and another where some proposed amendments to the Anti-VAWC law were criticized. In the case for interpretation, the Supreme Court in 2023 affirmed that the Anti-VAWC law does in fact cover lesbian relationships, when it denied a petition for review filed by Sandra Jane Gagui Jacinto.[22] Jacinto's argument was that she was not in violation of the Anti-VAWC laws. Parsing through RA No. 9262 itself, Section 3 (a) does exclusively use the masculine he/him/his pronouns when it comes to describing possible perpetrators of domestic violence. However, as the Supreme Court argued, the usage of the gender-neutral term 'the person' should encompass even lesbian relationships. The interpretation, penned almost two decades after the passing of the law, successfully included more people protected by RA No. 9262. Also in 2023, amendments were proposed to change the language of RA No. 9262 from saying 'women and children' to 'women, partners, and children.'[23] Gabriela Women's Party (GWP), a long standing advocate for women's rights in congress, recognized this as a proposal to include men as victims, and has criticized the proposed amendment as it can trivialize the fact that women make up the majority of victims of domestic violence cases.[24] Rep. Arlene Brosas of GWP further added that men can instead file for different cases of physical injury should they suffer from injury or abuse. In both these cases of interpretation and amendment, the language of the law was not taken to exist in a vacuum, but rather in the context of social conditions.

From here, we are skirting closer towards the second fundamental flaw of Pariñas' analysis. To reiterate, this flaw comes from the myopic lens that a strictly logical analysis interpretation tends to ignore concepts that are related to, but are not directly part of, the phenomenon being analyzed. This flaw is not new, as Quine in the *Two Dogmas* argues that if his characterization of empiricism is correct, then it would be "misleading to speak of the empirical content of an individual statement."[25] Taking this into our expanded analysis, particularly to specific acts in a system of laws, it would be a mistake to assess and definitively declare that a law is good or bad while fully ignoring everything else happening around it. To do so would be a misunderstanding of the piecemeal approach usually taken by analytic philosophy. To be sure, a granular approach allows

22 Supreme Court Public Information Office, "SC: Anti-VAWC Act Applies to Lesbian Relationships," May 17, 2023, https://sc.judiciary.gov.ph/sc-anti-vawc-act-applies-to-lesbian-relationships/.

23 House Bill No. 1365, 19th Cong., "An Act Expanding the Coverage of Republic Act 9262."

24 Supreme Court Public Information Office, "SC: Anti-VAWC Act Applies to Lesbian Relationships."

25 Quine, "Two Dogmas of Empiricism," 40.

a more focused and grounded look at any given problem. After all, Occam's Razor reminds us not to multiply things beyond necessity.[26] However, divorcing things such as laws from material realities risks missing the forest for the trees. It would not be beyond necessity to consider other laws surrounding a particular one. As a comprehensive, complicated, and ideally coherent system, wouldn't the analysis of laws fare better if taken in the context of all the other laws in the system? Is this not the spirit of analyzing an entire system of laws? In this supposed treatise for inclusion, it is ironic that the best tools, framing devices, and backgrounds are excluded from the conversation.

Simplicity in Social Statements

Occam's Razor serves as a reminder of the virtue of simplicity. Categorizing it as a virtue gives us the benefit of characterizing simplicity as distinct from oversimplification, as the latter would qualify as a vice of excess. An extremely good characterization of simplicity in the history of analytic philosophy lies in the concluding paragraph of John Langshaw Austin's chapter on *Performative Utterances.* Here, he says that things tend to be complicated, and that oversimplification is an occupational disease faced by philosophers.[27] This trend of analytic philosophy is not contained with or exclusive to Austin and is in fact known broadly as *ordinary language philosophy.* This sort of attitude is also present in Peter Frederick Strawson's sentiment that one cannot understand human language without understanding human speech.[28] This reflects what would become a shift of the Anglo-American analytic tradition from logical positivism to a more common and less formal approach. In relation to Quine's criticism of dogmas being a decisive blow against logical positivism, the ordinary language approach became an avenue of further evolution of philosophy especially in analyzing philosophical problems using a more grounded lens. In this section then, I plan to offer an analysis of the Anti-VAWC law using the lens of philosophers like Austin and Strawson. The upshot of this approach, I believe, is that we are then able to take the relevant information surrounding the Anti-VAWC law as well as what effects it currently has on society. I see this approach

26 Occam's razor is a popular heuristic tool in philosophy that says not to go beyond necessity. It is often invoked as an appeal to simplicity. While not directly attributable to William of Ockham, it is nevertheless emblematic of his philosophy, and scholarship suggests that this was a summation done by Irish scholar John Pounce in 1639. For further information, see C. M. Barry, "Who Sharpened Occam's Razor?," *Irish Philosophy*, May 27, 2014, https://www.irishphilosophy.com/2014/05/27/who-sharpened-occams-razor/.

27 John Langshaw Austin, "Performative Utterances," in *Philosophical Papers*, 3rd ed., ed. J. O. Urmson and G. J. Warnock (Clarendon Press, 1979), 252.

28 Peter Frederick Strawson, "Meaning and Truth," in *The Philosophy of Language*, 3rd ed., ed. A. P. Martinich (Oxford University Press, 1996), 114.

as a more beneficial and productive use of philosophy in the analysis of social realities.

Ordinary language philosophy, as a broad trend in analytic philosophy, was a shift away from its logical positivist roots. Where logical positivism was concerned with the technicalities and syntax of ideal or formalized languages like logic, science, and mathematics, this approach of ordinary language sought to ground itself to how humans and their naturally occurring languages can be analyzed using their own distinct form of logic. The logic of ordinary language is, in a sense, looser than that of its formal counterpart. However, this must not be taken to mean that it is less, only that it operates in a very different way. This would prove to be part of its strength, as its analysis would not be bound to the strictness and possible contradictions of formal logic but reflects how human speech works. As one of its leading figures, Austin explored the possibility that sentences that are to be evaluated beyond just their propositional content. Austin then gives the example of *performative utterances,* or sentences that, when uttered, do not merely say or report on facts, but simultaneously perform an action by virtue of being uttered.[29] Notable examples of performative utterances include the act of marrying by saying "I do" and christening a ship by saying "I christen thee…" while smashing a bottle of wine against the hull.

Parallel then to my earlier critique of Pariñas' view on the Anti-VAWC law contained in the systems of syllogistic logic, I am proposing to view laws in general, and the Anti-VAWC law in particular as a collection of *performative utterances.* We can use here the base definition given earlier, but further expansions of this definition locate this not merely in individualized spoken utterances but can encompass multiple linguistic acts. It is in these expansions then that the drafting, passing, and implementation of a law can fit as performative utterances. In its earlier stages in the legislative process, the passages of a law are standard performative utterances. During meetings and hearings, motions such as "I propose that…" or "I move that…" are utterances that do not only report on facts but are simultaneously actions taken not just by individual members of the legislative, but by the government as a whole. Later, when it is read and implemented, the government as an entity continually performs this act whenever the provisions of these laws are translated into judgments and policies.

This approach is not without precedent. In *A Social History of Analytic Philosophy,* Christoph Schuringa recounts how analytic feminist philosophers used the framework of performative utterances in the context of the legal and

29 Austin, "Performative Utterances," 235–37.

moral debate regarding pornography in the 80s and 90s.[30] The position that analytic feminist philosophers were taking, particularly Catharine MacKinnon and Andrea Dworkin, was that pornography had a largely negative effect on women's rights. Their opponents, drawing from legal positivism and taking the US Constitution as unambiguously good, argued that pornography is protected as free-speech, and any regulation on the industry constitutes an impeding of First Amendment rights. After all, the women who worked professionally in the industry did consent to being filmed, and were earning some money based on their own labor. As films, pornography can have some semblance of being classified as art. The debate then, was seemingly framed as something between logical and legal scholars who are just protecting the rights of citizens to expression and employment, and feminists complaining a puritanical moral panic. MacKinnon and Dworkin capitalized on the characterization of pornography as *speech*, and used an analytic framework to insert in the debate the actual effects that pornography has on women in society. The definition of pornography that MacKinnon gave included and highlighted how women are depicted in pornography as usually submissive and even taking pleasure in their submission, which she would link as subtle manifestations of *rape culture.*[31] This definition would be then taken later by Rae Langton, and would explicitly link MacKinnon with Austin's speech acts.[32] Essentially, it says that if we want to talk about pornography as if it were speech in the legal context, we must also be prepared to highlight how speech functions in the philosophical context. The definitions earlier given by MacKinnon are now to be evaluated not only through its explicit semantic content, but through its implications and effects.

Here, I aim to copy this approach of looking at a legal matter through the lens of what constitutes a speech act or a performative utterance. Perhaps this kind of analysis would fare better on laws regarding women such as the Anti-VAWC law, as it goes beyond the mere semantic content of legal and logical positivism, and goes to actual implications it may have for the sectors involved. The benefit of this approach is that it expands on the myopic lens of the previous one. In classical logical positivism, the significance of any given statement is dependent on it having a truth value, thus making it a proposition. It is these truth values and their linking through syllogism or logical connectors that makes a statement valid or invalid. As earlier stated, while Pariñas' analysis of the Anti-VAWC law is a logically and formally valid syllogism, it does result in some practical absurdity. Also earlier stated was that as a basic principle in logic, the soundness of an argument is to be treated as different from its validity. That is

30 Christoph Schuringa, *A Social History of Analytic Philosophy* (Verso, 2025), 265, 267.

31 Schuringa, *Social History*, 268.

32 Schuringa, *Social History*, 270.

to say, validity is not the end-all-be-all of any analysis. A basic principle then, of the post-logical positivism period of the analytic tradition is that the truth value of any statement is not the end-all-be-all of the significance of a statement, because it is simply not the case that all meaningful statements and utterances have a distinct positive or negative truth value. When analyzing anything, we must take into account relevant information. A more ordinary approach allows for this, while a purely logical interpretation does not.

To improve on this, we can take the idea that a performative utterance can be then divided into three distinct parts: the locution, the illocution, and the perlocution. Put simply, locution in any given performative utterance refers to what was explicitly said. This is distinct from illocution, which is, for lack of a better term, what is implied by the locution. I say this is for lack of a better term because Austin himself thinks that it goes beyond just what any given sentence implies.[33] John Searle adopts this term for Austin to describe complete speech acts that do more than just utter, such as to declare, or to affirm.[34] It can also be described as what is meant by the locution, but using that word can lead us into a circular and non-productive definition. If I were to give an extended definition of my own, I would say that illocution is the intent of a speaker manifested through the understanding of what was said. The final part, perlocution, is the effect or consequences produced on the person hearing the utterance.[35] These definitions were developed within the ordinary language trend of analytic philosophy through the conversing papers of Austin, Herbert Paul Grice, and John Searle.[36] The benefit of using instead the lens of ordinary language and performative utterances to analyze the use of language was that it more accurately captures what human beings mean when they interact with each other. Laws in any given country, in some way, are a codification of these interactions, and perhaps why it would be better to view it with this lens than the strict logic it was earlier exposed to.

As an extended exercise, let us then examine what we can achieve when we view RA. No. 9262 as a performative utterance. In this exercise, I propose to divide the actions between the *creation* of the law, and the subsequent *implementation*

33 Austin, "Performative Utterances," 237.

34 John Searle, *Speech Acts: An Essay in the Philosophy of Language* (Cambridge University Press, 1969), 23.

35 John Langshaw Austin, *How to Do Things with Words* (Clarendon Press, 1962), 102.

36 These exchanges are collected in the third edition of A. P. Martinich's anthology *The Philosophy of Language*, under section II, "Speech Acts." Aside from Austin's "Performative Utterances," this section also includes H. P. Grice's "Logic and Conversation" and three articles by John Searle: "What Is a Speech Act?," "A Taxonomy of Illocutionary Acts," and "Indirect Speech Acts."

of the law. For the purposes of this exercise, by *creation,* I mean the steps that were taken for legislating the law, including the drafting, reading, and ratifying, while by *implementation,* I mean to include its promulgation or publication and all the actions stipulated in its Implementing Rules and Regulations. For the step involving creation, the class of people that we would call as *utterers* of this act includes not just the initial proponents and authors of the law and its previous versions, but would also include the members of the legislation that voted and deliberated across the different sessions that had these laws as part of their agenda. By extension, the public, particularly the women and children prone to becoming victims of domestic violence who petitioned and hoped for a law like this to exist, are also included as utterers. As legal representatives of the Filipino people, the members of the legislative branch should ideally reflect the will of their constituents. It should not be controversial to say that domestic violence against women and children is something that exists in the Philippines, and that we must take active steps to reduce, if not to eliminate them completely. If this is the case, then it would be straightforward for us to say that the Filipino people in general would wish for these cases to stop. Viewed in this light, we can see the creation of such a law as a response made by the representatives to reflect the will of their constituents. Simultaneously, a representative voting for the passing of such a law would be performing multiple things at once. By voting yes, which we can identify as their locution, they would be performing multiple illocutions, including fulfilling their duty to represent the will of the people, signaling that they are committed to the eradication of domestic violence against women and children, and proclaiming their belief that passing such a law would aid in such eradication. Of course, this is not an exhaustive list and does not ever intend to be one. I can also acknowledge that there may be instances where individual legislators do not perform the aforementioned acts, but are instead serving more self-centered intentions, say, supporting the law because it can guarantee them votes for the future. It does not matter here, because whatever the intentions are, the fact that by voting they are doing actions at all serves the point of proving that these actions are better analyzed as performative utterances. We would not fall to the pedantic trap earlier of exactly stating every true observation sentence related to the law to evaluate it as a whole.

Beyond creation, the subsequent *implementation* of the law can also be analyzed as a performative utterance, this time done by the aforementioned Inter-Agency Council on Violence Against Women and Children and other related actions as stipulated in the Implementing Rules and Regulations of the Anti-VAWC law. As declared in the website of the Philippine Commission on Women, the functions of the IACVAWC include the promotion of RA No. 9262, developing programs for victim-survivors of VAWC, and research directed at

better ways to eradicate VAWC.[37] For as long as the IACVAWC continues to work in various ways and avenues, such as communicating to stakeholders what RA 9262 is and how to promote and implement it through discussions or social media posts, they are using their speech to perform the explicit function they were charged with doing. Whenever victim-survivors approach social workers, violators are reported to the proper authorities, or judgment is given to any cases involving VAWC, such acts constitute locutionary and illocutionary acts that perform RA 9262. The evaluation that we can give then about it being a good or a bad law lies not in the propositional content of individualized and discrete observations that we cannot possibly hope to state in a finite amount of time, but rather to the overall perlocutionary effect that the law can have to affected individuals and to society as a whole.

As seen in Pariñas' account, a purely logical interpretation of the Anti-VAWC law can validly state that there is no provision in the specific law that protects men from domestic violence. However, it is a strange leap of analysis to then say that it is a bad law because it implicitly allows domestic violence against men. This can be avoided when we see the reason and implementation of a law not as propositions with binary truth conditions, but as multifaceted social events laden with multiple instances of performative utterances. This interpretation, I believe, is supported by a historically and socially conscious reading of what a law must do in conjunction with what a law is currently doing. Paraphrasing what Strawson is saying about needing to understand human speech to understand human language, it is, in my opinion, imperative for us to understand human society if we want to understand the laws made in that society.[38] Combining what was stated earlier about what was performed when RA No. 9262 was passed and is continually being performed as it is being implemented, then the overall performance seems clear: in passing this law, the Philippines is protecting women and children from domestic violence. Similarly, perlocution is a combination of giving justice to the victim-survivors of domestic abuse and lessening the number of victims in the first place. On this perlocutionary effect, I would give the overall assessment of this being a *good* law and therefore agree with Pariñas' initial assessment. Implying, however, that it allows violence against men through a perceived exclusionary language seems to be an ill-formed conclusion. On this part then, I would state my disagreement with his later assessment that the Anti-VAWC Law is a bad

37 Philippine Commission on Women, "Inter-Agency Council on Violence Against Women and Their Children," https://pcw.gov.ph/inter-agency-council-on-violence-against-women-and-their-children/.

38 Strawson, "Meaning and Truth," 114.

law. This, as shown in this section, is supported primarily by the lens of viewing laws as speech acts or performative utterances.

Inching to Inclusion

Does violence against men exist? Surely, it does. Combining some of the examples stated by Pariñas would also highlight that there really are some flaws with the current system. It is true that men in a homosexual relationship are not protected in the same way that the women are in either a homosexual or heterosexual relationship. Affected men can of course still file cases against assault or injury, but not against domestic abuse under the Anti-VAWC law. However, we must not denigrate the progress that we have had and currently have to move the discussion forward. The law is always playing catch-up with society after all. Necessarily, the law cannot be perfect, as it cannot and perhaps should not predict what future behavior individuals and societies will have. If the law cannot be logically perfect, then what we have left to do is to always and perpetually try to be better.

As an example of this, I would shift my focus from Pariñas' example of RA No. 9262 to his characterization of the Philippine Government's initiatives regarding Gender and Development or GAD. In the article, Pariñas claims that all of GAD's programs focus on women empowerment, not on development, and not on "the other gender in society.[39]" There is an error here that implies that gender in society is binary, which is not the case. However, what I wish to focus on is the erroneous and ahistorical characterization of the government's GAD programs. It is quite a natural conclusion to make that because women have been historically disenfranchised, their empowerment would of course contribute to overall development. On the claim that there is no focus on development, the theme of 2025's National Women's Month in the Philippines is "Babae sa Lahat ng Sektor, Aangat ang Bukas sa Bagong Pilipinas" highlighting not just the gender, but the push towards development as well. Further, even its current form of being referred to as Gender and Development is an evolution from two former approaches regarding women and development. In the field of social work, GAD can be traced from Women in Development, or WID, which highlighted that women should be included in the discussion about development. Its next form, Women and Development or WAD, was an acknowledgement that even before this effort to include women in development, their invisible labor was already making significant contributions to an expanded view of what development is. The current lens used by social workers, Gender and Development, or GAD, was a further acknowledgement that all genders,

39 Pariñas, "Indifference to Difference," 100.

including men, are negatively affected by stereotypes and expectations about them. This evolution of perspectives is documented extensively in the field of social work.[40] This trend is also routinely discussed for government employees that work in GAD programs. As concrete examples of how this is implemented in current government initiatives, the approach made by GAD activities in the Pantawid Pamilyang Pilipino Program is a holistic one, which involves the entire family and specifically provides training for male spouses.

This, I think, already satisfies the conditions that Pariñas is looking for in GAD programs, and by his own extension, for feminism itself. Feminism in GAD would be successful if it is a means to inclusion, not an end.[41] As shown above, GAD's own evolution as a lens, coming from WID and WAD is proof that it knows that it is not an end-in-itself, but is a means to an end. When viewed correctly, that is, in the context of its historical and social development, GAD programs become obviously evolving projects oriented towards social good. There is no need then to paint it uncharitably and unfairly. This applies as well to the earlier example regarding laws in general, and particulary, the RA No.9262.

RA No. 9262 or the Anti-VAWC Law is a landmark progressive law that protects women from domestic abuse and gives them legal options when faced with these circumstances. It is a product of decades or even centuries of struggle for women in society and in the eyes of the law. Is it perfect? It is not, and it cannot be. Is it flawed? Sure, as there will always be edge cases and unpredictable things. However, the final question that I would like to ask is this: is it good? Most definitely so. Viewed in its proper historical context, and as a collection of utterances that have produced or contributed to justice in society, RA No. 9262 is undeniably good. Philippine laws have evolved much from its previous iterations, and the fact that we have a law that protects women from domestic abuse regardless of the gender of their partner is, by itself, a testament to that. The indeterminate number of women who have seen justice because of the correct implementation of this law is a good that no what-if scenarios can erase. The cases of domestic abuse that it has prevented cannot be counted, as you cannot count negatives, but I am willing to bet that there are many.

Laws and societies must be allowed to progress. As the laws evolve into the ever-evolving conditions of society, it becomes much more important to view our progress through the correct lens of human social experience. Inclusivity within laws and within societies is a positive goal. However, to mischaracterize

40 Eva M. Rathgeber, "WID, WAD, GAD: Trends in Research and Practice," *The Journal of Developing Areas* 24, no. 4 (1990): 490, 493–95.

41 Pariñas, "Indifference to Difference," 100.

our current efforts toward that would be contributing to its regression. A critical examination of inclusion, therefore, must be oriented toward progress.

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