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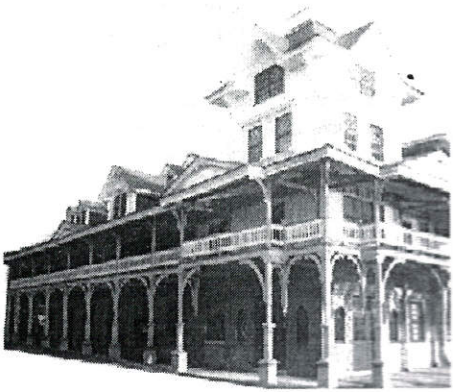

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CONTENTS

NOTES

BOOK REVIEWS

NOTICE TO AUTHORS

PUBLICATION GUIDELINES

SILLIMAN JOURNAL welcomes submission of scholarly papers, research studies, brief reports in all fields from both Philippine and foreign scholars, but papers must have some relevance to the Philippines, Asia, or the Pacific. All submissions are refereed.

SILLIMAN JOURNAL is especially receptive to the work of new authors. Articles should be products of research taken in its broadest sense and should make an original contribution to their respective fields. Authors are advised to keep in mind that SILLIMAN JOURNAL has a general and international readership, and to structure their papers accordingly.

SILLIMAN JOURNAL does not accept papers which are currently under consideration by other journals or which have been previously published elsewhere. The submission of an article implies that, if accepted, the author agrees that the paper can be published exclusively by the journal concerned.

Manuscripts of up to 20 pages, including tables and references, should conform to the conventions of format and style exemplified in a typical issue of SILLIMAN JOURNAL. Documentation of sources should be disciplined-based. Whenever possible, citations should appear in the body of the paper, holding footnotes to a minimum. Pictures or illustrations will be accepted only when absolutely necessary. All articles must be accompanied by an abstract and must use gender-fair language.

SILLIMAN JOURNAL likewise welcomes submissions of "Notes," which generally are briefer and more tentative than full-length articles. Reports on work-in-progress, queries, updates, reports of impressions rather than research, responses to the works of others, even reminiscences are appropriate here.

SILLIMAN JOURNAL also accepts for publication book reviews and review articles.

Manuscripts should be submitted electronically in one Microsoft Word file (including title page, figures, tables, etc. in the file), preferably in RTF (.rtf). Please send one copy of the manuscript as an e-mail attachment, with a covering message addressed to the Editor: sillimanjournal@yahoo.com.

The Editor will endeavor to acknowledge all submissions, consider them promptly, and notify the authors as soon as these have been refereed. Each author of a full-length article is entitled to 1 complimentary copy of the journal plus 20 off-print copies of her/his published paper. Additional copies are available by arrangement with the Editor or Circulation Manager before the issue goes to press.

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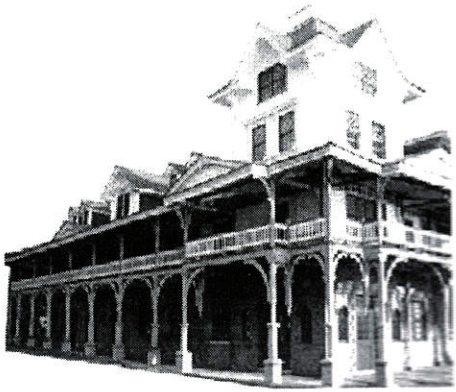


"Wonders happen if we can succeed
in passing through the harshest danger;
but only in a bright and purely granted
achievement can we realize the wonder."

Rainer Maria Rilke
As Once the Winged Energy of Delight

"In a complex world, wisdom is knowing what
we don't know so that we can keep the future open."

M. C. Taylor
What Derrida Really Meant

"The only way to discover the limits of the possible is
to go beyond them into the impossible."

Arthur C. Clarke
Technology and the Future

We shall not cease from exploration
And the end of all our exploring
Will be to arrive where we started
And know the place for the first time.

T. S. Eliot
From *Little Gidding*, "Four Quartets"

EDITORIAL NOTES

IN THIS ISSUE

In one of his influential works in which he critiques contemporary claims to knowledge, Michel Foucault writes,

"The work of an intellectual is not to mould the political will of others; it is, through the analyses that he does in his own field, to re-examine evidence and assumptions, to shake up habitual ways of working

and thinking, to dissipate conventional familiarities, to re-evaluate rules and institutions and...to participate in the formation of a political will (where he has his role as citizen to play)."[1]

In the spirit of Foucauldian critical inquiry, this collection brings together pieces that span a range of disciplines united by their focus on crucial contemporary human affairs. Transcending traditional disciplinary and cultural frontiers, these articles advance human self-understanding and communication via innovative theoretical, interpretative, critical and historical analyses while fostering multicultural and international conversation concerning a whole range of human and social issues. Following SILLIMAN JOURNAL's own raison d'etre, which is to encourage work which crosses disciplinary boundaries and to present original research by important scholars to a broad international readership, the articles in this issue combine a commitment to rigorous scholarship with a vital concern for dialogue and debate, on a wide variety of issues central to contemporary criticism and culture.

This issue opens with with a topic on pedagogy entitled *Trajectories and Reifications: An Autoethnographic Attempt at Signifying my Philosophy as an ESL Teacher* by Gina Abol Fontejon-Bonior. In a writing that will leave readers thoughtful for a long time, Fontejon-Bonior takes a critical, self-reflexive journey back to the formative stages of her career as an ESL teacher. For Fontejon-Bonior, inserting her personal experience into this academic writing is at once a performative critique of her philosophy as an ESL teacher and a deeply moving journey of personal discovery. In doing so, the paper speaks of the power of the emotional connections that can be made in sharing a personal experience. In confronting head-on the controversy surrounding the native speaker hegemony in ESL teaching, Fontejon-Bonior echoes Derrida (Derrida, Monolingualism of the Other: Or, the Prothesis of Origin): "I have but one language—yet that language is not mine." Apart from its central focus on ESL, this paper brings to the surface issues of great significance to ethnographic research: How can researchers/academics protect themselves—emotionally and physically—while conducting research with so-called vulnerable populations? How can researchers respect and acknowledge the difficulties that our research participants experience in their daily lives while preserving compassion that drives most of us working on issues

[1] Michel Foucault, "The Concern for Truth," *In* Foucault Live, *ed. Sylvère Lotringer (1989). Interview, in Le Magazine Littéraire (Paris, May 1984).*

of human (in)security?

Looking for a ground to stand upon in a postcololonial, postmodern age and dreaming of possibilities for the kind of political subjectivity necessary for today's particular politics of resistance, Lester Edwin J. Ruiz writes *Solidarity, Resistance, and Transformation: Intellectual Struggles in an Era of Diaspora and Empire*. In this essay Ruiz engages with the political, pedagogic, and institutional challenges that confront intellectuals and other producers of knowledge in an era of massive transnational, transborder movement of peoples in Diaspora, at a time characterized by overt or subtle forms of neo-colonial domination. Harnessing a vast array of scholarship, Ruiz examines a host of themes not so much to understand the experiences of those who are in Diaspora as to locate the place and define the role of intellectuals, like himself, in grappling with strangeness and turbulence brought about by the experience of exile and the continuing process of imperial suppressions. Ruiz's sharp observations and energetic inquiries mirror the critical, self-questioning edge that has characterized the work of intellectuals in cultural studies. This is seen consistently in his analyses of the modalities of ruptures and repetitions in which he exposes the contradictions and complicities that underlie contemporary scholarship, pedagogy, and the social and political situation.

Mixing theology with a decidedly postcolonial perspective, he identifies five instances he calls *ruptures* of the continuing process of resistance and reconstruction that intellectuals have used to challenge influential master discourses as well as the grand narratives of modernity. At the same time, he exposes in this paper the inherent contradiction involved in such projects. Called *repetition* in this paper, this paradoxical situation includes practices, conceptions, and actions which are, unwittingly, complicit with the imperial enterprise and mask—even perpetuate—unequal economic and cultural relations. For Ruiz, this situation simply re-inscribes "colonial othering" and reproduces the inequalities of imperial power relations at the level of the production, reproduction, and re-presentation of knowledge. Among others, Ruiz questions aspects of cultural politics, including the legacies of European imperialism and colonialism, the media, pedagogy, literature, literacy, intellectual labor, the uses and abuses of theory, and popularized notions about "others."

In documenting one of the rare remaining musical traditions of one of the indigenous groups on Mindanao Island, Frank A. Englis provides a sobering glimpse into a world which may be passing. For this reason, the publication of this article, *The Higa-unon Kutiapi: A*

Two-stringed Plectrum Lute, is not only timely but urgent. The research on which this paper is based focused on the Higa-unon kutiapi music, specifically, its mythological evolutions, role in the society, repertoire and performance practice, and music making techniques, including organological descriptions of the kutiapi as an instrument with a zoomorphic corpus. The author laments that unless more efforts are undertaken to preserve traditional kutiapi music, this rich cultural heritage is in danger of disappearing. The paper concludes with a call for further research on Higa-unon music, especially in the areas of Higa-unon's preferences in the organization of their music, the identification of specific repertoire for other instruments, the kutiapi's possible 21st century transformations, and the possible transcription into notation of various archaic ritual songs.

In the final article of this volume, *Economic Benefits of Marine Protected Areas: Perspective of Fishers Communities in the Central Philippines*, Enrique G. Oracion revisits a project closest to his heart this time to make a case in support of offering direct and indirect economic benefits to stakeholders as the only way to make no-take marine protected areas (MPAs) sustainable. Oracion argues that offering direct and indirect economic benefits would make all MPA association members, especially fishing households which have been displaced from their traditional fishing grounds, feel a sense of stewardship towards marine protected areas and encourage them to support MPA programs and initiatives. Even more significantly, Oracion's study concludes that proper financial management and appropriation of the income of fishers' associations is necessary to sustain the economic benefits of MPAs.

Editing an interdisciplinary journal with a wide range of interests and concerns is always a kind of adventure. It affords one the opportunity of encountering stimulating works of scholarship and imagination and the prospect of engaging with a great diversity of topics. The papers in this issue cover diverse grounds but what link these very different texts are their reliance on language in all its communicative aspects as sources and tools for furthering our understanding of contemporary social issues and their shared commitment to the promotion of connections between all research communities. I see this as a strength and find that their differences make for a stronger issue. As our past issues have shown, SILLIMAN JOURNAL is committed to stringent scholarship, but it is also openly interested in unforeseeable connections, in contact between those working in different fields and in different parts of the world, and in

reaching out to a range of readers, which would have been unthinkable in the recent past. I believe the diversity of what SILLIMAN JOURNAL publishes is our strength because it is there that readers will find stimulus, challenge, and the new. I know that if SILLIMAN JOURNAL continues to publish articles that readers will respond to with a gasp of surprise, then it is unlikely to stray far from its mission. In the end, it is the readers' interest in perceiving links and drawing bridges, that matter. It all makes a stimulating reminder of the connectedness of what we do, as inquirers, and the uniqueness of what we are, as people. In fascinating ways that I have only begun to consider, these four articles resonate with each other and I invite readers to enjoy thinking about how each essay poses questions and answers to each of the others.

If readers will find this issue difficult to put down, then my ten years of work with SILLIMAN JOURNAL would not have been thoroughly wasted.

□

Readers will notice some changes in the format and content of this volume. Beginning with this issue is a special section called the **Silliman Journal Forum**, with the goal of extending SILLIMAN JOURNAL'S reputation as a rigorous forum for new and challenging debates in all aspects of contemporary social, cultural, and political life. In situating SILLIMAN JOURNAL squarely at the intersection of interdisciplinary dialogues, this new project re-affirms the journal's commitment to the academic world as a major sponsor and producer of learned papers in the humanities, social sciences, and the natural science. Envisioned as a space for reflective thinking, it is at the same time a place for exploration, articulation, and re-articulation. Consequently, the article chosen for this section must be one that inspires provocation and response, reaches beyond disciplinary boundaries, while at the same time provides interesting, entertaining, and academically rigorous arguments that engage different voices, take note of the framework from which they speak, and value their resonance.

Chosen as the inaugural piece for this new section is Florin T. Hilbay's *Undoing Marriage* which carries out a foundational critique of marriage through a linguistic and historical analysis of this legal institution as it has developed in the Philippines. Hilbay argues that the consequences of legalized marriage are the normalization of desire, the standardization of the lived experience for the body, and the

idealization of heterosexual association as the paradigm for lifelong intimacy. To him, these are goals that constrict the possibilities by which human beings can envision meaningful lives for themselves and others. Hilbay points to the Family Code as the source of the entanglement of religious beliefs and the State through its privileging of heterosexual relationship over all other forms of associations. For this reason, Hilbay proposes to de-legitimize marriage by deregulating entry and exit mechanisms as well as to decriminalize marriage-related offenses such as bigamy, adultery, and concubinage. These proposals, the author argues, will not only release human beings from freedom-restricting institutions sponsored by the State but will also allow policymakers to focus their regulatory lenses on inequality and abuse of power present in many types of human relationships.

Accompanying this section as a platform where scholars can enter into an academic debate is the **Forum Page**. This section includes the solicited reactions and responses from readers and reviewers of the featured article. Functioning as a meeting ground, the **Forum Page** is the space for thinking and mutual encounter. As its name implies, it is the site in which to create an ongoing dialogue that is not only critical, but tolerant of criticism and therefore capable of vitality, creativity and growth. While knowledge, discernment, and careful scholarship provide the pillars of this meeting ground, it is the attitude of respect and openness to the various manifestations of truth in human experience and divergences in thoughts and ideas that is the hallmark of this site.

In this issue, this new section assembles eight responses to the **Silliman Journal Forum** featured article. All together they represent a diversity of perspectives, each of them expressing a unique voice. I thank the participants of this **Forum** for having the courage to take risks in the spirit of collaboration to create a fruitful dialogue.

□

NOTES

Filling the **Notes** section of this issue are three wonderful pieces of writing. The first of these by Frederick David Abraham is the text version of a conversation on the Internet-list server of the class of 1956 of Dartmouth College. What began as an Internet chat about Derrida's death in 2004 among five former classmates is here in Abraham's *Derrida: Some Conversation in Memoriam* transformed into a tribute

to a man so notoriously misunderstood, so widely vilified, but also so universally loved. Paradoxically, as these classmates re-turn to Derrida's texts in this dialogue and launch criticisms of his works, even the harshest critics among them participate, unwittingly, in the very act of deconstruction, which, for Derrida, was—far from being a mere "method" for critique—a work of love: "It is not negative," he once commented, "For me, it always accompanies an affirmative exigency. I would even say that it never proceeds without love."

That our respect for Derrida is heightened even more in this piece we owe to Abraham's own vast erudition and remarkable talent for making the most complicated, most complex, like Derrida, understandable to ordinary mortals like many of us. Abraham's elucidation of contemporary social philosophy in general and Derrida in particular ends as a moving tribute to an intellectual giant among whose enduring legacy to humanity is not to fear death: *"...when I am not dreaming of making love, or being a resistance fighter in the last war blowing up bridges or trains, I want one thing only, and that is to lose myself in the orchestra I would form with my sons, heal, bless and seduce the whole world by playing divinely with my sons, produce with them the world's ecstasy, their creation. I will accept dying if dying is to sink slowly, yes, into the bottom of this beloved music"* (from " Circumfession").

The next short piece in this section is a critical analysis of Edith L. Tiempo's famous poem, "Bonsai," by one of her former students, and also published poet, Myrna Peña-Reyes. Again, as in the previous piece, what begins as an exploration of such universal themes as love, life, and death and the poetic talent that weaves them together into a fine piece of incredibly short poetry also ends as a tribute, this time to a beloved mentor whose far-reaching influence spans generations and links the many brilliant stars of the Philippine literary constellation. Peña-Reyes rightly sees "Bonsai" as an excellent demonstration of the craft of poetry. Her critique reveals how great economy of language and precise choice of imagery can enable even such a short piece to suggest a wealth of meanings, suggestion being at the heart of modern poetry.

The last item in this section is a much-shortened version of a lecture the author, Ruby L. Agnir, prepared for the launching of her collection of poems, entitled *Prisms: My Poems*. In this lecture, the author-poet traces the evolution of her craft, the discipline it entails, her sources of inspiration, as well as her critical insights.

*

BOOK REVIEW

This volume concludes with two beautifully-written reviews of equally beautiful collections, the first by Ian Rosales Casocot on Dean Francis Alfar's *The Kite and Other Stories,* and the second by Beatriz Tabios on Luis Cabalquinto's *Bridgeable Shores: Selected Poems (1969—2001).* Here, I let the reviews speak for themselves.

□

ACKNOWLEDGMENTS

In many ways, this issue is a product of many upheavals both in the literal and metaphoric sense. For this reason, completing it took an incredibly long time and included, among other challenges, a major international relocation, which literally spanned continents. Because none of this happened without hard work, it seems appropriate to recognize some key individuals in the process. First, my gratitude goes out to those who contributed to this issue of Silliman Journal. I am proud to have their work grace the pages of our journal, and I hope that they will continue to submit their work to Silliman Journal in the years to come. As I conclude my association with Silliman Journal with this issue, I am enormously grateful to all the authors who have sent us their fine work over the years because in a very real sense this is their journal as much as it is ours. More importantly, the body of work that has come to constitute the product of combined scholarship and creativity is something of significance—something for all our contributors to be proud of. To our many authors who conscientiously identify the limitations of their own work and who approach their important contributions with great humility, I have only my greatest admiration.

Our reviewers deserve great praise. I have consistently called on the busiest and most committed members of our Board of Reviewers, here and around the globe—and I was rarely let down. The quality of the published work is a tribute to their diligence, intellect, and generosity. Many thanks must go to all of them, who have helped us by generously sharing their time and expertise to evaluate the submissions.

I am allowing myself the indulgence of taking a few lines to make special mention of the tremendous creativity that Ian Rosales

Casocot poured into the exquisite book and cover design of this issue. This volume shines because I know that he wants to make my last SILLIMAN JOURNAL project memorable. In gratitude for the all the times we start over—begin again—I reserve for Ian no less than great affection. Without him I would be lost!

I have two sources of exhilaration in this issue. First, Lester Edwin Ruiz, great friend of many distances, literally brought this issue—and me—back to life. The appearance of the **Silliman Journal Forum** in this volume owes its inspiration from his persistent intellectual agitations and nurturing encouragement and in many ways he is its godfather. Because Lester and I entered SILLIMAN JOURNAL about the same time, I as editor and he as one of the original members our overseas editorial board, this issue marks our ten years of creative and intellectual collaboration. But his friendship, which stretches back longer—and hopefully longer still into the future, beyond SILLIMAN JOURNAL—despite vast distances of time and space, is one I know I can always turn to in the hour of great need.

Florin T. Hilbay, my other exhilaration in this collection, gives a face and a name to one of the mysteries of human connectedness—that sense of having had a glimpse of another world and meeting him there! For with Florin, one would not need to meet him in person to have the uncanny feeling of having known him all of one's life. The elegance of his language, remarkable clarity of his prose, and enviable lucidity of his thinking flow into an ideal piece of writing that any editor can dream of. As a reviewer, he exhibits not only a great acuity of judgment, but also uncommon tact and singular empathy.

DEDICATION

In the shadow of SILLIMAN JOURNAL's achievements over the last ten years looms a presence that is no less palpable or noteworthy for having chosen to remain in the background. Partly for this reason his outstanding contribution to SILLIMAN JOURNAL issue after issue has passed largely unnoticed. Yet, it is his unstinting generosity for the past decade that has made a huge difference in enabling SILLIMAN JOURNAL to become truly international. Believing in what I was doing on behalf of SILLIMAN JOURNAL and knowing how important ideas are if we are to act on our dreams of changing the world, he dipped into his pockets for the much-needed financial resources in order to make available for my use high-tech infrastracture and everything else that go into the pre-publication stage of the journal, including the right

ambience in the form of a wonderful workplace with a view. Most importantly, he provided SILLIMAN JOURNAL a caring home in Germany and Switzerland in which to mature into a vibrant being; and me, long days of peace and quiet on my own for clearing mental space, gathering thoughts, and collecting energy for work to be done. For all this and so much more, this special issue is a modest token of gratitude for the gift of himself so freely given, so willingly shared. For enabling the dreams of others to come to life, the heart of this volume belongs to Dr. Christian Karl Schales.

□

PASSING THE TORCH: A FAREWELL, BUT NOT GOODBYE...

She pulled in her horizon like a great fish-net.
Pulled it from around the waist of the world and draped it over her shoulders.
So much life in its meshes!
She called in her soul to come and see.

Zora Neale Hurston
Their Eyes Were Watching God

It has been exactly ten years since I took over as editor of SILLIMAN JOURNAL when it was at that time forty four years old and saddled with the familiar vicissitudes of an academic journal publication—heavy production costs in the face of limited funding and lukewarm institutional support, poor administrative priorities, the waxing and waning of scholarly manuscripts, much editorial preparation, complex typography and artwork, low print runs due to their limited market, and very low financial returns—all of which combined to create irregular publication, late release, and uncertain continuity. Setting myself an ambitious goal to remain unfazed by the enormity of this challenge, I threw myself into the most urgent housekeeping tasks and from then on SILLIMAN JOURNAL would undergo the most important change since its inception nearly fifty years before. Now, ten years later, I look back with immense pride at what has been accomplished. Though many things have changed since then, the basic principles that guide the production of the journal remain largely the same, but now also marked by a greater enthusiasm for combining scholarship and creativity.

Along the way, SILLIMAN JOURNAL has become a truly

international peer-reviewed publication, with contributors, reviewers, and an editorial board that literally span the globe and work in research areas which often could hardly have been guessed at. But one of its more surprising aspects as I complete my ten years is the way it is attracting submissions from individuals who are themselves exemplars of a distinctive intellectual diversity and cultural hybridity. It is gratifying to see how SILLIMAN JOURNAL is developing in this respect, its richness and variety providing a counter to the tendency to compartmentalize and become ever narrower, as some academic journals and some personal and political philosophies exemplify. As almost global access to the Internet ushered in the era of electronic transmission of manuscripts and opened the possibility of editing a publication while living in another continent, this new paradigm resulted in a revolution in the way we constituted and completed each issue. Part of the way, SILLIMAN JOURNAL proved itself capable of rising to the challenge of the digital age and accommodating the best that information and Cybertechnology had to offer. At last, no longer struggling, SILLIMAN JOURNAL has now solidified its reputation as a intellectual forum for genuine interdisciplinary scholarship.

Incredibly, this is my last hour as editor of SILLIMAN JOURNAL and it is in many ways with sadness that I am finishing this role. Having played nursemaid to it all these years and nurturing and caring for it, I can see it maturing into what at times I am almost entirely unable to predict. But because even beautiful things must end, it is time to let go. Like a proud parent watching a favorite offspring perform, I delight in the thought that SILLIMAN JOURNAL will continue to thrive and engage itself in creative and imaginative play when I set it free from my desire to willfully navigate its movement. Yet, at the same time, I am filled with a gnawing, indefinable ache, like a nervous mother eagle watching from the edge of a cliff as its young test the strength of their wings for the first time and tumble in midair. I feel the chilling loneliness of an empty nest creep into my bones.

Ten years, a few memorable milestones and key achievements, and dozens of stories later, this life is near an end, and the next phase is about to begin. I will miss it. In some respects, I am already nostalgic. But as with any work you love and people you love to work with, I will never be the same. One day, many years from now, I will come back to this place that once defined me. As for SILLIMAN JOURNAL, I know that with the support we have given it, it will return home, again and again, with the gifts of its journeys into new lands and strange territories. It has been a tremendous privilege to serve SILLIMAN JOURNAL

in the most gratifying ten years of my professional life.

The time has passed quickly, and because the responsibility for the journal leadership is about to move into the very capable hands of Margie Udarbe and Gina Fontejon-Bonior, I do not have to remind them that they at SILLIMAN JOURNAL need to hold their nerve and defend their principles so that people have free access to information, ideas, and works of imagination so that they can make sense of the world around them and take control of their lives. I have no doubts that in Margie's and Gina's leadership SILLIMAN JOURNAL will evolve and continue to be an indelible marker of the thought, performance, and quality of scholarship at Silliman University at any moment in time and must, therefore, be excellent. I am confident in this vision because I remain convinced that it is the intellect, talent, and commitment of the best people in the editorial board and in the production staff that have made the Journal what it is today and what it will be in the future.

Yet, because without adequate and sincere institutional support, even the best talents wither, the most brilliant projects stagnate, I wish to share with the University Administration this sense of awe and commitment that animates our work as members of the editorial board and hope that they too will not only feel a greater appreciation for the labor of love that has been poured into making SILLIMAN JOURNAL what it is today, but also demonstrate a greater sense of stewardship, a greater sense of responsibility. As I stand in the threshold of a new life—and finding a big, beautiful world out there—I leave them with this fable and hope that they glean some wisdom from it:[2]

"Once upon a time there was an old woman. Blind. Wise.

.... Her reputation for wisdom is without peer and without question. Among her people she is both the law and its transgression. The honor she is paid and the awe in which she is held reach beyond her neighborhood to places far away; to the city where the intelligence of rural prophets is the source of much amusement.

One day the woman is visited by some young people who seem to be bent on disproving her clairvoyance and showing her up for the fraud they believe she is. Their plan is simple: they enter her house and ask the one question the answer to which rides solely on her difference from them, a difference they

[2] Excerpted from Toni Morrison's Nobel Lecture (Nobel Laureate for Literature 1993). Quoted with permission from the Nobel Foundation. **Illustration Credit:** Azervaijan International Online [http://azer.com/aiweb/categories/magazine/63_folder/63_articles/63_morrison_nobel.html]

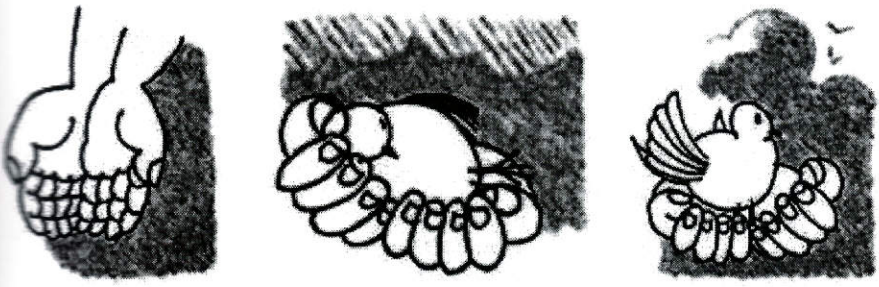
regard as a profound disability: her blindness. They stand before her, and one of them says, "Old woman, I hold in my hand a bird. Tell me whether it is living or dead."

She does not answer, and the question is repeated. "Is the bird I am holding living or dead?"

Still she doesn't answer. She is blind and cannot see her visitors, let alone what is in their hands. She does not know their color, gender or homeland. She only knows their motive.

The old woman's silence is so long, the young people have trouble holding their laughter.

Finally she speaks and her voice is soft but stern. "I don't know," she says. ***"I don't know whether the bird you are holding is dead or alive, but what I do know is that it is in your hands. It is in your hands"*** (emphasis added).



Ceres E. Pioquinto, Ph.D.
Muri, Switzerland

"En ce moment même dans cet ouvrage me voici."
In this very moment, in this work, here I am. Yes.

Derrida, 1980

Gina Abol Fontejon-Bonior

Trajectories and Reifications: An Attempt at Signifying My Philosophy as an ESL Teacher

In this paper, the author contemplates her professional life not just to reflect and comment on her philosophy as a teacher of English as a second language (ESL), but to critically examine her enactment of this philosophy in her every day encounters in the classroom and how this has influenced the quality of her teaching. In this mood of self-reflexive engagement, the author retrospects on three occasions that inspired her to evolve this philosophy of teaching. Using the Bakhtinian perspectives for this metanarrative critique, she concludes that a) the written word could not concretely reify her beliefs mediated as they are by language, b) the formulation of her beliefs was filtered through personal and political motives, and c) the reader co-constructs meaning bringing into the text variable interpretations of the written word. With these caveats in place, she traces her professional growth through the shifts in language teaching principles and beliefs that shape her actions.

INTRODUCTION

> Developing and articulating a teaching philosophy is [a] valuable outcome... that cannot be transferred in any simple way from teacher educators' minds to their student teachers' minds. A teaching philosophy is something that must be individually cast and recast as it is constructed from and translated into the experiences as practice.
>
> **Loughran & Russell**, 1997, p. 176

I find articulating my philosophy the most challenging paper I have had to write. I remember staring at an empty piece of paper, when my student teaching supervisor at the College of Education required us to write one at the conclusion of our one-year teaching practicum. When words finally started to surface, I found them too hackneyed and superficial. They were exactly what my professor at the Graduate School described thirteen years later: When teachers are asked to articulate their philosophy of teaching, what they do is enumerate

some theories and methods they use in teaching. Although these may significantly influence one's philosophy of teaching, they do not constitute one's philosophy.

My professor Graham Crookes (2001) reiterated that "a philosophy of ES/FL teaching worthy of its name should go much further, or deeper, than simply stating a pedagogical approach or a set of procedures the teacher espouses." He stressed that, "if one is trying to engage in a systematic process of personal development, a more complete, coherent, and extensive construction would be desirable" (ESL 690 lecture notes, Fall 2001). Crookes argued that a philosophy of teaching may also be generated based on a rather narrow perspective, i.e., that the primary task and content of philosophy of education can be solely the analysis and clarification of educational concepts, such as teaching. This is illustrated in Passmore's (1980) position:

> The philosophy of teaching is that part of the philosophy of education which concerns itself not with the formal structure of educational theory, not with those problems in social, political, and moral philosophy which arise out of the character of the school as an institution and its relation to society, but primarily, at least, with teaching and learning – with problems which arise in *any* attempt to teach systematically in *any* social system which places *any* value whatsoever on the transmission, by way of formal teaching, of knowledge, capacities, and attitudes (cited in ESL 690 lecture notes, Fall 2001).

After the class discussions on the subject and several exchange of reflective journals via e-mail, my professor challenged us to articulate our philosophy of teaching. I felt inadequate. I knew that the written output, despite the number of revisions made, will never be able to completely and coherently articulate my thoughts and experiences. So, the introduction of my paper read:

> *This paper on my philosophy of teaching is presented in two parts. The first part, Trajectories, situates me as voice trying to "reify" my beliefs. The second part, Reifications, attempts to signify my philosophy as an English as Second Language (ESL) teacher.*
>
> *I borrowed the above terms from Wenger's "Communities of practice: Learning, meaning, and identity." Wenger defines a trajectory "as not a path that can be foreseen or charted but a continuous motion – one that has a momentum of its own in addition to a field of experiences" (1998, p.154) [Emphasis mine]. I entitled the first part of this essay Trajectories because it suggests the many paths I have taken that frame and shape my philosophy in teaching.*
>
> *According to Wenger, to reify is "to convey the idea that what is turned into a concrete, material object is not properly a concrete material object" but simply abstractions of that object*

(1998, p. 58). Wenger further pointed out that reifications of concepts are not sufficient to generate meaning (p. 65). Hence, because the articulation of my philosophy is mediated by language (in fact, a language that I can never call my own), and because the experiences that shape my philosophy of teaching English as a Second Language are most likely not shared by the reader of this text, I labeled them as reifications: attempts at generating meaning from the abstractions in my mind. Thus, the second part is entitled Reifications because although the section attempts to argue for a philosophy of teaching particularly ELT, it cannot fully convey my beliefs about my own teaching and learning experiences primarily because language cannot accurately articulate my thoughts. This is aptly put by Schuster (1997) in his interpretation of Bakhtin (1981):

Language is essentially a rich stew of implications, saturated with accents, tones, idioms, voices influences, intentions. Words carry with them their own histories, their own previous and potential significations.... Language—whether spoken or written—is a perpetual hybrid which expresses the various contexts within which it exist (p. 460).

THEORETICAL MUSING

When I was informed that this article was accepted for publication in SILLIMAN JOURNAL, I requested that it be placed in the Notes Section, to which the editor-in-chief, Dr. Ceres Pioquinto replied: "But why? This is a performative critique that is worth publishing, and this has been reviewed by two readers who are in their own right experts in autoethnographic research."

I was apprehensive. I knew that reflexive ethnography, particularly those written as personal narratives are critiqued by those with quantitative orientation as being too subjective. Some even insist that autoethnography is not legitimate research. In retrospect, I only now realized why Dr. Pioquinto insisted on my writing the output of my autoethnographic research. She was drawing me to Bourdieu and reminding me about the hierarchical structuring of culture and the struggle for legitimacy between competing genres, in particular "the struggle for monopoly of power" (Bourdieu, 1983). This brought me to confront the nagging question: Who is legitimately entitled to designate one research mode as superior to the other? It took me another six months to re-visit this article, but at least I have found the answer. During this time, I repeatedly read Ellis and Bochner's *Autoethnography, Personal Narrative, Reflexivity: Researcher as Subject* (in Denzin, N. & Lincoln, Y. Eds., 2000). In this article, the authors addressed the issue on the ethnographer's subjectivity. Citing Ronai in "Investigating Subjectivity," Ellis and Bochner (2000) points out that,

the disadvantage is that being so involved in the scene emotionally means that it's difficult to get outside of it to analyze from a cultural perspective. Yet both of these

processes, moving in and out, are necessary to produce an effective autoethnography. That's why it's good to write about an event when your feelings are still intense, and then go back to it when you're emotionally distant (p. 752).

Autoethnography, as an autobiographical genre of writing and research that displays multiple layers of consciousness, connecting the personal to the cultural, is a generic term that includes different types of studies. Among these are personal narratives, self-ethnography, native ethnography, and reflexive ethnography.

In exploring the implications of reflexive ethnographies for scholarship, Ellis & Bochner (2000) argue that the researcher's personal experience is only as important as its capacity to illuminate the culture under study. According to them,

Although reflexive ethnographies primarily focus on a culture or subculture, authors use their experiences in the culture reflexively to bend back on the self and look more deeply at self-other interactions. In native autoethnographies, researchers who are natives of cultures that have been marginalized or exoticized by others write about and interpret their own cultures for others. In personal narratives, social scientists take on the dual identities of academic and personal selves to tell autobiographical stories about some aspect of their experience in daily life (p. 740).

As an ESL teacher writing up my philosophy of teaching, I needed a thorough understanding of Personal Narratives and to look there for guides in articulating my beliefs using the genre. I also needed to know how my positionality as the subject of this research may be signified in the narrative. In his immensely instructive lecture on "Why Personal Narratives Matter," Arthur Bochner underscores the value of personal narratives as "a project of telling a life." It is, according to him, "a response to the human problem of authorship, the desire to make sense and preserve coherence over the course of our lives.... The narrative challenge that we face as narrators is the desire for continuity, to make sense of our lives as a whole." (in Ellis & Bochner, 2000p. 746). Echoing Crites (1971), Bochner asserts that "the present of things past and the present of things future are the tension of every moment of experience, both united in that present and qualitatively differentiated by it." In another writing, "It's About Time: Narrative and the Divided Self," Bochner stresses the function of personal narratives as a form of "storytelling that works to build a continuous life of experience, linking the past to the future from the standpoint of the present; to problematize the process of assigning meanings to memories via language; and to blur the line between theory and story."

Ellis & Bochner (2000, p. 97) as well as David Carr (1986) posit

that narrative matters because "coherence seems to be a need imposed upon us whether we seek it or not." Bochner further added that "at stake in our narrative attempts to achieve a coherent sense of ourselves are the very integrity and intelligibility of our selfhood... In the final analysis, the self is indistinguishable from the life story it constructs for itself out of what is inherited, what is experienced, and what is desired" (Freeman, 1993, 1998; Kerby, 1991).

Today, seven years after I wrote the first few drafts of this study to meet the requirements of a course in Graduate School, I am revisiting my practices to see recurrent patterns that define my practice. Perhaps, the enactment of my philosophy could inform this attempt at achieving a coherent sense of my identity as an ESL teacher.

TRAJECTORIES: MOMENTS AND MOMENTUM IN MY LIFE AS AN ESL TEACHER

Four circumstances provided the impetus for articulating my philosophy as an ESL teacher. The first was an interview with the Fulbright panel commissioned to determine if I was qualified to pursue a graduate program in the United States. The second was an interview with American ESL program administrators to determine if I could effectively and efficiently teach ESL to college students in an American University. The third was a requirement I had to submit in my ESL Teaching Practicum class at the University of Hawaii at Manoa Second Language Studies Department. And the fourth was an interview with a graduate student researcher who was investigating my identity as a "non-native" English speaker teaching ESL in the United States.

During the Fulbright grant interview, the first question I was asked was about my philosophy of teaching. I remember saying without hesitation: "to me 'a teacher is not a sage on the stage; s/he is a guide by the side.'" Looking back, I realized that I truly believed even then that the place of the teacher is not the center stage. That it was a cliché was unimportant. A few years since that fateful interview—and now from the vantage point of newly gained experience—I relive those moments and wonder whether I really believed in what I said then. Or still do. Did I simply mouth such philosophy to beguile the interviewers into believing that I deserved the grant? Were the thoughts that came to my mind motivated by my experiences as a teacher or simply by my desire to take a respite from teaching and gain entry into a reputable group of scholars? Because these thoughts plunged me into a state of disquiet, I decided to

reexamine my professional life and reflect on my experience first as an English teacher at a secondary school and later in a university in the Philippines. In particular, I wanted to trace how my experiences with my students have shaped my philosophy as a teacher. Somehow, I felt I had to reaffirm my beliefs and the way they define me not only as a teacher, but also as an individual.

In this moment of reflection, one episode stands out vividly in my memory: my second year of teaching English in a prestigious secondary school in my province where I was assigned to teach a group of students from affluent families. At that time, I was twenty-two and idealistic about the future, albeit already tired and fast becoming disenchanted about what was. The essay we were to discuss that day was about life behind bars written by a former prisoner who just left the "rehabilitation program." It provided an insider's view of life in prison and described not only the author's experiences of pain in jail, but also his life as an "ex-convict." The author of this essay questioned not only the system that was supposed to rehabilitate deviants considered risks to the community, but also the society that legitimated discrimination against ex-convicts like him.

The class discussion that followed the reading of this essay revealed to me a sad truth—that my students saw no connection between the author, the text, and their own sheltered lives. On the other hand, they registered only indifference, detachment, apathy. Seeing this troubling reaction from them, I decided it was time for them to go beyond a vicarious experience of the author's life. Thinking that if students were allowed the opportunity to confront the realities of "others" face to face rather than simply discussing these as a topic out of an abstract text, I proposed a class activity that would take the students on a small trip to a local rehabilitation center so they could see for themselves the conditions in prison cells and the life of those behind bars. I believed this personal immersion might enable them to appreciate that even lives less privileged than their own can also be valuable. Because of the apparent risks involved in this activity, organizing it was painstakingly slow. For a start, I invited a number of experts to prepare the students to face the complex and encompassing ethical and social issues that might arise in this activity. Among themselves, the students organized activities that would facilitate the discussion with the prisoners about life in jail and the prospect of rehabilitation. Understandably, because the students were minors, getting the permission from parents and the school administrator was difficult.

"You are taking 15-year old kids to jail. Do you know what you're doing?" asked the school administrator. "Yes," I answered calmly though resolutely, despite my misgivings. I was determined—with thorough planning and careful implementation of the planned activities, and God's presence—to make this rare learning opportunity proceed smoothly. Yet, I could not sleep thinking about what might happen. Nevertheless, because I was convinced this was an activity worth all the risks, I went ahead with the plans, and after clearing the last hurdle, our class finally got the permission from the school to proceed. To make this story short, that project proved I was right. The poem I wrote in my journal the night after my class visited the rehabilitation center captures what my students and I went through during this rare event and leaves an eloquent record of how this close encounter with the inmates had impacted our lives.

Of Jails and Journals

I gulped it all
the pain
of such dichotomy
my students
preparing food
for the prisoners;
the prisoners
feeding meaning
to my students' lives,
breathing life
into an essay we read in class
about hardened prisoners
and wretched realities.

I absorbed them all
the essays they wrote
some full of life
some empty; some emptied
some explosive; some silenced
some oblivious; some obnoxious
some cowed; some wowed
some cursing; some caring.

They wrote them all.

I remember them all
a flood of humanity
gushing like shallow waters
at the portals
of a jail.

They were fifteen and sixteen
mostly strangers
to life
behind bars.

I took them all,
the risk
of unearthing
corpses
buried deep
from my students' eyes.

They were fifteen and sixteen
born to affluent families
untouched
by the life
behind bars.

Reflecting on the experience years after it happened, I continue to wonder at the idealism and courage that led me to embark on such a reckless but nevertheless excitingly instructive adventure. It must have been the effect of too much Paolo Freire at the University of the Philippines where I had my Masters degree in Teaching English as Second Language (TESL). As a teacher, I believed there is so much more to the banking system I saw in many classes. I did not want to simply pour into my students the little that I know because I know from experience how stupefying and unexciting that was. Yet I also realized that if I were the principal, I would have also been shaken by the risks a young teacher like me was prepared to take in the name of constructivism and critical thinking. I would have made sure all safety precaution were taken to buffer every possible risk. A month after our trip to the provincial rehabilitation, a news report shocked me. A number of prisoners attempting to break out of a rehabilitation center in Manila held hostage a group of nuns who were leading a Bible Study, using them as shield against the prison guards. While watching

the news on television, I felt my stomach lurch violently. Older now and wiser, I know I will never take the same risk again, particularly not with high school students.

The second time I was compelled to discuss my philosophy of teaching was during the interview for a teaching position in a US institution. In the course of this interview, I shared the paradigm shift that I was going through at that time with the two administrators who asked me about my philosophy of teaching, particularly language teaching. I had just completed a course that has impacted my beliefs about the compelling issues in teaching writing in a multi-cultural setting, and I was eager to discuss the Bakhtinian reaction to "the structuralist view of the signifier (e.g., the word) as having idealized meanings, and linguistic communities as being relatively homogeneous and consensual" (Bakhtin, 1981). Bakhtin and other poststructuralists, such as Bourdieu and Kress, argue that the signifier has no idealized meanings because "the signifying practices of societies are sites of struggle, and that linguistic communities are heterogeneous arenas characterized by conflicting claims to truth and power" (Norton & Toohey, in press).

The paradigm shift in my thinking led me to share enthusiastically with my interviewers my belief in the importance of hearing students' voices rather than simply regurgitating the principles of writing a five-paragraph essay. I defined my position on the issue of having a "non-native speaker" ESL teacher in a context where English is the dominant language. I described how I would organize my lessons, and what I considered important in curriculum development and materials design. I elaborated on the centrality of students in a class as well as emphasized the importance of their voices as legitimate funds of knowledge. At the same time, I highlighted the role of the teacher in providing opportunities for those voices to be heard. I cannot now remember my interviewers' reactions to what I said that day, but all I know is that I spoke my mind, my heart, and my soul. In retrospect, I wish I had remembered to bring along to this interview the poem I wrote about my own experience as a student in an ESL Writing class. Perhaps, I would not have needed so many words to signify what I believe in.

From the beyond

With clammy palms
I tiptoed into this world

of thesis,
complete sentences
commas and dashes.

Voices
inside me
screamed,
waiting
to erupt
in print
seeking fissures
searching cracks
so splinters
of my life
could break free
on paper

But your world
spins around
dangling modifiers
and comma splices,
or S-V agreement,
not I, a disagreement

Today,
my pen
perfunctorily surveys
the page
to sketch
your five-paragraph essay.

As a student in the ESL Writing class, I knew there was something more to the three-paragraph essay. I questioned how I, as a Filipina, should articulate myself. Should I write the way I am and run the risk of writing endless drafts until I "get" the conventions of Western expository writing right? Or should I simply give in to what my teacher wanted and ace the project? It appears to me that my teachers could not understand who I am, while I did understand what she had to do. She had to prepare us for the written requirements in the content areas, which, in the Philippines, are taught in English. I had to get the genre, and subscribe to the prescribed moves. Then, I

can be myself. So, in class I wrote *who I had to be*. Then, I rushed home to my journal to write *who I was*.

Later, when I became an ESL writing teacher myself, I realized that I seemed to have sold who I was to what I believed my students needed to be. In the Philippines, learning the American academic writing conventions is a passport to success in college. My desire to provide the needed scaffolding so my students could have access to the language of power compelled me to become who my ESL writing teacher was. I found myself recycling the same dangling modifier and S-V agreement exercises in my writing classes. I, too, had become engrossed in coherence and agreements when what my students first needed to do was make sense of the incoherence and disagreements in their lives. I had exemplified what Bourdieu & Passeron (1977) observed:

> And so we went to into schools not understanding that there were other subjectivities among our students, being uncritical of our own subjectivities, and being perpetrators of nothing but the cultural capital... legitimated by our own schooling (cited in Osborne, 1996, p. 292).

I left the interview room that day dissatisfied and confused. I wanted to say more, but how could I? My mind was with my professors and their colleagues who were at the picket line that day professing their philosophy of teaching. And there I was in campus, technically crossing the picket line, talking about mine.

The third time I had to elaborate on my philosophy of teaching was during the interview with a graduate student who was researching on "non-native" speakers of English teaching ESL in an American institution. That interview made me reflect on my philosophy as a Filipina teaching English in a context where English, the *lingua franca*, is not my first language. I remember explaining to the researcher that I do not believe in the hegemonic labeling of speakers as native and non–native because the distinction is potentially oppressive. To deny people a job—in spite of their qualifications—on the basis of their "native-ness or nonnative-ness" is absurd, even oppressive.

In the interview, I was also asked to describe my view of an effective teacher. In my response, I emphasized that an effective EFL/ESL teacher is one who can cause among students the itch to learn and the hunger to discover for themselves and in negotiation with others the what, why, and how of learning the foreign language, and use such knowledge to serve their purposes. I stressed the point that this doesn't take a 'native speaker' to do that. Alluding to my own

experience, I argued that competent, proficient teachers who do not speak English as a first language are at a distinct advantage because of the language learning experiences they could share with their students. Firstly, they could serve as "imitable models" for successful language learning. Secondly, they can explicitly teach learners language learning strategies that they found to be effective. And thirdly, their own learning experiences put them in a better position to "anticipate more easily the difficulties language learners might encounter" (Medgyes, 1992, in Tajino, & Tajino, 2000). Moreover, in my view such teachers have a more heightened awareness of issues in power and politics in learning a foreign language. For instance, they are often keenly aware of the struggles learners experience in the co-construction of identity that inherently accompanies language learning experiences.

Reflecting on what I had said then, I wished I had articulated more clearly what I really should have said—that an effective teacher is one who can provide opportunities for students to reflect on why they need to learn the foreign language, and how they can use their agency to adopt the new identity that usually results in embracing a dominant secondary Discourse, without being colonized by it. I wished I had already read James Gee (1996, 1998) then.

Finally, the fourth time I was compelled to articulate my philosophy of teaching was when my professor in the ESL Practicum class at the University of Hawaii at Manoa required one after a discussion on the subject. This was, by far, the most difficult writing exercise I had to undertake. I sat before the computer monitor until beads of sweat formed on my nose and forehead. I stared at the computer screen for hours, but it only glared back at me, empty. The many discussions and readings I had on pedagogical, linguistic, anthropological, postmodern theories in the many classes and conferences I attended confounded me. I exchanged journal reflections with my professor, who wrote back: "Just get it going. Write what you have in mind."

So, I got going. What disturbed me most at that time were the readings for a course on Bilingual Education. I was particularly interested in theories in language and identity, in ethnographic studies on schooling and cultural compatibility, and critical pedagogy in Teaching English to Speakers of Other Languages (TESOL).

My professors at the University of Hawaii also kept mentioning the Kamehameha Early Education Program (KEEP) ethnographic research and how its findings informed educational policy makers

and educators on the approach to teaching multicultural classes. So, I read about it in Ovando and Collier's (1998) *Bilingual education and ESL classrooms: Teaching in multicultural contexts*. According to the authors, KEEP researchers conducted "a series of studies on home-school mismatch... in search of explanation on why children of native Hawaiian ancestry tended to have the lowest achievement levels" of any group in the United States. Among the topics included in the database gathered by the KEEP researchers included home socialization, social motivation, language production, phonemics, sociolinguistics, cognitive strategies, and standard English acquisition. One area of cultural mismatch was on personal autonomy. This means that

> in the home, the children were socialized to value being contributors to the family's well-being rather than to value independent living (Tharp, 1994). In the classroom, however, personal accomplishment was valued for its own sake rather than as contribution to the needs of others.

Through in-service trainings and collaboration between teachers and consultants, an innovative instructional program that considered culturally sensitive approaches to teaching was implemented. Both the teachers and the researchers observed that "by getting a glimpse of native Hawaiian students' natural cultural environment, teachers saw the children demonstrating talents seldom revealed in the classroom" (Tharp et al., 1991; Tharp, 1984; Voght, Jordan, & Tharp, 1983, cited in Ovando & Collier, 1998, p. 167). The teachers and researchers concluded that indeed a culturally responsive curriculum is "the keystone for effective schooling." The challenge was to identify "what is and is not essential in the match between the home and the school...." The findings of this study also revealed that some important home cultural patterns were positively applicable to the classroom. For instance, the researchers cited the open, relaxed "talk-story" discourse pattern that regularly occurs in Hawaiian homes as being more effective than the conventional "teacher-asks-a question/ one student-answers/teacher-evaluates" format" (p. 167). Similar studies were conducted by Heath (1983) among African-American children; Mohatt & Erickson (1981) among Indian and non-Indian teachers; and Morine-Dershimer (1983) among students in multi-ethnic classrooms. Among the most influential is Heath's work. Heath (1983) observed that

> the questioning patterns used in the home were different from those used by teachers

in school. Consequently, when teachers changed their questioning styles at school to one more similar to the home style, there was a significant change in the students from a passive to an active role in classroom discussions (cited in Ovando & Collier, 1998, p. 168).

In the same semester, I also took Introduction to Second Language Studies. My professor, Richard Day, gave us a packet of introductory readings for us to see "the lay of the land." Two articles came to mind as I wrote my philosophy paper. The first was "Critical Pedagogy in ELT: Images of Brazilian Teachers of English" by Maria Ines Pagliarini Cox & Ana Antonia de Asis-Peterson (1999), and the second "The World for Sick Proper" by John Rogers (1982).

Pagliarini Cox & de Asis-Peterson (1999) conducted an ethnographic study to investigate Brazilian English teachers' knowledge and perceptions on critical pedagogy in ELT. They found that English teachers in Brazil, where Paolo Freire came from, "were unaware of it." Moreover, Pagliarini Cox & de Asis-Peterson found that teachers were attached to the strong appeal of integrative discourse and saw themselves as agents of good whose main responsibility was to prepare their students to be successful in the world (p. 433). Their article questioned "the absence of a critical view toward ELT and the role of English internationally", arguing that "this may be a result of English teachers' submission to applied linguistics, which emphasized principally formal and methodological issues" (p. 433).

This is ironic since Freire, as an educator, "relentlessly reaffirmed that education is a political act that, if not viewed as such, begins to surreptitiously legitimize and reproduce the politics of the dominant classes, perpetuating social inequalities" (p. 435). The authors, however, argued that Freire would agree with Pennycook (1995) that "if English today is a language through which the forces of neocolonialism operate, then counterdiscourses need to be articulated in English" (in Pagliarini Cox & de Asis-Peterson,1999, p. 438).

Although Pennycook's (1994) work published approximately two decades after Freire's work shook the Western world, his thoughts on education echoes Freire (1970, 1974). Within the context of ELT, Pennycook reiterates:

the spread of English is considered to be natural, neutral, and beneficial: Natural because it is the inevitable result of global forces; neutral because it assumes that English has been stripped of its original cultural contexts and has been transformed into a transparent, universal medium of communication; and beneficial because it is a

condition for cooperation and equality" (p. 9).

Like Freire, Pennycook does not see students and teachers as helpless pawns in the arena of ELT. In fact, he posits that "people are not passive consumers of hegemonic cultural forms" (Pagliarini Cox, & de Asis-Peterson, 1999, p. 438). Among Pennycook's (1994) memorable assertions which have left an indelible influence on contemporary English teaching include his call that those who teach English must (1) doubt and be critical of the dominant discourse that represents the internationalization of English as good and as a passport to the first world; (2) consider the relationship of their work to the spread of the language, critically evaluating the implications of their practice in the production and reproduction of social inequalities; and (3) question whether they are contributing to the perpetuation of domination (p. 439)

As I reviewed Pennycook for this article, I thought of KEEP and Heath and the many others who conducted ethnographic studies to investigate the mismatch between the discourse patterns and practices at home and those used in schools and taught predominantly by teachers who are socialized into believing that American discourse patterns are the only legitimate ways of thinking. I was saddened for the many students in the Philippines who are labeled academically inferior and are perpetually, albeit unwittingly, oppressed by teachers who recognize only one way of teaching: the "teacher-asks-a-question/one student-answers/teacher-evaluates" format (Ovando & Collier, 1998, p. 167) I felt sad because I, too, am a product of such system. But the greater cause of my disquiet was the feeling of guilt that as a teacher who has been socialized and apprenticed into such limited and limiting discourse, I had somehow participated in the oppression of my students.

When I reviewed John Rogers (1982)'s "The World for Sick Proper," I read what I had long observed and pondered. Why should Filipino children be defined by their ability or the lack of ability to read, write, listen, and speak in English? Clearly, the reason is both political and economic. In the Philippines, some legislators recently promulgated policies to boost ELT in the Philippines, e.g., the Gullas Bill, and the present government supports them. The reason for this strong support, however, is because the country earns so much from Overseas Contract Workers (OCW) remittances. In fact, in 2006 alone, the remittances totaled Php 101,964 million (http://www.census.gov.ph/data/pressrelease/2007/of06tx.html). However, although the

government continually brags about the proficiency in English of overseas Filipino workers' as their clear advantage over laborers from neighboring countries, the painful truth, however, points to the contrary: many Filipino contract workers (OCWs) are not proficient in English at all. In fact, according to the survey conducted by the Income and Employment Statistics Division, Household Statistics Department of the National Statistics Office, one out of every three of the 1.52 million OCWs within the period April to September 2006 is a laborer or unskilled worker who has had little formal education and could barely speak beyond a few words of English.

This reminds me of a story Dr. Cicero Calderon, former president of Silliman University, shared with us about his experience at the ASEAN regional summit some years ago when the keynote speaker said: "Do you want your children to be like the children of the Philippines? Would you want them to leave their parents and children to take care of other people's parents and children?" Of the number of speeches that were delivered at this meeting, Dr. Calderon remembered only this speech because it was the one that caused him the greatest pain.

As I was trying to revise this paper, it has been three years since Dr. Calderon died. But alone at three in the morning and staring at the computer monitor, I was haunted by Dr. Calderon's story. The memory of pain I saw in his eyes when he told us this story moved me to tears.

REIFICATIONS: THE PRESENT OF THINGS PAST AND THE PRESENT OF THINGS FUTURE

As I revised "the philosophy paper" in my Teaching Practicum class for this publication, I could still hear my professor: "Just get going. Write what you have in mind." I knew it was not possible to write everything I had in mind. Translating what is in the mind into something intelligible in print is a formidable task. It was difficult to make sense of the multitude of voices in my head as pained and painful voices clamored to be heard. Even worse, it was doubly difficult to find my own. Moreover, I knew that what I write were simply abstractions or refractions of what I wanted to articulate. I realized that this text is mediated, according to Bakhtin (1981), by words, and "the word in language becomes 'one's own' only when the speaker populates it with his own intention, his own accent, when he appropriates the word, adapting it to his own semantic and expressive

intention" (p. 293). On the other hand, this text has a voice, and that voice cannot fully reify my thoughts. The words I use to express my philosophy are pregnant with my own personal histories, but how the reader chooses to co-construct meaning from this text is beyond my reach.

But I had to get going. There was no stopping to what I had to do. I was beginning to feel what my undergraduate professor used to call "divine discontent." And so I labored to formulate a set of statements in an attempt to sketch "the present of things past and the present of things future," the tension, as Crites said, "of every moment of experience, both united in that present and qualitatively differentiated by it" (Crites, 1971, p. 302, cited in Ellis & Bochner, 2000, p. 746).

I believe that language learning can only take place when learners have opportunities to use it in meaningful contexts (Spolsky, 1989, in Pierce, 1995, p. 573). Within the perspective of critical pedagogy, this reads: learning can only be meaningful if it is critical and liberating. This assumption should influence syllabus design, materials preparation, and methodology in the language classroom. Students must be provided opportunities to use the language to achieve real-life purposes in contexts that are meaningful and advantageous to them.

The above belief closely relates to James Gee's (1996) position that *learning requires "legitimate peripheral participation" in a community of practice that transforms one's identity.* Such transformation enables the person "to visualize imagined communities of meaningful engagement in pursuit of an enterprise." This means that learning is made meaningful if students are empowered by the experience such that they can use the language of power to question existing power differentials rather than be "groomed" to maintain their marginalized role in the society (Wink, 2000, pp. 64-65). This entails what Gee calls "mastery of secondary Discourses." Discourses, according to Gee are "socially accepted...ways of using language, other symbolic expression, and 'artifacts' of thinking, feeling, believing, valuing and acting that can be used to identify oneself as a member of a socially meaningful group or 'social network'" (p. 131). For Gee, Discourses are "a sort of identity kit which comes complete with the appropriate costume and instructions on how to act, talk, and often write, so as to take on a particular social role that others will recognize" (p. 127).

In this context, students may be considered failures not because they cannot learn but because they have not been apprenticed into

secondary Discourses necessary to succeed in school. Students whose home Discourses are different from the secondary Discourse such as discourses at school are inherently disadvantaged compared to what Gee (1987) calls "mainstream" students whose primary Discourse are parallel to the Discourses in school (cited in Zamel & Spack, 1998, p. 57). For example, while some children in the Philippines are brought up in the middle class culture where reading is integral in the family life, many are exposed to literacy materials for the first time only when they go to school. Yet, they are expected to have the same familiarity with the secondary Discourses in school as the middle or upper class children and are judged as failures by the system that is ignorant or negligent of such realities.

In relation to Gee's Discourse theory, ***I believe that pragmatic features relevant to particular tasks must be incorporated into the lessons***. For instance, Ohlstain and Cohen (1990), in their study of ESL learners in Canada, found that even those who have higher proficiency in the language fail in several communicative situations because of their inability to use the language appropriately. The researchers concluded that "the fine points of speech act behavior, such as 1) types of intensification and downgrading, 2) subtle differences between strategy realizations, and 3) consideration of situational features, can and should be taught in the second and foreign language classrooms" (p. 57). Kasper (1999), in her review of classroom research in interlanguage pragmatics, also supports this argument. This is also consistent with Hymes's concept of communicative competence, which includes not only linguistic competence but also sociolinguistic, pragmatic, strategic, and discourse competence (Saville-Troike, 1996, p. 363).

An even richer implication of Gee's theory in the context of ELT in multicultural context is the challenge for ELT practitioners to conduct action research similar to those done by Heath (1984) and the KEEP researchers to examine the socio-cultural factors that could affect the teaching-learning process, e.g., mismatch between the discourse patterns valued in the home and those in school or the mismatch between what Gee (1987) calls the Primary Discourses and the Secondary Discourses that students need to be apprenticed into.

Corollary to the aforementioned statements, I believe that meaning is mutually negotiated between and among interlocutors. Therefore, no one has the monopoly of truth. Students must therefore be provided opportunities to negotiate meaning with other students. I share Willet's view that teacher talk must be minimized, and activities

should facilitate student-student interaction since such interaction often provides more opportunities for students to negotiate meaning without the inhibition that is often associated with teacher authority (Willet, 1995, pp. 488-492).

I believe that the language program must be designed to meet students' communicative needs; however, any needs and situational analyses should be conducted critically. A thorough needs assessment must be conducted so that students do not waste time learning language features and communicative functions that they may never use in their real life tasks. An appropriate methodology such as TBLT (task-based language teaching) as espoused by Long and Crookes (1992) and Long (2000) can be facilitated to meet students' particular communicative needs in particular settings for particular purposes. However, such needs analysis must be done within a critical perspective. The researcher must look into whose needs are identified and whose voice is represented in the needs assessment because if the identified needs simply perpetuate existing oppressive power structures, then teaching ceases to become a caring profession (Auerbach, 1995).

I believe that teaching must be a reflective practice. Teaching is a political act, and teachers who do not reflect on their practices could unwittingly become arms of oppressive powers. In the article, *The Silenced Dialogue: Power and Pedagogy in Educating Other People's Children,* Lisa D. Delpit describes five aspects of power that teachers must be aware of (Delpit, 1988). First, "issues of power are enacted in classrooms," e.g., the power of teacher over students, the power of textbook publishers and curriculum developers in determining the world view to be presented in classes. If schooling prepares people for jobs and jobs subsequently determines a person's economic status, then schools have the power over people's socio- economic mobility.

Second, "there are codes or rules for participating in power, i.e., there is a culture of power." One's familiarity with "communication strategies, linguistic forms, and presentation of the self in talking, writing, dressing, and ways of interacting or what Gee refers to as familiarity with the Discourses of the dominant group positions some students in advantageous stance and marginalizes others.

Third, "the rules of the culture of power are a reflection of the rules of those who have power." This means that students come to class with varying degrees of access to the culture of power. Those from the upper and middle class have the inherent advantage in terms of familiarity with the culture of power and the dominant Discourses

in the community.

Fourth, "if you are not already a participant in the culture of power, being told explicitly the rules of that culture makes acquiring power easier." In the context of teaching ESL/EFL especially in the Philippines, where many of the students come to class uninitiated into the dominant Discourses of schooling in English, this implies "explicit presentation" of the Discourses that students need to acquire.

Fifth, "those with power are often least aware of—or at least willing to acknowledge—its existence. Those with less power are often most aware of its existence." On my part, this means revisiting some classroom practices I have done in the past as well as those at present that may/might have disadvantaged some groups of students and advantaged others. For instance, I need to mobilize my students to look into community and home practices that might conflict with the academic culture of my class and investigate ways of bringing into the classes funds of knowledge available in students' localities (Watson-Gegeo, K., & Welchman-Gegeo, D., 1995). This is going to be a big leap for me, but I am willing to dive in and learn from this new experience. I still do not know where to go from here, but I commit to explicitly articulating my beliefs on language and power in my classes.

I believe that research is therefore an integral part of teaching and learning. Teachers must continually engage in action research in order to maintain a critical as well as analytical perspective of their existing classroom practices. They must study how students might benefit from the existing resources in the school and the community so that the latter can avail of the wealth of "symbolic and material resources, which will in turn increase the value of their cultural capital" and subsequently vest in them the power to re-examine their identities (Norton & Toohey, in press).

This can also be done through what Skrtic and Ware (1992) calls adhocracy, "a problem solving organization configured to invent new programs" (p. 215 in Crookes, Fall 2001, p. 204). Teachers can work in groups and re-examine the curriculum and the materials and activities used in class in light of the socio-political context of students' learning. Students, teachers, school administrators as well as parents can work together and look beyond the what, when, why, and how of ESL/EFL teaching and examine who makes the choice, who frames relationships and for what purposes, and who are advantaged and disadvantaged as regards program development, curriculum planning,

and class activities (Auerbach, 1995).

I believe in what Paulo Freire professes: "Education is radically about love" (cited in Wink, 2000, p. 2). If teaching only serves to perpetuate hegemonic practices that serve the interest of the dominant group at the expense of the marginalized majority, then teaching ceases to be a liberating enterprise, and school is nothing but a factory of goods for the demigods, and the students a commodity that can be sold, bought, or dispensed with. If this is the enterprise to which I have devoted much of my time and energies, I will have considered myself a failure.

CONCLUSION

The research project on which this paper is based took me seven years to complete, and it is far from finished. I started to seriously contemplate my philosophy as an ESL teacher as a graduate student at the University of Hawaii in Manoa in the Fall of 2001. Admittedly, this project started out of a necessity. Yet the four instances that compelled me to articulate my philosophy provided the avenue for me to revisit my experiences as an ESL teacher and to re-think the language teaching and learning as well as the linguistic, anthropological and postmodern theories I have absorbed so that I may, in the words of Bochner (2000), "achieve a coherent sense" of my life as an ESL teacher.

I needed to reflect on the thoughts and experiences that I have described during the occasions that compelled me to reify my beliefs as a teacher, so I can see, albeit in a limited way, my location in this community of practice. I needed to retrace the border crossings that I made, and reconsider my attempts at embracing a "nexus of multi-membership." Perhaps it is only then that I can be provided "enough legitimacy" to be included in this community of practice called ELT (Wenger, 1998, pp. 158-59). I realized that despite my limitations, I am privileged to have examined and re-examined my philosophy, and that it may be worthwhile to communicate this with others who may share my experience. As John Ashberry said: "Very often people don't listen to you when you speak to them. It's only when you talk to yourself that they prick up their ears" (cited in Elbow, 1987, p. 259). I felt I needed to talk to myself.

Autoethnography is self-examination, and like any examination, it is nerve wracking. It took me six months to muster enough courage to revisit this philosophy paper after it was peer

reviewed. I realized my philosophy was constantly shifting because every experience brings about a change in my perspective. I realized that my philosophy was dynamic, and there was no way I could capture it in print. So, I decided to abort the project. I convinced myself that although Socrates made sense when he said that an unexamined life is not worth living, the cliché "ignorance is bliss" is just as profound. Yet, the voices of my professor and my editor kept stoking the embers of divine discontent in me. So, I got going.

I agree with Wiseman (1984, cited in Crookes, Lecture notes, Fall 2001) that "the development of a personal philosophy requires self-examination and honest comparison and consideration of what we are about as teachers. It is a continual process that involves seeking answers to hard questions over a long period of time" (p. 110). This entire enterprise of self-reflexive problematizing of the act of ESL teaching and its enactment in my life as an ESL learner and teacher has been a painful metaphysical journey for me. In the end, I am left with more questions than answers. I wonder how much of what I have articulated in this article is me. I wonder to what extent the writing up of this autoethnographic study created me rather than characterized me as an ESL teacher and as an individual. I wonder to what extent this personal narrative allowed me to find myself rather than define myself.

This process of reflecting on and writing up a personal narrative on my philosophy as an ESL teacher jolted me to a realization that if I have to live the rest of my life in this profession, I have to find meaning in what I do. As Sullivan (1995) so eloquently expressed:

> To discover meaning is to find a point to living by recognizing oneself as a participant in a worthwhile enterprise whose accomplishment calls out one's energies and whose purposes define and vindicate one's having lived. To live with meaning is to have discovered the secret of happiness" (p. 154).

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Lester Edwin J. Ruiz

Solidarity, Resistance, and Transformation: Intellectual Struggles in an Era of Diaspora and Empire[1*]

This essay explores the struggles that confront intellectuals and other producers of knowledge in an era of massive transnational, transborder movement of peoples in Diaspora, at a time characterized by overt or subtle forms of neo-colonial domination. The paper assembles a vast array of readings and examines a host of themes not so much to understand the experiences of those who are in Diaspora as to locate the place and define the role of intellectuals in grappling with strangeness and turbulence brought about by the experience of exile and the continuing process of imperial suppressions. Proceeding from a postcolonial perspective, the paper identifies five instances, called *ruptures*, of the continuing process of resistance and reconstruction that intellectuals have used to challenge influential master discourses as well as the grand narratives of modernity. At the same time, the paper exposes the inherent contradiction involved in such projects. This paradoxical situation includes practices, conceptions, and actions which are, unwittingly, complicit with the imperial enterprise and mask—even perpetuate—unequal economic and cultural relations. Called *repetition* in this paper, this situation simply reproduces the inequalities of imperial power relations at the level of the production, reproduction, and re-presentation of knowledge.

The essay sees the challenge of the intellectual as one fraught not just with struggle but also with hope, with resistance but also in solidarity with those sharing a similar fate in order to transform a fragmented, at once alien and alienating world into a "radically-inclusive community." While recognizing the ambivalent, complex, and processual nature of both diasporic experience and imperial relations, the paper concludes that what is important is not how difference can be overcome, but rather how and under what conditions it is possible for people not only to live together, but to live together well.

"In the beginning was the Word and the Word was with God, and the Word was God... And the Word became flesh..."

Jn 1.1ff, NRSV.

*I dedicate this essay to Ceres Pioquinto, a colleague and friend, for her profound and continuing commitment to teaching, research, and advocacy. Her own Diasporic experience has been a very important inspiration to me since we first met at International Christian University in Tokyo, Japan, in the mid 1990s.

"The weapon of criticism cannot, of course, replace criticism of the weapon, material force must be overthrown by material force; but theory also becomes a material force as soon as it has gripped the masses. Theory is capable of gripping the masses as soon as it demonstrates ad hominem, and it demonstrates ad hominem as soon as it becomes radical. To be radical is to grasp the root of the matter. But, for man, the root is man himself... As philosophy finds its material weapon in the proletariat, so the proletariat finds its spiritual weapon in philosophy... The head of this emancipation is philosophy, its heart the proletariat. Philosophy cannot realize itself without the transcendence [*Aufhebung*] of the proletariat, and the proletariat cannot transcend itself without the realization [*Verwirklichung*] of philosophy."

Karl Marx
Introduction to
A Contribution to the Critique of Hegel's Philosophy of Right[2]

"What has WTO got to do with your being a domestic helper?" Almost indignantly she replies: "Don't you know that I am a product of this WTO? I never dreamed I would end up a domestic helper in Hong Kong. I had to leave my family because the salary I earned back home would not allow me and my family to live decently. I've been here for more than six years now. I want to return home but I can not. No job awaits me there... each time I try to start saving (part of my salary), the price of oil at home rises. I am stuck. I am a stock... Turning to a migrant advocate, she said, *"Di ba, Ate? Para akong toilet paper sa tindahan? Kung mabili ka, okay. Kung hindi, diyan ka lang. At pag nabili ka naman, pagkagamit sa iyo, tapon ka na lang. Hindi ka naman kinukupkop.* [Is it not true, Big Sister that I am like a roll of toilet paper in a store? If I am not sold, I remain on the shelf; if someone buys me, I get used up and thrown away afterwards. I am not cared for...]"

Cynthia Caridad R. Abdon
The GATS and Migrant Workers' Rights: Impacts on and Alternatives from Women[3]

INTRODUCTION

A DIALOGUE BEYOND THE GUSTATORY PLEASURE OF *TAPSILOG*?

"It worries me," a pre-publication reviewer of this essay writes, "when an Asian scholar speaking of struggle and hope to an Asian audience, uses as the foundations of his essay, Western philosophy, a predominantly male phalanx of references, and words, words, words. At the beginning [of the essay], one is seduced with a promise of the stick-to-the-ribs goodness of critical lyricism but is left betrayed... I crave the solid taste of *tapsilog*, or if not that, a bowl of steaming rice topped with *ginisang mongo*. The piece is so wordy, and patient as I

am, I have no patience for it, and I wonder if the students will go beyond the introduction. If this is being a theologian, I will have nothing to do with theology. Whatever joy might have gone into it, has been sucked away; whatever courage is emasculated."[4]

While I do not share the dismissive, not to mention cavalier, attitude which this reviewer seems to have toward this essay by suggesting that *tapsilog* is more appetizing (or desirable) than, say, "a western omelette," I begin this essay again where the reviewer starts precisely because it is this perspective and its effects that I am addressing in this essay. In fact, one would have hoped that if this reviewer could have graciously extended his patience and carefully read beyond the essay's introduction he or she might have discovered that my audience was not, in the first instance, Filipinos or Asians "uncontaminated by the 'west'," but rather, Filipinos/Asians-in-Diaspora, who, not unlike me, have been happily or unhappily, "contaminated" by the contexts in which they find themselves; and that the "words, words, words" of which the reviewer is so clearly contemptuous, are precisely *not* reality as such, but, representations of that reality—vehicles and/or markers that mediate our experiences of multiple realities that both simultaneously intersect and collide.[5] If the essay is too congested for the reviewer's taste, it just might be because reality itself is overflowing with meanings too complex to be comprehended while one is enjoying one's "Filipino" breakfast.

Not only does the Filipino restaurant *Sinugba* in Daly City, California serve its own version of *tapsilog* in the same way that the Manila Hotel's Café *IlangIlang* serves its own, but surely, the statement about one's craving for "the solid taste of *tapsilog*, or if not that, a bowl of steaming rice topped with *ginisang mongo*," is not the same as the craving itself—and if so, such an assertion fares no better than the craving for a "western omelette." Mere assertion of preference however justifiable does not constitute genuine critique—unless, of course, one understands critique only as a verbal *Arnis de Mano* rather than as a shared enterprise whose goal is to transform the world—and even that is much more dignified than one's mere assertion of craving for *tapsilog*.

Even more important than the reviewer's auto-referential, almost auto-erotic gustatory desire for *tapsilog*, a careful reading might have revealed both the essay's refusal to carelessly privilege a particular location from which all truth is measured, and its uncompromising affirmation of the positional differences that permeate such multiple locations. It also could have established *on the basis of these differences* a

shared recognition of the hermeneutical significance of one's particular location and positionality as conditions for dialogue and mutuality even with those who have been rendered strangers—not to mention perceived adversaries, by the lovers of *tapsilog* or *ginisang mongo*—in the land of their birth, either by choice or by political, economic, and cultural circumstances.

This essay, then, is an invitation to explore some of the struggles intellectuals and other producers of knowledge face in an era of Diaspora and empire in the hope that the exploration might lead to the creation of radically-inclusive communities that widen the arenas of struggle and deepen the hope that energizes them. Unlike other explorations, however, this one begins with the recognition of *shared* "fallibility," because the very nature of struggle can no longer afford the careless, if not irresponsible, illusion that infallibility guarantees the efficacy of struggle; and the nature of hope requires that careful attention be given both to its sources and to the common dangers and opportunities that seek to enclose it.[6]

So, let me begin the dialogue again.

THE FIRST RUPTURE AND REPETITION: LOCATION, POSITIONALITY AND CRITIQUE

The intellectual production, reproduction, and representation in which I am engaged, as much as it may desire the sublime, if not the pleasure of *tapsilog*, is still the discourse of a privileged male *flaneur*, if not *bricoleur*, however personally innocent, even if he aspires towards a Gramscian "organic intellectual." Because *all* intellectual work is a passage through privilege, it is fraught with both dangers and possibilities: dangers because we are a species marked, not only by reason, or by freedom, but also by error; possibilities because the history of thought, read as a critical philosophy appreciative of "fallibility," can become a "history of trials, an open-ended history of multiple visions and revisions, some more enduring than others."[7]

A recognition of location, not to mention positionality and maneuver, is not only good for the soul, it is also methodologically decisive for the production and reproduction of knowledge as a passage to transformation—the creation of the fundamentally new which is also fundamentally better in the context of conflict and collaboration, continuity and change, and the creation of justice.[8] Here, there is a great need to begin with an affirmation of self-critical accountability—even humility—because "every declared rupture is

an undeclared repetition."[9] In fact, it may be that

> The work of an intellectual is not to shape other's political will; it is, through the analysis that he carries out in his field, to question over and over again what is postulated as self-evident, to disturb peoples' mental habits, the way they do and think things, to dissipate what is familiar and accepted, to reexamine rules and institutions and on the basis of this re-problematization... to participate in the formation of a political will (in which he has his role as a citizen to play).[10]

Let me suggest that the discourses on hope and struggle that we professional theologians often draw from the world of the "everyday-life" (our individual practice) when brought together in journals such as this one (our intellectual production, reproduction, and representation) becomes profoundly embedded in an intellectual idealism which is the dominant, if often taken for granted, perspective in most institutions of higher education. By "intellectual idealism" I mean, the surrender of the real to the concept, or in Christian theological language, mistaking the attributes of God for the Being of God. In this perspective, knowledge is transformed into abstract representations of the real—which is not to assert they are untrue—only that these representations are of a different order of reality not to be confused with that which we claim they represent.

In a different, though not unrelated context, Jacques Derrida has argued that this intellectual idealism, often believed to be autonomous from the ensemble of relations in which it is implicated, is rooted, in the *principle of reason* and articulated as a grand narrative, which, in the world of modernity, has led to the eclipse of the gentler, more human passions of life, and therefore has become destructive of humanity and nature.[11]

Invariably, this grand narrative produces "meticulous rituals of power"[12] that are globally circulated and which reproduce the narrative itself, constituting thereby the political, economic, cultural, and social terrain known as modernity. By "modernity," I mean, taking Richard K. Ashley's lead, the "multifaceted historical narrative rooted in the Enlightenment, dominant in Western society, expressed in rationalist theory, and centering on the progressive unfolding of universalizing reason and social harmony via science, technology, law, and the state."[13] Where Ashley assists us in identifying the contours of this multifaceted historical narrative, Anthony Giddens provides a useful *institutional* cartography of modernity, arguing in *The Consequences of Modernity* that there are four institutional dimensions of modernity: capitalism, i.e., capital accumulation in the context of

competitive labor and product markets; industrialism, i.e., the transformation of nature or the development of the 'created environment'; surveillance, i.e., the control of information and social supervision; and, military power, i.e., the control of the means of violence in the context of the industrialization of war.[14]

To be sure, the strong *Ilustrado* (read as "Enlightenment" and therefore, "modern") tradition of Philippine history under Spain and its deep and wide colonial and neo-colonial tradition under the US articulated modernity in a multiplicity of ways. Thus, on the one hand, some nationalists like Renato Constantino have indirectly pointed to the narrative of "Philippine modernity," in terms of the almost total "mis-education of the Filipino;"[15] on the other hand, populist historians like Reynaldo Ileto have suggested otherwise, noting that the revolution of the *Ilustrado* in the late 19th and early 20th centuries was only one of many revolutions, and that there also was a significant, if insurgent "non-modern," populist revolutionary tradition, to which Filipino people turned in terms of resistance[16] to modernity itself. The point, of course, is that while modernity cannot be the only principle of analysis for Philippine society, its embeddedness in Philippine history cannot be evaded.

In this context, another pre-publication reviewer of this essay suggests that the essay's analysis of modernity is "misplaced insofar as institutions of higher learning in this country are concerned... For the most part," the reviewer argues, "even our best schools today are sites of training for soldiery to the system of public structures and cultural practices that have yet to be critically examined." [17] In fact, the reviewer continues,

> the project of modernity never got started [in the Philippines] ... reason is precisely what our institutions lack; or that postmodern critiques of this flavor are precisely the kind of colonial mimicry practiced by those who understand more of the Other and dangerously lose sight of the Self. [18]

The insight, despite its unfortunate gratuitous warning about "colonial mimicry," is important to note. For it points precisely to the multiple and variegated meanings of modernity, especially as they have been articulated in the Philippine context. However, the fact that institutions may indeed be lacking in reason does not mean they have no *commitment* to the principle of reason; and the fact that these institutions are thoroughly implicated in the "system of public structures and cultural practices that have yet to be critically examined" only suggests even more profoundly that modernity, even a Filipinized

modernity, is the institutional, if not normative, ground of "mainstream" Philippine society today. For these public structures are not unlike the structures of modernity articulated by Anthony Giddens above. Indeed, these public structures and cultural practices bear the undeniable imprint of multiple modernities—contested, perhaps, but modernity nonetheless.[19]

Still, the burden of this essay is not about reason *as such*, but about the intellectual idealism that not only lurks in the deep recesses of a particular form of *modern* reason-cum-rationality, but which has also been erroneously conflated with reason itself. The failure to recognize the fundamental distinction between, for example, practical and speculative reason, and the *principle* of reason (intellectual idealism) is one of the historical effects of modernity. More important to note of this intellectual idealism that resides in the narrative of modernity is its logocentric disposition, i.e., the tendency to regard all thought, feeling, and action as grounded in some fundamental identity, principle of interpretation or necessary thinking substance which is itself regarded as unproblematic, ahistorical, and hence, in no need of critical accounting. Crucial to this logocentric disposition, as Ashley points out, is that the principle of interpretation and practice is conceived as existing in itself, as a foundation or origin of history's making, not a contingent effect of political practices within history.[20] Such a disposition has become a principle of articulation, if not a *play*ground for domination (and emancipation) which creates and re-creates human life in its own image of modernity.[21]

Such a grand narrative has not gone unchallenged.[22] Several historically-significant examples may be noted here: i) Paulo Freire developed a pedagogy for liberation that repudiates modern educational practices for being sites of domination;[23] ii) Gustavo Gutierrez turns theology on its head by re-articulating it as a "second step:" "critical reflection on the praxis of Christians in the light of the Gospel;"[24] iii) more recently, women like Elisabeth Grosz, Allison Jaggar, and Kwok Pui Lan have struggled with their male and malecentric counterparts, challenging not only the gendered production, reproduction, and representation of knowledge, but also insisting that only when the "woman question" is articulated as a constitutive fundamental problematique for epistemology, ontology, and politics can the possibility of new and better knowledge and being arise.[25]

These historically-significant examples are, in fact, ruptures in the modernist narrative previously noted. While these challenges

originate from different perspectives and have divergent destinations, they intersect, at least, at one critical point, the significance of which, by its being self-evident has often been seriously underestimated. With Régis Debray, they insist on both the rigorous and compassionate elucidation of their academic and conceptual assertions and the testing of these assertions against concrete, sensuous reality.[26] However, it is also at this same intersection, that the dangers of repetition arise, especially at the level of the production, reproduction, and representation of knowledge. It is not enough, for example, to assert the importance or desirability of struggle and hope as a necessary orienting principle for theology and politics; it is also necessary to uncover the ways in which they may function as "empty signifiers" on which particular aspirations for transformation are inscribed, and whether and in what ways, in fact, as "empty signifiers" they allow the migration of patriarchal, war-mongering, chauvinistic ideologies and sensibilities associated with some aspects of many Asian cultures on to the new signifiers of hope and struggle.[27]

THE SECOND RUPTURE AND REPETITION: US-LED EMPIRE IN A POST-SEPTEMBER 11, 2001 WORLD

Conventional wisdom would have us believe that the discourses of struggle and hope, particularly, of social and civil society movements in the so-called West or global North, were ruptured by what we now simply call "9/11." Recall that the last quarter of the 20th century was marked by the real possibility of world peace: from *perestroika*, in the Soviet Union, to the "Peace Dividend" in the US, to the apparent collapse of détente, the Berlin Wall, and to apartheid in South Africa—historic events which peoples' movements helped bring into fruition. Remember the optimism of "political solutions" migrating into the armed struggles of revolutionary movements. Note as well, the successes of the UN Summits, and the emergence of "global civil society" especially what has now come to be known as the World Social Forums: from Porto Alegre to Mumbai to Caracas, Bamako, Karachi and Nairobi.

There is much truth to this wisdom that still remains to be fully excavated. Indeed, 9/11 by itself was a profound rupture—not only a breach of security, but a breach of understanding, of civilizational proportions. The events following 9/11 that continue to reverberate to this day hint only at such a breach: the invasion of Afghanistan, the occupation of Saddam Hussein's Iraq, and the "pre-

emptive" US-led, global war on terrorism, are ruptures along the pathways to peace heralded in the last quarter of the 20th century. In the US, for example, principled pacifists are re-evaluating the political, if not philosophical adequacy or efficacy of pacifism in a world of globalized terrorism. Even a Richard Falk, known for his consistent critique of US hegemony, was prepared to bracket this critique in the face of the need for some kind of post-9/11 proportional response to the threat of terrorism. Only after the US-led war against global terrorism was unmasked as a US-led strategy for saving the empire in the occupation of Iraq and the lies about weapons of mass destruction, did he return to his critique that yet again, the US was primarily interested in the re-inscription of its hegemony in the post, post-Cold War era.

Six years later, such re-inscriptions are found in the US Patriot Act and its re-incarnations in other similar laws enacted by other states (in the Philippines it is the Human Security Act), in the redundant, if unproven security measures undertaken at ports of entry world wide, and, in the US today, the hundreds of millions of dollars spent—and will be spent—on such interesting border measures as building a fence—a Maginot Line or Berlin wall of sorts—between the US and Mexico to keep so-called undocumented aliens outside of the US, while at the same time criminalizing US citizens for employing or harboring undocumented workers as nannies, farm workers, and domestic workers. One way to read the compulsive expansionism, the impatience with the UN and other multilateral frameworks of foreign policy, and the politics of perpetual war of neoconservatives like Elliot Abrams, Richard L. Armitage, John Bolton, Donald Rumsfeld, Paul Wolfowitz, and R. James Woolsey[28] —is as a refusal to surrender state and individual sovereignty as the cornerstone of modern *liberal* politics—the same principle that has migrated through Hobbes and Locke and that has given rise, if Giorgio Agamben is to be believed, to the Nazi concentration camp as the metaphor for sovereignty in our time.[29] Indeed, one way to understand the unmitigated "extra-judicial" killings in the Philippines and the continued defiance of the current Philippine government in the face of criticisms from a wide range of international, multilateral organizations including Amnesty International and the UN,[30] about such egregious human rights violations is the logical outcome of the same US neoconservative adherence to the principle of sovereignty so deeply embedded in Philippine politics which is rooted in the modern liberal tradition from Thomas Hobbes to John Locke.[31] Such sovereignties have deepened

and widened the marginalization of peoples of the planet and have radicalized the struggles for justice and peace. Indeed, marginalization today conjures images not only of exclusion but of incarceration; and struggles of hope, not unlike the trajectories of migration, move between the local and the global. To these issues I will return later in this essay.

In fact, in the aftermath of the 9/11 attacks and the invasion and occupation of Iraq, an extensive debate has emerged over the prospects and conditions for organizing opposition to the various currents of US policy that advocate imperial rule. These currents share essential ends but differ on the means to achieving and consolidating a system of US hegemony. What is notable is the extent to which military power and the role of the state has come to the fore, a decade after the state's eulogy was being delivered worldwide.[32] Prior to 9/11, an emerging focus was on globalization as the dominant form of imperial rule (often framed as globalization with adjectives: neoliberal, corporate, imperialist).[33]

Still the reality of a US empire, if not a US-*led* empire, refuses to go away.[34]

Every empire, whatever their *raison d'etre*, is fundamentally an articulation of power. Following William Connolly, this essay argues that the West at its imperial best, the US being a clear example, arrogates to itself the power and privilege of the interrogator, consistently negating or demeaning the role of other peoples in civilizational, socio-cultural, political and economic history, while claiming this history as an exclusively Western possession.[35] At the same time the West is very quick to hyperbolize and render pathological the imperial powers, practices and ambitions of others: All that is good, it is argued, is of Western origin and all that is wrong is part of the larger tragic human condition which is external to the West.[36] Here the logocentric predispositions of modernity noted previously have migrated to "empire:" "I think, therefore I am" becomes "I conquer, therefore I am" and finally "I am, therefore I am."

In fact, US conquest and empire are nothing less than an undeclared repetition of what Richard Slotkin has documented as the US mythology of moral regeneration through violence.[37] Ironically, the desire to regenerate itself rests on an incarcerative model of life that first locks down the space for thinking, feeling, and acting; and, second, stops, freezes, and *overwhelms* time. Once space, time, and place are colonized—incarcerated, if not executed, as we saw in Operation Enduring Freedom in Afghanistan, or the

institutionalization of Homeland Security in the US legitimized by "The USA Patriot Act of 2001," and now, the obsessive drive to bring Iraq out of barbarism into civilization while refusing to bring New Orleans out of the ravages of Hurricane Katrina—once this happens—the moral/ethical and political life comes to an end. For ethics and politics require open space, and moving time, i.e., history—human beings actively engaged in the creation and recreation of their everyday lives.

THE THIRD RUPTURE AND REPETITION: DIASPORA, GLOBAL CAPITAL, AND STRANGENESS

In his analysis of modern international politics and global capitalism, Michael Dillon notes

> Our age is one in which...the very activities of their own states—combined regimes of sovereignty and governmentality—together with the global capitalism of states and the environmental degradation of many populous regions of the planet have made many millions of people radically endangered strangers in their own homes a well as criminalized or anathemized strangers in the places to which they have been forced to flee. The modern age's response to the strangeness of others, indeed, the scale of its politically instrumental, deliberate, juridical, and governmental manufacture of estrangement, necessarily calls into question, therefore, its very ethical and political foundations and accomplishments—particularly those of the state and of the international state system.[38]

In the Philippine context, this estrangement is clearly demonstrated by the migration of Filipinos, today numbering almost ten million, to other parts of the planet.[39] Such migration is characterized by dispersal, displacement, and dislocation.[40] Perhaps, the most innovative of all metaphors deployed for such fundamental transformations has been that of turbulence, suggesting by its use not mere motion, activity, or movement, but disruptive, unpredictable, volatile speed. Of migration, Nikos Papastergiadis notes:

> The flows of migration across the globe are not explicable by any general theory. In the absence of structured patterns of global migration, with direct causes and effects, turbulence is the best formulation for the mobile processes of complex self-organization that are now occurring. These movements may appear chaotic, but there is a logic and order within them...As Manuel de Landa noted, 'a turbulent flow is made out of a hierarchy of eddies and vortices inside more eddies and vortices...'[41]

Moreover, the experience of "Diaspora" is not only about the dispersal, displacement, and dislocation of those "outside" the

homeland. In fact, Diaspora, dissolves, not only the boundaries of "inside" and "outside" (as geopolitical, geostrategic, and territorial construals of state and society tend to require), but also their epistemological and ontological foundations. To speak of a Filipino Diaspora today is to speak of a specific human condition at the substantive, methodological, metatheoretical, and political/institutional levels. This has produced new forms of belonging and identity not to mention novel understandings of contemporary politics and culture. They evoke and provoke images of "border crossings" as well as invasions, of estrangements as well as of hybridities. They reveal global de-territorializing trajectories as well as local re-territorializing surges or insurgencies, especially under the conditions of transnational capital.[42] They underscore contradictions and antagonisms, while intensifying the asymmetries, of political, economic, cultural structures and processes."[43] In fact, the historical example of "Diaspora" in this essay is a fundamental rupture in at least three areas important to any theory and practice of politics. First, it raises a critical question about the nature of the social totality of which we are a part. Political, epistemological, and disciplinary boundaries are constantly being negotiated and re-negotiated especially in terms of the long held correspondence among nation, culture, identity and place.

Second, the reality of "Diaspora" also raises a question not only about subjecthood, but also about subjectivity. This is the question of "the Subject": not only who the subject is, but also what being a subject entails.[44] The plurality of subjects and subjectivities pre-supposed by a "Diaspora" directs us not only to the question "What is to be done?" but also to the questions of "who we are, what we hope for, and where we go?"—in short, "What does it mean to be a people under the conditions of Diaspora?" By posing the issue as a question of community, it places the normative and ethical task at the heart of the struggles for transformation, and in the context of both hope and hopelessness.

Third, the reality of a "Diaspora" identifies the locus of struggle and hope at the intersection of self, other, and world. Starting from the perspective of "Diaspora" situates the question of hope within a relational, and therefore, political, whole. Of no small methodological significance, locating the question at the heart of a peoples' cultural practices—defined broadly as those concrete, sensuous realities embodied in rhetorical forms, gestures, procedures, modes, shapes, genres of everyday life: discursive formations and/or strategies, if you

will, which are radically contingent arenas of imagination, strategy, and creative maneuver[45]—not only challenges the narrow confines of conventional understandings of struggle and hope, but also foregrounds their most comprehensive point of departure: a peoples' pluralistic, and therefore, always and already contradictory, antagonistic and agonistic histories which, are expressed in their stories, songs, poetry, arts; embodied in their political struggles; and, articulated in their economic institutions. Another way of stating the point is to suggest that "Diaspora" ruptures the pretensions of modernity's appetite for intellectual idealism as the foundation for human thought and action, and re-positions them as articulations of the non-necessity of the present order. In other words, struggle becomes the constitutive ground for hope which transforms the past and present into creatures of the future.

If rupture is the defining character of "Diaspora," then strangeness or the Stranger, the Other, is its religio-moral challenge. For, indeed, "Diaspora," as a creature of both modernity and postmodernity,[46] radicalizes the experience of the Stranger or of Otherness in our time; and the existence of the Stranger in our midst raises for us the problems, prospects, and possibilities of fundamentally new and better forms of knowledge and being. Strangeness, not to mention marginalization, it seems, is the condition of possibility for community. It is its constitutive outside. At the same time, if the Stranger is the constitutive *outside*, then, its constitutive *inside* is hospitality. Because hospitality—the inclusion of the Stranger into a community not originally his or her own—is that which "arrives at the borders, in the initial surprise of contact with an other, a stranger, a foreigner"[47] it ruptures the boundaries that seek to contain migration and immigration in the name of state sovereignty, if not national integrity. Indeed, in the Biblical tradition, the existence of the Stranger is always accompanied by the challenge of hospitality towards the Stranger. Who the Stranger is, is the socio-analytical question; *how* we treat the stranger in our midst (hospitality) is the ethical demand.

The danger of repetition lies in the fact that both the Stranger and the giver of hospitality are not immune to the desire or temptation for "sameness" or uniformity, even as the long experience of the condition of strangeness and hospitality often breeds certain fetishes for such strangeness and hospitality, not to mention desires for the exotic. Moreover, hospitality does not always aspire towards genuine compassion, i.e., unconditional plenitude. In other words, hospitality itself, when implicated in the perpetuation of power and privilege

always casts its long shadow on the struggle for a "genuine" hospitality that seeks to offer both the Stranger and the giver of hospitality the opportunity to live well together in the context of their shared differences. Indeed, the very structure of hospitality often must posit the existence of strangers "in need of hospitality" dictating, therefore the legitimation of structures and processes that exclude before they include. Such exclusionary logics of, for example, race, gender, class, migrate on to the structures of "hospitality" without being overcome or transformed. Put differently, one must be open to the possibility that strangeness and hospitality (i.e., Diaspora) are necessary though insufficient conditions for the creation and nurture of radically-inclusive communities of struggle and hope. To move forward one must gesture toward resistance and solidarity.

THE FOURTH RUPTURE AND REPETITION: (GLOBAL) SOLIDARITY—A US-PHILIPPINE EXAMPLE

The *experience* of Diaspora, global capitalism, and strangeness is fundamentally one of difference within a shared but oftentimes unrecognized spatio-temporal horizon. For this reason, solidarity *beyond* hospitality becomes fundamentally important for struggle and hope, where solidarity is another name for "radical inclusion," i.e., the possibility of all persons with their glorious differences are seen as *possible* fellow sojourners who realize that their destinies are inextricably-woven to their capacities for living together in the one planet that is their common heritage. For while the human condition arises out of "difference" and returns to difference, its normative, if not necessary challenge is not how the difference can be overcome, but rather how and under what conditions it is possible for us not only to live together, but to live together well.[48]

It is quite clear, however, that the concept and practice of solidarity that we inherited, say from the French Revolution onward was understood largely as a normative practice shaped by the metaphor of "solidity," that is, to be "in solidarity" meant being "the same," identical, unified, with the Other. Philosophically put, one might say, the project of solidarity was about the theoretical and practical resolution of the "one and the many" in favor of the One (whatever that One was perceived to be). However, it is precisely the "effect" of Diaspora, not to mention the challenges of postmodernity or postcoloniality, if not globalization, that renders the metaphor of solidity problematic—for "all that is solid melts into air."[49] Thus,

solidarity either becomes a pathway to an open future (in other words, a genuine rupture) or it deteriorates into a fortress to which one must retreat in order to prevail over what is perceived as regrettable plurality that accompanies Diaspora, and the consequent "loss of solidity" in human life (in other words, a regrettable repetition).[50]

The example of Philippine solidarity work in the US post-1992 may be illustrative of the conditions of possibility for both resistance and solidarity in the context of the Diaspora and the fact of the latter's "unavoidable plurality." It is not that plurality did not exist before 1992. In fact, the revolutionary struggles in the Philippines, and the solidarity movement to which it gave birth in the US and elsewhere have always been a plural movement—even if it aspired, then, to only one name—and the political and organizational, if not ideological struggle within the revolutionary movement, which came to a head in the early 1990s, revolved around the question of how this plurality was to be comprehended. Philosophically put, one might say, the revolutionary project was about the theoretical and practical resolution of "the one and the many."[51] Solidarity, then, was defined as unity and identity with that revolutionary project.

Many of us were seduced, if not ambushed, by the so-called "end of the Cold War" and the "triumph of capitalism." Not only did we see, quite clearly, and appropriately at that time, how this temporary, if misconceived, victory of capitalism—brought about by the transformation of capital from within itself, and the almost total discrediting of the socialist project, at least as it was embodied in the "actually-existing" socialist states, that accompanied it—threatened the solidarity work in the US and elsewhere, but we also devoted most of our energies to addressing such a threat. In fact, and in retrospect, the issue was much deeper—and, in my view, misunderstood.

The desire, then, for "one name," to write here in a poetic manner, did not allow us to see what was happening all along: the plurality of struggles, even then, was already undermining our own understandings of these very struggles and the trajectories that they were creating. To put the matter in a slightly different vein, we were slow to realize that the methodological and epistemological implications for solidarity work in the US of the so-called "end of the Cold War"—exemplified in the fall of the Berlin Wall in the 1980s, as well as in the emergence of a post, post-Cold War era marked by the premature, if totally inaccurate, "triumph of the West"—was the impossibility of a singular theoretical and practical "analysis" adequate to the realities of that period of human history and beyond. In other

words, the so-called "end of the Cold War" was not about the triumph of capitalism and the demise of socialism as such; nor was it about the inadequacy of the revolutionary project or the failures of the solidarity movement that accompanied it. It was, in fact, about the emergence, and the fundamental importance of the plurality of struggles for liberation and change.

The argument here is not about the desirability of plurality as such; it is about the *significance* of (unavoidable) plurality for the very nature of the revolutionary project, and the solidarity work that accompanies it. Not only does plurality force us to look at a multiplicity of strategies and tactics for the revolutionary project. That is so obvious as to be banal. Rather, plurality, in retrospect, was not a mere philosophical catch phrase of "postmodern, post-structuralist" public intellectuals. They were, in fact, linguistic and discursive articulations of what was occurring, not only in the world, but in the Philippines, as well, and, even, I daresay, or especially in the struggles of the peoples of the Philippines, not to mention of the revolutionary movement. Once "the center could not hold," under the onslaught of these plural movements, once, the so-called "grand narrative" of modernity was questioned, and, along with it, the dominance, not only of "the West" but also of analyses emanating from the West and adopted in the "non-West," the certainty of a unitary political project was also placed under question. Plurality, in other words, underscored the limits of modernity and all its sisters and brothers—revolutionary and otherwise.

Even more critical, I believe, is the fact that, once the multiplicity of struggles for liberation in the Philippines was established, ironically, opened up by the revolutionary movement's commitment to the widest and most comprehensive struggle, exemplified by, and presupposed in the political structure of a "national democratic front"—and, in my view, the success of the revolutionary work of the 1970s and 1980s was precisely this—then it was only a matter of time before that "center," indeed, any "center" would collapse. Parenthetically, I must emphasize that the fact that the "center could not hold" in no way undermined the "correctness," of the revolutionary struggle. Nor should such a suggestion be construed as making such an assertion. It only meant that the struggles of those in the US committed to solidarity with the Filipino peoples—as the phrase was often formulated—were too profound, too complex, and the revolutionary movement all too human, for any one framework or perspective to encompass. If one deploys the language of democracy, one might say, the democratic impulse so deeply embedded in the

"movement" almost inevitably led to the opening to a multiplicity of struggles and continues to keep it open.

From another vantage point, one could also say, that the complexities of a postmodern, postcolonial, world simply demanded of the revolutionary struggle—itself a creature of the emancipatory impulse of modernity—and those in solidarity with it, a wider, more comprehensive sensibility. Here, the significance of plurality shows itself more fully. That is to say, plurality is a "limit situation." Its very structure of difference and particularity reveals the ideological, political, and organizational limits that we need to take seriously. Happily, these limits are not only about a "lack," they are also about possibility. In other words, the limits which some of us in the US came face-to-face with in the 1980s and the 1990s, limits that sometimes took the form of "mistakes" or even "inadequacies" (intellectual, analytical, political, ideological, financial, organizational, personal) are not only the origins of possibility and opportunity, but also the conditions of possibility for multiple forms of solidarity. Had we paid fuller attention to plurality, we might have discovered our limits early on—and in that discovery, developed a much richer understanding not only of what solidarity means but also what it entails.

This loss, which is both danger and possibility, rupture and repetition, raises a number of issues not only for the future of solidarity, but also for the existence of efficacious struggle and hope among the dispersed and the marginalized of our world. I believe there is not one but many futures for solidarity and therefore for struggle and hope—in particular, of solidarity as a fundamental question of identification, inclusion, and strategic practice in these struggles. These issues are: i) the character and location of the political, i.e., the nature of the social totality, ii) whose "solidarity" is being assumed and under what conditions, i.e., the question of the subject and of subjectivity, and iii) the languages (or discourses) of solidarity itself.

The first cluster of issues is tied to the location of the "political;" and, that precisely because this is so, it is today no longer possible to simply assume that the state (or the system of states) and "civil society" are the primary if not the exclusive, loci of politics, and, that the "political" which has always been more than government, governance, or the state and civil society, needs to be re-thought in order that the questions of solidarity can be re-thought as well.

The second cluster of issues is tied to the reality that it is today no longer possible to simply assume that demands worthy of solidarity are mainly those that have political (understood as "statist" or counter

statist) consequences or "pay-offs," but, rather, are about the demands for recognition (including survival) by those who have been historically mis-recognized, indeed, excluded from "solidarity" efforts: because their demands were not immediately "political;" and that, any notion of solidarity must include these demands as part of its self-understanding.

The third cluster of issues insists that it is no longer possible to make facile assertions, as modern epistemologies and ontologies do, about the separation, say of knowledge and power, reason and desire, fact and value, language and institutions; that, in fact, what appears to be abstract, in reality, are articulations of actual relations of ruling—beyond the fact that they may also be *mere* ideological legitimations of certain ruling elites. Thus, there is a need to attend today to the very language, that is, the discursive formations and strategies, of solidarity itself—as part of the task of re-thinking the political and revolutionary project. The point, of course, is not only that language is not innocent, nor that the one who speaks, and whose language is spoken, shapes the political agenda; but also, that language produces an effect.

THE FIFTH AND FINAL RUPTURE: RESISTANCE AND TRUTH—HOW CAN THE VICTIM SPEAK?

The fifth and final rupture and repetition returns us to the conversation with which I began: back to the intellectual production, reproduction, and representation of intellectuals such as ourselves. I am profoundly skeptical about the capacity of our modern institutions of academic and professional education to exercise a truly consistent transformative role in the societies that still value these institutions of higher education and its intellectuals as sites of legitimation and meaning, especially when these institutions insist on their commitment to the principle of reason and if they refuse, or are unable, not only to render this principle transparent and therefore open to transformation, but also—and this is directly related to the commitment to the principle of reason—if they hesitate to open themselves to other *raisons d'être*, other destinations that might lead into a friendlier, gentler, happier future.

Yet, I do not believe that modern universities—and those public institutions that both derive and provide them with legitimacy—will wither away; or that one should work for their demise. For these institutions in their medieval and modern forms have always represented society: its "scenography, its views, conflicts, contradictions, its play and its differences, and also its desire for

organic union in a total body."[52] It will not do, therefore, to disqualify these modern institutions of higher education and their intellectuals from playing a religio-moral role in society. In fact, these institutions—such as we know them—are more necessary than ever, precisely because they are already implicated in society: on the one hand, as sites and practices "of training for soldiery to the system of public structures and cultural practices that have yet to be critically examined,"[53] and on the other hand, as a contested *topos* for thinking, feeling, and indeed, acting, where perspectives, commitments, values, about the good, the true, and the beautiful contend. As both intersection and *topos*, they are religio-moral events that require articulation in order that choices can be made about the future, particularly a future of struggle and hope.

What are some of these practices that require articulation, precisely because they are ruptures in the logics of location and critique, Diaspora, and empire?

First, there is the practice of deliberation. Deliberation cannot be reduced to mere speech.[54] It encompasses the whole range of participative practices that pre-suppose a recognition and affirmation not only of the plurality of human life, celebrating difference as constitutive of community, but also of meaningful and direct participation in the governance of the community—at whatever level governance is called for.

Here, "community" is less the aggregation of groups based exclusively on racial, gender or class identities or solidarities, and more the *sites* where human beings, if not citizens, recognize and affirm their mutual obligations and relationships while simultaneously accepting norms of tolerance and radical inclusion. These practices are retrieving the meaning and significance of popular participation, which have been largely eclipsed by the logic of modernity.[55] Retrieval, of course, is not retreat or mere repetition, nor simply imitation (*Mimesis*), but appropriation (*Ereignis*), which is an historical event of mediation.[56]

Second, there is the practice of creating, nurturing, and defending what Hannah Arendt called "the common," that is, the *res publica*.[57] The common is the space for difference carved out by deliberating communities as they seek meaningful consensus. By being committed to the retrieval and preservation of the common, particularly a global common, one casts suspicion on the logocentric and totalizing pretensions of the modernist narrative and undermines its hegemony. It also redefines the common beyond the conventional

notions of territoriality, recognizing not only our shared context or our profound pluralistic existence, but also of our *human specie identity.* By identity I do not mean some kind of universal *gattungswesen,* but rather, a kind of radically inclusive, if "contaminated" cosmopolitanism that is more than formal representations of ethnic, gender, or class identities.[58] For diversity is not primarily about "representation" or even "identity." Rather it is about (plural) "locations," and (multiple) identifications—not some colorful polycentric liberal multiculturalism but a "radical multiculturalism" that, in the words of Gayatri Spivak, "thinks of 'culture' as the name of a[n emergent] complex strategic situation in a particular society."[59] Once shifted on to this "ground," the critical question becomes, "How *should* struggle and hope look like given our multiple locations and identifications?"

Third, there is the practice of utopia. We are reminded, "Where there is no vision, the people perish..." (Proverbs 29: 18, *NIV*) This vision, is not a description of the future, rather, it is an orientation in the present, a point of entry, a beginning, a departure, but not a final solution or goal. This is not a deficiency, however. Such a practice celebrates the simple fact of our historicality that is always in the process of being created and re-created towards the common goal of deliberating communities. While this orientation is mediated through the limits of these institutions of higher education, and of the communities that constitute these institutions, this unavoidable, if necessary, limitation, can be transformed into a practical critique of universalizing hegemonies, that, in the language of Michel Foucault, makes transgressions possible, making it *imaginable* to undermine, subvert, put into question, those dominative practices—particularly of pseudo-universals and false dichotomies—which discipline present-day political, economic, cultural and social experience.[60] Limitations are transformed into sites of resistance and solidarity. The practice of utopia, which is rooted in the *human imagination,*[61] is the reality of hope.

If there is any inspiration for theology and pedagogy that may be derived from the politics organized around the notion of "global civil society" in the 1980s, or the World Social Forums that call to "Globalize Struggle, Globalize Hope!" it is the possibility of creating communities and strategies that cut across political, economic, religious, and gender lines, that challenge the narrow confines of conventional and territorially-defined institutional thought and practice. There is no need to romanticize the politics arising out of the contestation between "state" and "civil society" [62] to see that the

significance of these movements lies not only in their capacity to articulate different understandings and practices of politics and ideology, nor simply in their keeping open the political space open for transformation, but also as sites in which deliberation occurs on the character of that space—what it means, for whom is it space, which spaces are important. They are, therefore, in the best sense, historical blocs, counterhegemonies, in the struggle for cultural transformation.[63]

More than the multiplicity of subjects and subject positions is at stake here, however.[64] For one's space, time, and place is of fundamental significance to the question, not only of politics and ethics, but, also to transformation.[65] Pluralism, even a normative pluralism, has no inherent virtue or efficacy. Who the subjects are, what they hope for, how they get there, are decisive to any transformative practice. This, to my mind, is what the discourses that go under the sign of postcolonialism, understood broadly as "oppositionality which colonialism brings into being,"[66] are addressing, as when Gayatri Spivak asks, "Can the subaltern speak?"[67] At the same time, this oppositionality is profoundly challenged by the radicalization of the subaltern into multiple forms of victimization especially in the age of Empire. Under these conditions, the victim, as Jacques Derrida points out, is one who cannot even protest... who cannot even present himself or herself as such... he or she is totally excluded... annihilated by history..."[68]

Intellectuals such as ourselves are tirelessly and relentlessly reminded that, in this context, struggle and hope are inextricably related to the singular (and therefore multiple) opposition to all forms of domination by concrete "subjects of history" who struggle both against "turn[ing] the Other into the Same" and challenge those who would deny Otherness—and who, in their inability to struggle, forces those who can to struggle with and for them.[69] The danger of repetition here lies in yielding to the temptation of becoming the "native informant" as a marker of authenticity, at the same time that we conflate the fact of our being the world's privileged, however personally innocent *flaneurs*, with the reality of the forced migrations of workers in the streets of our global cities, following the scent of global capital.

Critical to this "oppositional challenge" is an affirmation of the necessary, though insufficient, role which transgression plays in any ethical practice.[70] In her essay "A New Type of Intellectual: The Dissident," Julia Kristeva argues that it is only in becoming a stranger to one's own country, language, sex, and identity that one avoids

"sinking into the mire of common sense."[71] "Writing," she adds, "is impossible without some kind of exile... [which is] already itself a form of dissidence..."[72] At the heart of dissent—as exile and sites of difference and contestation—is both the recognition of limits and the practice of transgression of those limits. Borrowing from Richard K. Ashley and R.B.J. Walker, one might therefore suggest that ethics-in-Diaspora is about

> The questioning and transgression of limits, not the assertion of boundaries and frameworks; a readiness to question how meaning and order are imposed, not the search for a source of meaning and order already in place; the unrelenting and meticulous analysis of the workings of power in modern global life, not the longing for a sovereign figure...that promises deliverance from power; the struggle for freedom, not a religious desire to produce some territorial domicile of self-evident being that men of innocent faith can call home."[73]

Finally, there is the practice of truthfulness, of institutions of higher education striving to be sites of truth in church, society, and world. Despite their multistranded embeddedness in modernity's "meticulous rituals of power," such public institutions and the intellectuals that inhabit them, by intention and design, could challenge the practices of thought and action generated by the grand narrative of modernity, or other historical narratives including sexism, racism, classism. They can seek to articulate different understandings of the world in which they are situated, provide alternative readings of political, economic, cultural, and religious life—without pretending or aspiring to be legislators for church, society, and world.

Truth, however, is always inextricably related to thought, to the past, present, and future (temporality), and to location (spatiality) and positionality (strategy). Martin Heidegger observed that the unfolding of truth, which involves both concealment and unconcealment, was inseparable from thought itself. Not simply consciousness, even critical consciousness, thought requires situating one's self as a *topos* through which the truth of Being is brought forth and appropriated.[74] However, thought also requires, Jacques Derrida notes, and Martin Heidegger admits, both the principle of reason and what is beyond the principle of reason, the *arkhe* and an-*archy*, which is the opening, the clearing that sets history before the future where fragmentary space and time are brought together.[75] Thus, thought presses beyond the principle of reason, though it does not repudiate it, and refuses to surrender to the everyday, the conventional, and the traditional.

Here I return to the place of location and critique. What may be, in the last analysis, the appropriate though by no means the only role of intellectuals such as ourselves as we engage in the discourses of struggle and hope, is the care [*Sorge*] and *responsibility for the practice of thought*, that is, the nurture, preservation, and defense of truth that is always and already "ahead of ourselves,"[76] and which, therefore, becomes the opening for the "fundamentally new which is also fundamentally better." Here, struggle and hope are brought together as thought: as provocation (struggle and resistance), invocation (the desire and response to hope), and invitation (the call of that which lies ahead).[77] In the words of Jacques Derrida, the "...provocation [that] brings together in the same instant the desire for memory and exposure to the future, the fidelity of a guardian faithful enough to want to keep even the chance of a future...the singular responsibility of what he does not have and of what is not yet..."[78]

Finally, the role of the intellectual, suggested by this essay, is situated between the first (Foucault) and fifth (Heidegger) ruptures and repetitions. Here, thought is not synonymous with abstraction or (mere) speculation, as some of this essay's critics imply; it is not even a matter of seeing or hearing. Rather, it is as Martin Heidegger put it, being placed in that "opening"—the *Augenblick*—where truth might come forth. Intellectuals do not produce the truth. They can only respond to the call of truth by pressing towards its place of concealment and unconcealment. In fact, it is not about being the *avant garde*, at least, not in that old Marxist formulation noted at the beginning of this essay—that would be a repetition of a once powerful emancipatory rupture. The call is to be responsible primarily for ourselves (in the way Michel Foucault suggests) and not colonize the right or responsibility of citizenship and humanity that appropriately belongs to others. The role of the intellectual is not to "invite fellow citizens to a vision available *only* to those who live the life of the mind" [italics mine]. Rather, it is to enter into a common space of conversation with fellow citizens, from one's own perspective, recognizing that these fellow citizens have their own perspectives, and in that dialogical engagement—or even struggle—one may find a way together to a future which everyone has a part in creating, in seeing, and in living out.

In the end, *tapsilog*, instead of being the occasion for the assertion of an incommensurable preference becomes an invitation to the creation and nurture of a possible radically-inclusive community.[79]

ABOUT THE AUTHOR

Prof. Lester Edwin J. Ruiz, Ph.D. is currently Vice President for Academic Affairs and Academic Dean and Professor of Theology and Culture at New York Theological Seminary. On August 20, 2008 Dr. Ruiz will leave New York for Pittsburgh to join the professional staff of the Association of Theological Schools in the US and Canada (ATS) as one of four Directors for Accreditation and Institutional Evaluation.

ENDNOTES

[1] This is a revised version of an essay prepared for the Congress of Asian Theologians (V), "Sharing Hope for a New World: Summons to Asian Theology at the beginning of the 21st Century," Hong Kong, 20-26 August 2006, and published as Lester Edwin J. Ruiz, "Diaspora, Empire, Solidarity: Hope and the (Marginalized) Subaltern as rupture(s) and repetition(s)," *CTC Bulletin* 23, no. 1 (Summer 2007): 39-59. My thanks go to Edna Pugeda, Jerry Reisig, and the three pre-publication reviewers for their very helpful comments on the earlier drafts of this essay.

[2] [on-line] (*Deutsch-Französische Jahrbücher*, February, 1844, accessed 9 December 2007); available from http://www.marxists.org/ archive/marx/works/1843/critique-hpr/intro.htm#32; Internet.

[3] Panel presentation at the Ecumenical Women's Forum on Life-Promoting Trade, 12-14 December 2005, Hong Kong.

[4] "Blind Review I" of Lester Edwin J. Ruiz, "Diaspora, Empire, Solidarity: Hope, Struggle, and the Intellectual as ruptures(s) and repetition(s)," received on July 17, 2007 (hereinafter, Ruiz, "The Essay"). *Tapsilog* is a Filipino dish combining *tapa* (cured beef slices), fried garlic rice ("*si*nangag"), and fried egg ("it*log*")—thus the term *tap-si-log*—and served generally during breakfast. Interestingly, *tapsilog* itself is a linguistic innovation that presupposes difference—even at the point of its original creation—which, once created mediates an organic reality that is irreducible to its original parts. *Tapsilog* turns out to be a "mirror of nature," just as language mirrors the construction of reality. *Tapa*, *sinangag*, and *itlog* will never be the same again.

[5] My deepest reservations with this essentializing—and therefore idealist—discursive strategy is its easy, if uncritical, and ironic slide into the assumption that, despite its recognition of the contingent and socially-constructed character of identities (rupture), it can *still* posit not only an historically- and empirically-identifiable *essentialised* Asian and/or Filipino, and argue as if "the West and the Rest" are non-relational, mutually exclusive constructions (repetition). Can one really have one's *tapsilog* and eat it too? See fn. 19.

[6] Another pre-publication reviewer of this essay observes: "The scope and diversity of the topics discussed in such a short piece—modernity, capitalism, 9/11, migration, imperialism, gender theory, education, otherness, globalization—fail to give full flavor to each and every thread to pass for a more or less coherent *bricolage*." "Blind Review II" of Lester Edwin J. Ruiz, "Essay," received on July 17, 2007. In fact, this essay is not about uncovering the full *individual* "flavors" of the themes enumerated by the reviewer. Rather, it is about *assembling* these different or seemingly unrelated themes in order to form a *cartography* of the

ruptured and repetitious experiences of those who are in Diaspora in order to more adequately address them. Here, a "more or less coherent *bricolage*" cannot be achieved because the uniqueness of the individual flavors can only be comprehended as part of a larger, resolutely heterogeneous *dispositif*. See fn. 19.

[7] James D. Faubion, ed., *Michel Foucault: Aesthetics, Method and Epistemology, Essential Works of Foucault*, vol. 2 (New York: The New Press, 1998), 476.

[8] Manfred Halpern, "Choosing Between Ways of Life and Death and Between Forms of Democracy: An Archetypal Analysis," *Alternatives: Social Transformation and Humane Governance* 12, no. 2 (Winter 1987): 5-35.

[9] Gayatri Chakravorty Spivak, *A Critique of Postcolonial Reason: Toward a History of the Vanishing Present* (Cambridge: Harvard University Press, 1999), 333.

[10] Michel Foucault, "The Concern for Truth," in *Politics, Philosophy, Culture: Interviews and Other Writings, 1977-1984*, ed. L. D. Kritzman (New York: Routledge, 1988), 265. Of the act of criticism, Spivak writes, "... a caution, a vigilance, a persistent taking of distance always out of step with total involvement, a desire for permanent parabasis is all that responsible academic criticism can aspire to. Any bigger claim within the academic enclosure is a trick." Spivak, fn. 7, p. 362.

[11] Jacques Derrida, "The Principle of Reason: The University in the Eyes of its Pupils," *Diacritics* 13, no. 3 (Spring 1983): 3-20.

[12] See, for example, William G. Staples, *The Culture of Surveillance: Discipline and Social Control in the United States* (New York: St. Martin's Press, 1997).

[13] Richard Ashley and R.B.J. Walker, "Reading Dissidence/Writing the Discipline: Crisis and the Question of Sovereignty in International Studies," *International Studies Quarterly* 34, no. 3 (Spring 1990): 412.

[14] Anthony Giddens, *The Consequences of Modernity* (Stanford: Stanford University Press, 1990), 55-78.

[15] Renato Constantino, "The Mis-education of the Filipino," *The Weekly Graphic*, 8 June 1966. See also, Renato Constantino, *Neocolonial Identity and Counter-Consciousness: Essays in Cultural Decolonization* (London: Merlin Press, 1979).

[16] Reynaldo Ileto, *Pasyon and Revolution: Popular Movements in the Philippines, 1840-1910* (Quezon City: Ateneo de Manila University Press, 1979). Cf. Lester Edwin J. Ruiz, "Nationalisms in Southeast Asia: Cartographies of Struggle," in *Encyclopaedia of Nationalism*, 2000 ed.

[17] Blind Review II, fn. 4.

[18] Ibid.

[19] One need only examine, for example, Philippine political, economic, military, and educational institutions to begin to catch a glimpse of how deeply rooted they are in the logics of modernity—Thomas Hobbes and John Locke being the fundamental competing metaphors within modernity. See Lester Edwin J. Ruiz, "Towards a Transformative Politics: A Quest for Authentic Political Subjecthood" (Ph.D. diss., Princeton Theological Seminary, 1985).

[20] Ashley and Walker, fn. 11.

[21] Elsewhere I have argued that articulation and inscription are not mutually exclusive. Thus, the principle of reason is not only articulated as speculative thought but is also *inscribed* on structures, processes and "volatile bodies" where both the human and political body are "inscribed surface of events" that are "malleable and alterable" by gender, appropriate behaviour, and standards of, for example, femininity and masculinity. It is, in my language, a "practice" or a *dispositif.* Lester Edwin J. Ruiz, "In Pursuit of the Body Politic: Ethics, Spirituality, and Diaspora," in *Re-Framing the International: Law, Culture, Politics*, eds., Richard Falk, Lester Edwin J. Ruiz and R.B.J. Walker (New York: Routledge, 2002), 163-186. A *dispositif*, according to Michel Foucault is a "a resolutely heterogeneous assemblage, containing discourses, institutions, architectural buildings [*amenagements architecturaux*], reglementary decisions, scientific statements, philosophical, moral, philanthropic propositions... said as well as non-said [*du dit aussi bien que du non-dit*]..." [Michel Foucault, *Power/Knowledge: Selected Interviews and Other Writings 1972-1977*, ed., Colin Gordon (New York: Pantheon Books, 1980), 194-195]. For Gilles Deleuze a *dispositif* is "a tangle, a multilinear ensemble. It is composed of lines, each having a different nature. And the lines in the apparatus do not outline or surround systems which are each homogeneous in their own right, object, subject, language, and so on, but follow directions, trace balances which are always off balance, now drawing together and then distancing themselves from one another. Each line is broken and subject to changes in direction, bifurcating and forked, and subject to drifting. Visible objects, affirmations which can be formulated, forces exercised and subjects in position are line vectors and tensors. Thus the three major aspects which Foucault successively distinguished, Knowledge, Power and Subjectivity are by no means contours given once and for all, but series of variables which supplant one another." [Gilles Deleuze, "What is a *dispositif?*" in *Michel Foucault Philosopher*, ed., Timothy J. Armstrong (New York: Routledge, 1992), 159-168.]

[22] See Jean Francois Lyotard, *The Postmodern Condition* (Theory & History of Literature), trans., G. Bennington and B. Massumi (London: Manchester University Press, 1984).

[23] Paulo Freire, *Pedagogy of the Oppressed*, trans., Myra Bergman Ramos (New York: Crossroads Publishing Company, 1972).

[24] Gustavo Gutierrez, *A Theology of Liberation: History, Politics and Salvation*, trans., John Eagleson (New York: Orbis Books, 1988).

[25] Elisabeth Grosz, "Notes towards a corporeal feminism," *Australian Feminist Studies* 5 (1987): 2. See also Elisabeth Grosz, *Volatile Bodies: Towards a Corporeal Feminism* (St. Leonard's, NSW: Allen and Unwin, 1994); Allison Jaggar, "Love and Knowledge: Emotion in Feminist Epistemology," in *Feminisms*, eds. Sandra Kemp and Judith Squires (New York: Oxford University Press, 1997), 13-384; Kwok Pui Lan, *Postcolonial Imagination and Feminist Theology* (Philadelphia: Westminster John Knox Press, 2005).

[26] Régis Debray, *Critique of Political Reason* (London: Verso, 1983), 1. There are other examples. See, John Dewey, *Democracy and Education* (New York: The Free Press, 1916); Ivan Illich, *De-Schooling Society* (London: Marion Boyars Publishers, 1999); Freire, *Pedagogy of the Oppressed*, fn. 21; Jim Merod, *The Political Responsibility of the Critic* (Ithaca, New York: Cornell University Press, 1989); Alvin Gouldner, *The Future of Intellectuals and the Rise of the New Class: A Frame of References, Theses, Conjectures, Arguments, and an Historical Perspective on the Class Contest of the Modern Era* (New York: Oxford University Press, 1982); Donald Macedo, ed., *Chomsky on Mis-Education* (New York: Rowman and Littlefield Publishers, Inc, 2004).

[27] One might look, for example, at the notion of salvation in Christianity which grounds many claims to liberation. One could ask rhetorically, does not a male savior in a patriarchal society reinforce the domination

of men over women even though it may gesture towards liberation? Indeed, at the heart of this notion is a binary construction of savior and victim and the implicit hierarchy that is established between the culture of the savior—cast as that which is righteous, moral and ethically- superior—and the culture of the victim characterized as unrighteous, immoral, and inferior. Liberation (as the "empty signifier") may, indeed, offer some kind of hope for the "poor and the oppressed," yet by accepting uncritically its unreconstructed binary articulation (of savior and victim), it merely legitimizes the relations of domination and hierarchy between actually-existing "saviors" and "victims." My thanks go to a third pre-publication reviewer of the essay for impressing this point on me.

[28] See, for example, Gary Dorrien, *Imperial Designs: Neoconservatism and the New Pax Americana* (New York: Routledge, 2004).

[29] Giorgio Agamben, *State of Exception*, trans., Kevin Attell (Chicago: University of Chicago Press, 2005).

[30] See Philip Alston, "Report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Addendum, Mission to the Philippines," Advanced Edited Version [on-line] (accessed 6 December 2007); available from http://www.inquirer.net/verbatim/A-HRC8-Philippines_Advance.pdf; Internet. See also, Amnesty International, "Philippines: Political Killings, Human Rights and the Peace Process," AI: ASA 35/006/2006, 15 August 2006.

[31] See Ruiz, "Towards a Transformative Politics," fn. 17; See also Lester Edwin J. Ruiz, "Sovereignty as Transformative Practice," in *Contending Sovereignties: Redefining Political Community,* eds., Saul H. Mendlovitz and R.B. J. Walker (Boulder, Colorado: Lynne Rienner Publishers, 1990), 79-96.

[32] The academic literature on this is extensive. See for example, Michael Mann, *Incoherent Empire* (London: Verso, 2003); David Harvey, *The New Imperialism* (London: Oxford University Press, 2003); *Debating Empire,* eds., Gopal Balakrishnan and Stanley Aronowitz (London: Verso, 2003); Michael Hardt and Antonio Negri, *Empire* (Cambridge: Harvard University Press, 2000)); Michael Hardt and Antonio Negri, *Multitude: War and Democracy in the Age of Empire* (New York: Penguin Press, 2004). Michael Hardt and Antonio Negri's *Empire* and *Multitude* offer one analysis that is notable for its extensive popular consumption as much as its message of a decentered system of imperial rule challenged by a rather amorphous formation they called "multitude."

[33] The term "global capitalism" used throughout this essay is intended to be imprecise. My concern is less with a substantive definition of capitalism—clearly an impossibility given the plural forms of capitalism today—and more with specifying a region of discursive practices characterized by the globalizing trajectories of *modern* capitalism. In fact, it might be argued that "transnational capitalism" could very well be the more useful term to describe the many capitalisms at the beginning of this century. By "globalization" I refer to those processes of profound structural transformation that have gained some level of autonomy at the global level, which sustain the movements and flows of capital, people, goods, information, ideas, and images, and which are altering the conditions under which communities and identities are enacted. See Michael Featherstone, ed., *Global Culture: Nationalism, Globalization and Modernity* (London: Sage, 1990). Cf. Yoshikazu Sakamoto, ed., *Global Transformation: Challenges to the State System* (Tokyo: United Nations University Press, 1994); Saskia Sassen, *Globalization and its Discontents* (New York: W.W. Norton, 1998); Richard Falk, *Predatory Globalization: A Critique* (London: Polity Press, 1999); Jean-Luc Nancy, *The Creation of the World or Globalization*, trans., Francois Raffoul and David Pettigrew (Albany: State University of New York, 2007), 2ff.

[34] See generally, Paul A. Passavant and Jodi Dean, eds., *Empire's New Clothes: Reading Hardt and Negri* (New York: Routledge, 2004). See especially Ernesto Laclau, "Can Immanence Explain Empire?" in Passavant

and Dean, Ibid., 21-30. Cf. Mark Taylor, *Religion, Politics, and the Christian Right: Post 9/11 Powers in American Empire* (Philadelphia: Augsburg Fortress Press, 2005); Sharon Welch, *After Empire: The Art and Ethos of Enduring Peace* (Philadelphia: Augsburg Fortress Press, 2004). My own view of "empire" has religio-moral sensibilities. See, for example, Charles Amjad-Ali and Lester Edwin J. Ruiz, "Betrayed by a Kiss: Evangelicals and the US Empire—The Consequences of a Theological and Political Paradox," Unpubl. Mss.

[35] William E. Connolly, *Identity/Difference: Democratic Negotiations of Political Paradox* (Ithaca: Cornell University Press, 1991), 61.

[36] Rudyard Kipling's famous poem: "White Man's Burden: The United States & the Philippine Islands, 1899," with its binary of the morally superior colonizer and the unenlightened colonized is emblematic. Its initial publication in the February 1899 issue of *McClure's Magazine* coincided with the beginning of the Philippine-American War, as well as the US Senate's ratification of the treaty that placed Puerto Rico, Guam, Cuba, and the Philippines under US control. It is reported that Theodore Roosevelt sent it to his friend, Senator Henry Cabot Lodge, commenting that it was "rather poor poetry, but good sense from the expansion point of view." Not everyone was as favorably impressed as Roosevelt. "The racialized notion of the 'White Man's burden' became a euphemism for imperialism, and many anti-imperialists couched their opposition in reaction to the phrase." "The White Man's Burden: Kipling's Hymn to U.S. Imperialism," [on-line] (accessed 7 December 2007); available from http://historymatters.gmu.edu/ d/5478/. Internet.

[37] Richard Slotkin, *Regeneration through Violence: The Mythology of the American Frontier, 1600-1860* (Norman, Oklahoma: University of Oklahoma Press, 2000).

[38] Michael Dillon, "Sovereignty and Governmentality: From the Problematics of the 'New World Order' to the Ethical Problematic of the World Order" *Alternatives: Social Transformation and Humane Governance* 20, no. 3 (Spring 1995): 323-368.

[39] Historically, Filipinos were always a "migrant" people: the "original" inhabitants of the islands later called Las Islas Filipinas were nomadic; the first "settlers" were "boat people" from the Malayo-Polynesian region. Under Spanish colonialism, the "natives" migrated to Europe, especially to Spain; under US colonialism, to the US. In the late 19th century and throughout the 20th century, migration and immigration to the US, despite a painful Philippine-US war, was virtually unbroken. In fact, Filipinos, whether prominent or not, were part of the warp-and-woof of American life: Filipinos in the Hawaiian pineapple and sugar cane plantations, Filipinos claiming World War II veterans benefits promised by the US government in return for their role in the USAFFE, Filipinos going to the US to study, Filipinos joining the US military, Filipino nurses, Filipinos in exile in the US. While information on overseas Filipinos is difficult to ascertain, estimates published in December 2006 by the Commission on Filipinos Overseas (CFO), an agency of the Philippine Government's Department of Foreign Affairs, from CFO, DFA, and the POEA sources covering 192 countries and territories, place the total number of overseas Filipinos at 8.23 million, of which 3.55 million are permanent (immigrants or legal permanent residents), 3.8 million are temporary (OFWs), and 874,792 are irregular (without proper documentation). Of this number, 89,798 are in Africa, 1.2 million are in East/South Asia, 1.83 million in West Asia, 888,260 in Europe, 3.57 million in the Americas, and 339,963 in Oceania. In addition, there are approximately 274,497 sea-based workers. Commission on Filipinos Overseas, "Stock Estimate of Overseas Filipinos, as of December 2006," [on-line] (accessed 15 December 2007); available from http://www.cfo.gov.ph/ statistics.htm; Internet. The total estimated population of the Philippines as of July 2007 was 91 million. Central Intelligence Agency, "Philippines," The World Fact Book, [on-line] (accessed 15 December 2007); available from https://www.cia.gov/library/ publications/ the-world-factbook/print/rp.html; Internet.

[40] Epifanio San Juan, "Fragments from a Filipino Exile's Journal," *Amerasia Journal* 23, no. 2 (Winter 1997): 1-25. See also Jonathan Okamura, *Imagining the Filipino American Diaspora: Transnational Relations, Identities, and Communities* (New York: Garland Publishing, Inc., 1998); Oscar Campomanes, "The New Empire's Forgetful and Forgotten Citizens: Unrepresentability and Unassimilability in Filipino-American Postcolonialities," *Critical Mass* 2, no. 2 (Winter 1995): 145-200. Cf. Epifanio San Juan, Jr., "Configuring the Filipino Diaspora in the United States," *Diaspora* 3, no. 2 (Winter 1994): 117-133; Fpifanio San Juan, *From Exile to Diaspora: Versions of the Filipino Experience in the United States* (Boulder, Colorado: Westview Press, 1998).

[41] Nikos Papastergiadis, *The Turbulence of Migration: Globalization, Deterritorialization, and Hybridity* (Cambridge: Polity Press, 2000), 3-21.

[42] Ibid., passim.

[43] Nevzat Soguk, *States and Strangers: Refugees and Displacements of Statecraft* (Minneapolis: University of Minnesota Press, 1999).

[44] Eduardo Cadava, Peter Connor, and Jan-Luc Nancy, eds., *Who Comes after the Subject?* (New York: Routledge, 1991).

[45] Michael Ryan, *Politics and Culture: Working Hypotheses for a Post Revolutionary Society* (Baltimore, Maryland: Johns Hopkins University Press, 1989).

[46] The modern-postmodern divide is a profoundly contested one. By placing them in proximity, as I do in this essay, I want to suggest that these structures of meaning are best understood in both their continuities and discontinuities of method, cultural form, and political practice. Thus, I understand modernity and postmodernity less as periodizations and more as "conditions," "sensibilities," and "practices." My own orientation, sensibility, and location are probably more congenial with the theory and practice of postcoloniality than with modernity or postmodernity. See, for example, Bill Ashcroft, Gareth Griffiths, and Helen Tiffin, eds., *The Post-Colonial Studies Reader* (New York: Routledge, 1995).

[47] This I take to be the philosophical significance of Jacques Derrida's January 1996 Paris lectures on "Foreigner Question" and "Step of Hospitality/No Hospitality," published in Jacques Derrida and Anne Dufourmantelle, *Of Hospitality*, trans., Rachel Bowlby (Stanford: Stanford University Press, 2000).

[48] Lester Edwin J. Ruiz, "After Grand Theory: Musings on Dialogue, Diversity, and World Formation," in Shin Chiba, et al., eds., *Towards a Grand Theory of Peace* (Forthcoming, Summer 2008).

[49] Marshall Berman, *All That Is Solid Melts into Air: The Experience of Modernity* (New York: Penguin Books, 1988).

[50] This is the philosophical burden of my essay entitled, "All that is Solid Melts into Air: The Future(s) of Philippine Solidarity Work in the US," prepared for the Bayanihan International Solidarity Conference, Bahay ng Alumni, University of the Philippines, Diliman, Quezon City, 24-26 August 2001, and published in the proceedings of that conference.

[51] I want to suggest that 1992 was a "watershed" for solidarity work in the US, not only in relation to the Philippines, but in relation to other countries, e.g., South Africa, El Salvador, and Nicaragua. Indeed, it would be interesting to compare the experience of solidarity work in the US for movements in these countries during the period of the 1980s. I suspect the Philippine experience bore many similarities to

these others. Additionally, see my essay entitled, "All that is Solid Melts into Air," fn. 47.

[52] Derrida, fn. 8, p. 19.

[53] Blind Review II, fn. 4.

[54] Jürgen Habermas, *The Theory of Communicative Action: Reason and the Rationalization of Society*, vol 1, trans., Thomas McCarthy (Boston: Beacon Press, 1985).

[55] See, Roberto Unger, *Knowledge and Politics* (New York: The Free Press, 1975); C.B. Macpherson, *The Political Theory of Possessive Individualism: Hobbes to Locke* (New York: Oxford University Press, 1962); See, also Ernesto Laclau, *On Populist Reason* (London: Verso, 2007).

[56] See Hans Georg Gadamer, *Truth and Method*, 2nd rev. ed., trans., Joel Weinsheimer and Donald G. Marshall (New York: Crossroads, 1989); Paul Ricoeur, *From Text to Action*, trans., Kathleen Blamey and John B. Thompson (Evanston, Illinois: Northwestern University Press, 1991).

[57] Hannah Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1958). See also, Mordechai Gordon, ed., *Hannah Arendt and Education: Renewing Our Common World* (Boulder, Colorado: Westview Press, 2002).

[58] Kwame Anthony Appiah, *Cosmopolitanism: Ethics in a World of Strangers* (New York: W.W. Norton, 2006).

[59] Spivak, fn. 7, p. 334.

[60] See also, bell hooks, *Teaching to Transgress: Education as the Practice of Freedom* (New York: Routledge, 1994).

[61] See Ricoeur, fn. 54, especially, 227-328.

[62] Jean L. Cohen and Andrew Arato, *Civil Society and Political Theory* (Boston: MIT Press, 1994). Cf. Laclau, fn. 53.

[63] Antonio Gramsci, *Selections from the Prison Notebooks*, ed., and trans., Quintin Hoare and Geoffrey Nowell Smith (London: Lawrence and Wishart, 1971). See also, Ernesto Laclau and Chantal Mouffe, *Hegemony and Socialist Strategy: Toward a Radical Democratic Politics*, 2nd ed. (London: Verso, 2001).

[64] Cadava, Connor, and Nancy, fn. 42; Simon Critchley and Peter Dews, eds., *Deconstructing Subjectivities* (New York: State University of New York Press, 1996).

[65] Halpern, fn. 6.

[66] Ashcroft, Griffiths, and Tiffin, fn. 44, p. 117.

[67] Gayatri Chakravorty Spivak, "Can the Subaltern Speak?" *Marxism and the Interpretation of Culture*, eds., Nelson, Cary and Lawrence Grossberg (London: Macmillan, 1988).

[68] "One of the meanings of what is called a victim (a victim of anything or anyone whatsoever)," Derrida writes, "is precisely to be erased in its meaning as victim. The absolute victim is a victim who cannot even

protest. One cannot even identify the victim as victim. He or she cannot even present himself or herself as such. He or she is totally excluded or covered over by language, annihilated by history, a victim one cannot identify.... But there is also the unreadability that stems from the violence of foreclosure, exclusion, all of history being a conflictual field of forces in which it is a matter of making unreadable, excluding, of positing by excluding, of imposing a dominant force by excluding, that is to say, not only by marginalizing, by setting aside the victims, but also by doing so in such a way that no trace remains of the victims, so that no one can testify to the fact that they are victims or so that they cannot even testify to it themselves. ... To name and to cause the name to disappear is not necessarily contradictory. Hence the extreme danger and the extreme difficulty there are in talking about the effacement of names, Sometimes the effacement of the name is the best safeguard, sometimes it is the worst "victimization." ...Cinders... is a trope that comes to take the place of everything that disappears without leaving an identifiable trace. The difference between the trace "cinder" and other traces is that the body of which cinders is the trace has totally disappeared, it has totally lost its contours, its form, its colors, its natural termination. Non-identifiable. And forgetting itself is forgotten." Jacques Derrida, *Points....: Interviews, 1974-1994*, ed., Elizabeth Weber (Stanford: Stanford University Press, 1995), 387-391.

[69] Ernesto Laclau, *Emancipation(s)*, (New York: Verso, 1996); David Campbell, "The Deterritorialization of Responsibility: Levinas, Derrida, and Ethics after the End of Philosophy," in *Alternatives: Social Transformation and Humane Governance* 19, no. 4 (Summer: 1994); Bernard Waldenfels, "Levinas and the face of the other," in *The Cambridge Companion to Levinas*, eds., Simon Critchley and Robert Bernasconi (New York: Cambridge University Press, 2002); John Caputo, *More Radical Hermeneutics: On Not Knowing Who We Are* (Bloomington, Indiana: Indiana University Press, 2000).

[70] bell hooks, fn. 58.

[71] Julia Kristeva, "A New Type of Intellectual: The Dissident," in *The Kristeva Reader*, ed., Toril Moi (New York: Columbia University Press, 1986), 292-299.

[72] Ibid.

[73] Richard Ashley and R.B.J. Walker, "Speaking the Language of Exile: Dissident Thought in International Studies," *International Studies Quarterly* 34, no. 3 (Spring 1990): 265.

[74] Martin Heidegger, *The Question Concerning Technology and Other Essays*, trans., William Lovitt (New York: Harper Torchbooks, 1969); Martin Heidegger, *Poetry, Language, Thought*, trans., Albert Hofstadter (New York: Harper Collins, 1971).

[75] Jacques Derrida, *Limited, Inc.*, trans., Samuel Weber (Evanston, Illinois: Northwestern University Press, 1988).

[76] Martin Heidegger, *Being and Time*, trans., John Macquarrie and Edward Robinson (New York: Harper and Row, 1962), 225ff.

[77] Thus, I cannot agree with one pre-publication reviewer of this essay who eloquently asserts, "We shouldn't limit the role of the intellectual to the 'responsibility for the practice of thought' for such a diminished role, however *avant-garde*, consigns us to political irrelevance...The role of the intellectual," this reviewer continues, "is to engage his society at the level of the practical by inviting his fellow citizens to a vision available only to those who live the life of the mind. The eyes of the intellectual are situated in the present, but are able to see through the dying past and the awakening future. It is this perspective that we must share, if only because society pays us and allows us to live the life we live precisely for the

privilege of seeing with our eyes." Blind Review II, fn. 4. I can only reiterate that "thought" cannot be reduced to the speculative; and that the "life of the mind" is not always the *avant garde* of transformation.

[78] Derrida, fn. 9, p. 20.

[79] My argument seeks refuge in Joanne Harris' novel, *Chocolat* (New York: Doubleday, 1999) and Gabriel Axel's and Isak Dinesen's film entitled, "Babette's Feast" (Released August 28, 1987).

Francisco A. Englis

The Higa-unon *Kutiapi*: A Two-Stringed Plectrum Lute

On Mindanao Island, southern Philippines, numerous non-Muslim, non-Christian tribal groups—collectively categorized as the Mindanao *lumad* (tribes)—still perform their traditional music. These musical genres existed long before the advent of Islam in 1490 and Christianity in 1521 in the Philippines. This paper on the indigenous plectrum lute, the kutiapi, of one *lumad*, the Higa-unons of Rogongon, a barangay (village) in the City of Iligan, province of Lanao del Norte, documents one such oral tradition. The paper will present the findings of the study of Higa-unon kutiapi music, namely, its mythological evolutions, role in the society, repertoire and performance practice, and music making techniques. It will also include organological descriptions of the kutiapi as an instrument with a zoomorphic corpus. It is evident that the tribe's cultural heritage, if not already acculturated, is fast disappearing, Thus the study tried to find out what remained of the traditional kutiapi music and what the people still know about the origin of kutiapi. This was done through field investigation, interviews, audio documentation of actual kutiapi playing and qualitative description of the instrument, as well as observation and analysis of the socio-economic and political conditions obtaining in the community, which maybe factors for culture change. It is hoped that this presentation will provide the impetus for further research on Higa-unon music, especially in the areas of Higa-unon's preferences in the organization of their music, the identification of specific repertoire for other instruments, the kutiapi's possible 21st century transformations, and the possible transcription into notation of various archaic ritual songs.

INTRODUCTION

"Several academic scholars have come to our place to study our way of life, thinking this could easily be understood in a few encounters. The truth is that it will take almost a lifetime to fully understand 'ang kinatibuk-an sa among kinabuhi ug pamaagi.' In other words, our aspirations, intuitions, insights, and all other aspects of our life and traditional practices."[1]

Datu Rajah Pintu

Many non-Muslim, non-Christian tribal groups—collectively categorized as the Mindanao *lumad* (indigenous tribes)—still perform their traditional music in Mindanao, southern Philippines. These musical genres existed long before the advent of Islam, which was first brought to Maguindanao by Sharif Awliya around 1460 and by Sharif Kabungsuan sometime in 1515 (Rudil, 2003:7), and before the Spaniards brought Christianity to the Philippines in 1521. The kutiapi, the indigenous plectrum lute, of the Higa-unons of Rogongon in the City of Iligan, province of Lanao del Norte, is one such musical tradition.

A glimpse of their rich musical heritage is still evident among the older generation of Higa-unon. They live in the upper hinterlands of Bukidnon province in the north central portion of Mindanao, in the mountain chains between Bukidnon and Agusan Provinces in the northeast, in the upland areas of Cagayan de Oro City, Misamis Oriental, and most especially in Iligan City in the northwest. This paper focuses on the inhabitants of the area around Iligan City, Misamis Oriental. Understanding the name of the tribe is deemed necessary in determining the origin of the Higa-unon.

The use of the term Higa-unon (invariably spelled Higa-onon or Higaonon by some scholars and by government agencies) first appeared in two reports from 1967. One was an article published by a member of the culture, Ricardo de la Camara, also known as Datu Mibalao among the Higa-unon, in which he identified three provinces as their habitat (Camara, n.d.). Another report is by social scientists, Juan R. Francisco and Angelo Bernardo, who carried out a cultural and demographic survey of the Higa-unon in Agusan del Norte between March 1 and April 26, 1967 (Francisco & Bernardo, 1979). According to Francisco, "the name Higaonon became a part of the ethnographic vocabulary only about the early 1960s" (1980:46). In some articles about this tribe, it has been normal to use a dash within the term, thus "Higa-unon." The term variously means "hinterland dwellers" (Biernatzki, 1973: 16) or "mountain dwellers" (Cole, F-C. 1956: 5). The term was derived from the root word *gaun*. Edvilla Talaroc reported that to the Higa-unon in the western part of Misamis Oriental province, the term *gaon* (sic) generally means "mountain" and literally as "dry lands" (Talaroc, 1975:7). Ricardo D. Caluen, however, made an etymological definition of the term based on a personal interview with the Higa-unon in Rogongon, Iligan City, stating that:

The term is a derivative of two "Higa-unon" words: *higad* and *gaon*. The former refers to a situation wherein something is placed on a flat surface as *palay* [rice] on mats to dry. However, *gaon* could mean "to alight from or arise from." Putting the two together, *higa-unon* literally means "one who rises from" (Caluen, 1982:66).

The root word of Higa-unon is actually *gaun*, which means "going up" or one who "rises from" (the water). The phrase "going up" is appropriate to this tribe in Rogongon as suggested by their folktales, the *Gugud* (also known as *Batbat*, "to narrate"), which traces their legendary migration from the mouth of the Bayug river to the interior upland areas, reminiscent of and identical to the rolling hills of Rogongon (Caluen, 1982:75-78). The prefix *hi-* may refer to a third person, either singular or plural, signifying one "who is going up," and the suffix *non* serves as an inflectional ending, signifying a "people who." Using the above description, one can conclude that the term Higa-unon (especially that referring to the *lumad* of Rogongon) means "people who went up."[2] The use of a dash, therefore, between *Higa* and *unon* does not actually refer to the root word. It is suggested, however, that the dash probably aids in the proper pronunciation of the term.

Although the term Higa-unon did not appear officially in ethnographic literature until the 1960s, there was one earlier reference in a report by Fay-Cooper Cole done in 1910, which is often quoted by local and foreign social scientists studying the tribes of Bukidnon Province, Mindanao. According to Cole, "these people usually refer to themselves as *Higaonon* [sic] 'mountain dwellers,' but they are better known as Bukidnon, a name applied to the mountain people by the coastal Bisayan" (Cole, 1956: 5). Cole's findings are echoed in the later fieldwork by Biernatzki who concluded that *Higa-onon* is an "old word in the Bukidnon language (*Binukid*) [that] denotes exactly the same Mindanao group as does *Bukidnon*" (Biernatzki, 1973: 16). Cole's and Biernatzki's findings strengthen the hypothesis that both the Bukidnons (as a tribe) and the Higa-unons are of the same origin. Unabia further underscores this hypothesis by adding that the term *Bukidnon* refers to the various inhabitants of the north-central part of Bukidnon province, including those whose names refer to places or rivers where they reside, for example, the Tagoloanun, the Pulangion, the Higa-unen [sic], and the Talaandig. Furthermore, these natives speak a common language, believe in a common god, *Magbabaya*, practice the *Kaliga* ritual, follow a common set of customs and

traditions, and share a folk literature (Unabia, 1976:6-7).

Datu Rajah Pinto, a major informant for this paper, also made the following observations when asked which of these two terms is authentic. According to him, "*Bukidnon*" is a term used by Christian Visayan settlers when referring to the *lumad* who dwell in the mountains (*bukid*). However, Pinto argues that since the Higa-unons refer to a mountain or a hill as *buntud*, the use of "Bukidnon," as in Bukidnon Province, is consequently a misnomer. In accordance with the Higa-unon language, therefore, the province should be renamed "Ibuntudan Province" rather than Bukidnon.[3] This would, according to the argument, give due justice to the original settlers of the area. There are also similarities among the Bukidnon tribes' social enjoyment, especially in music and dance. Predictably, slight variations in cultural settings differentiate indigenous tribal groups from one another. Unfortunately, their customs and traditions have become vulnerable to the onslaught of westernization and modernization.

The Higa-unon share certain affinities with other *lumad* co-existing in and around the neighboring provinces of Bukidnon and Mindanao. Foremost among these other *lumad* are the Manobos, whose origin is not known except that they are scattered throughout Mindanao. Elena G. Maquiso, in her comprehensive study of a Manobo epic, *Ulahingan* (1977), cited several manuscripts from Blair and Robertson's *The Philippine Island*, on the whereabouts of the Manobos in Mindanao:

> When the Spaniards reach Mindanao, they found Manobos in different parts of the islands. They were "in the interior about the watershed of Agusan river (Blair and Robertson 1906 vol. 40:123, footnote 46); "in the province of Iligan, which borders in Caraga" as well as the entire cost of Northern Mindanao and the island of Camiguin (Blaire and Robertson, vol. 38:106); "along the various points of the coast from the Malalag to Sarangani;" in the Cotabato and Davao areas and "around the headwaters of the Rio Grande de Mindanao" (Blaire and Robertson, vol. 43:241, footnote 106; 275-276; 197, footnote 82 in Maquiso, 1977:6).

One relationship of the Manobo and Higa-unon is seen in their musical practices and musical instruments. Richard Elkins's findings on the language structure of the eighteen linguistic groups confirm the relationship between the Higa-unon and the other *lumad* communities in Mindanao. According to this study, a proto-Manobo language existed initially among some eighteen language groups including the Higa-unon and the Binukid (Elkins, 1976-78, 2:525).

The name of the area studied, Rogongon, comes from the Higa-

unon word *lugung*, which means thunder. Tribal folktales preserve several versions of the origin of the word. One of these folktales describes a tree that grew in Rogongon, which was the original Higa-unon settlement along the Bayug river now named the Mandulog. According to this tale, this tree was so huge, its branches reached out to several mountains surrounding the lower valley of old Rogongon. During strong winds, thunderous sounds emanating from the giant branches of this tree could be heard even in distant areas, thus the name *lugungen*.[4] A separate account provided by an informant claimed that the name was given by Apo-a Tominocul, a legendary ancestor of the Higa-unons, for a tree believed to be the abode of *diwatas* (spirits), which produced thunder (Caluen, 1982:82)

The Higa-unons have retained some of their pre-Islamic and pre-Hispanic traditional culture. The group studied in Barangay Rogongon bears close affinity to the Maranao Muslims, thus, their categorization as a "Marginal-Islamic" group. This link could be seen in their knowledge of the Maranao style of playing the kutiapi. Unfortunately, it is evident that the tribe's cultural heritage, if not already acculturated, is fast disappearing. Thus this study is an attempt to find out what remains of the traditional kutiapi music and what the people still know about the origin of kutiapi. At the same time, this study will describe the instrument organologically.[5]

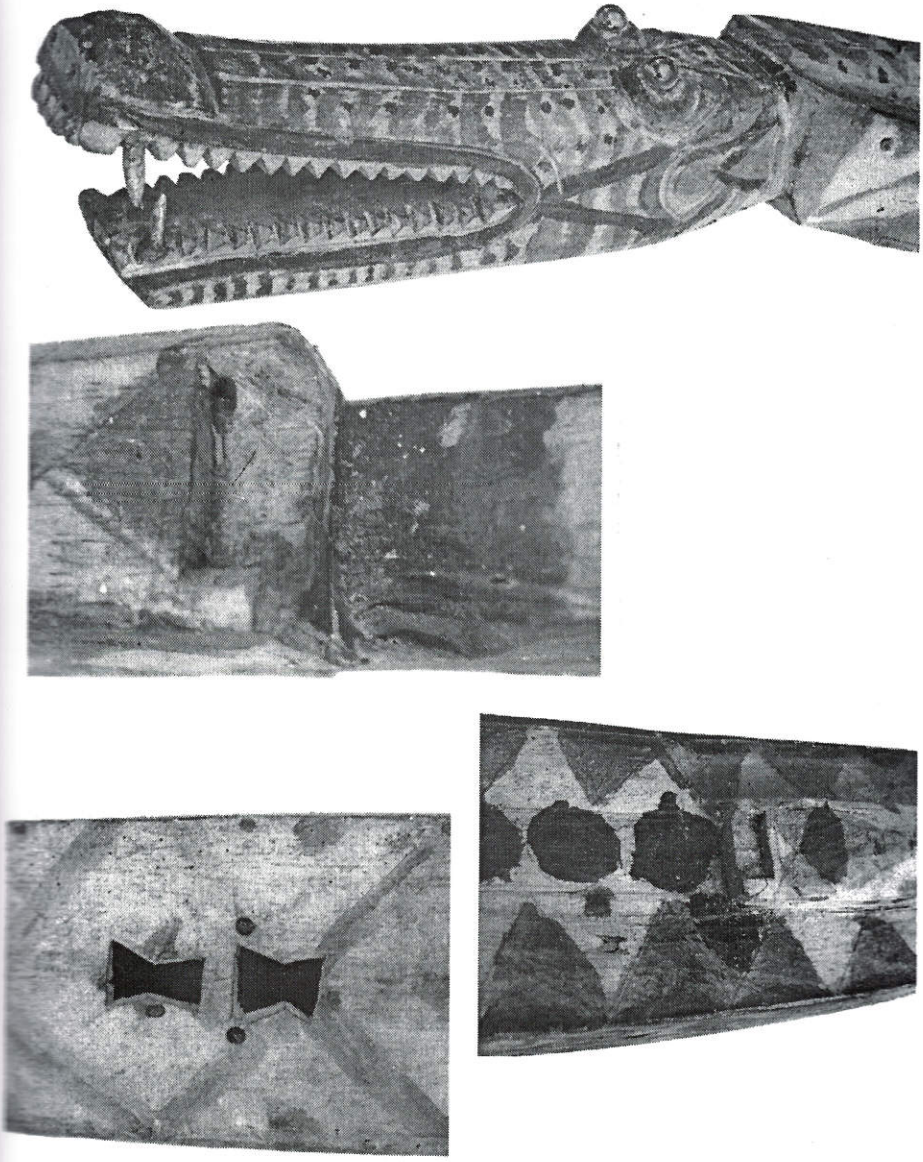
Studies suggest that Higa-unon vocal and musical instruments are becoming rare. In fact, there is a strong evidence that these may soon be extinct. During my fieldwork for this study, I found only two authentic performers who could discuss the repertoire in its original social context (e.g., mythological, lore, and the evolution of certain music pieces). The majority of the young Higa-unons never had a chance to learn these musical practices, let alone appreciate them, although they know a little about their traditional dances.

THE KUTIAPI

Of the various solo melodic instruments of the Higa-unon in Rogongon, the two-stringed lute called kutiapi (also spelled *kudyapi*) clearly stands out. Among the other Mindanao *lumad*, this instrument is also known but by different names. It is called *hegalung* by the T'bolis, *kuglong* by the Manobos and Bagobos, *kotapi* by the Subanons, and *kutiapi* among the Higa-unons and other Bukidnon tribes (e.g. Talaandig), as well as by the Muslim groups, especially the Maranaos and Maguindanaos of Lanao and Maguindanao provinces,

Fig. 1. **Higau-unon in their traditional attire. From lower left, clockwise: (A) Playing the *lantuy* flute (B) a *bagani* (warrior) (C) Higa-unon couple (D) old Higa-unon woman (E) playing the *dayuday.*** PHOTOS FROM THE AUTHOR'S COLLECTION. PHOTO CREDITS: FRANCISCO ENGLIS

respectively. Maceda alluded to an account by Francisco de Alzina's *Historya de Bisaya* (*History of the Visayan*, 1668), which mentioned a *codiapi* (lute) as one of the seventeenth century musical instruments of the Visayans in the Visayas Islands in the central part of the Philippines (Maceda, 1963, 1978, 1:35). One can therefore conjecture that in the



Figs. 2.1-2.4. **Photos of the Kutiapi from Francisco Englis' collection.** PHOTO CREDITS: HANS BRANDEIS

Philippines, the term kutiapi or kudyapi is a generic name for this 2-stringed plectrum lute.

In Rogongon today there are few authentic players and instrument makers left, and all belong to the older generation. At the time of the study there were only two outstanding performers in the area, and they served as the main informants for this portion of the paper. One of them was Datu Amay Mansalumay, a *baylan* (or healer), who died a few years ago. The other was the left-handed virtuoso lutenist, Sowili Gikanan, who was about fifty years old at the time the study was conducted.

SOME KUTIAPI MYTHS

The origin of the kutiapi has roots in tribal mythology. The following version is a translation of its mythological evolution as narrated by Datu Amay Mansalumay:

Datu Laud, son of Baybayan, dreamed of Daiday, a female spirit who dwelt in the east (*subangan*). In that dream, Datu Laud was watching Daiday play a strange musical instrument that had a crocodile-like head and produced a sweet and gentle sound. Daiday told him that this musical instrument, a lute, was called a *kablitun* (meaning, to be plucked) and urged him to get his people to make their own lutes. Thus, upon waking up, Datu Laud started to make his own lute. Because he forgot to ask the spirit which kind of wood to use to make this instrument, Datu Laud took a nap at mid-day so he could again meet Daiday in his dream.

In this second dream, he was told by the female spirit that the wood used came from a rare tree called *takuken*. When he awoke, Datu Laud carved an exact replica of the *kablitun* as he saw it in his dream, showing a crocodile-like head, known as *talabasan* (lizard), on its base. For the strings, he used a *bislig* (a special kind of vine usually found on big trees). But there was one important thing that Datu Laud did not know—the proper placement (*dataging*) of the frets used called *damalan*. His son Piaw suggested taking the lute around to try to find someone who might know the proper fretting, and Datu Laud agreed. While Piaw was making his journey, he was unaware that he was being followed by a spirit named *Kurukuk* (also *Kukuk*), who was intrigued by the thing that Piaw was carrying.

Kurukuk had the chance when Piaw, who had to answer a call of nature, placed the lute aside. Stealthily, *Kurukuk* came out of the shadows and played the lute while dancing to its music. When Piaw returned and picked up the lute again, he was surprised to see that the frets were already in their proper places. When he tried to strum it, Piaw discovered that it was easy for him to play several tunes on the instrument. From then on he became the first virtuoso player of the lute, which was then called *kablitun*, and introduced it to the whole village. The name *kablitun* later became kutiapi.[6]

Datu Amay Mansalumay alluded to the myth which gave the

lute its early name of *kablitun* because a line in a *kaliga* prayer mentions *"kablitun su Baylan na Kulambisan"* (trans. to call the attention by finger-tapping the Baylan who is a *Kulambisan*).

The belief that the female spirit is the source of the kutiapi is likewise prevalent among the T'boli tribe in southern Mindanao. According to tribal beliefs, a T'boli male lutenist is guided by a female spirit named Diolinda. This guiding spirit of the T'boli two-stringed lute called *hegalung* is also believed to protect and give the lutenist a long life as well as the gift healing (Busch, n.d).

Like the Higa-unon kutiapi, the evolution of the Maranao kutiapi also mentions the involvement of a spirit called *Kukuk*.[7] Mamitua Saber, a respected authority on Maranao culture at the Mindanao State University Research Center, recounted the following legend on the evolution of the lute as narrated to him by an old musician:

> A long time ago, a brave hunter went deep into the forest and heard a haunting music coming from a distance. Searching for the source of the sound, he found a *Kokok* (mysterious forest dweller) sitting on the stump of a tree and playing a strange instrument. Unnoticed by the *Kokok*, the hunter hid himself behind a tree to better enjoy the music and examine the string instrument. Attracted by the beauty of the unique object and the sweet music it produced, the hunter crawled up noiselessly and grabbed the instrument from the *Kokok*, who fled in fright. With his stolen trophy, the hunter returned to the village to introduce the kutiapi to the lakeshore dwellers, who still play it today (Saber, 1977:3).

In Saber's narrative this *Kokok* had a human form with wide lips that covered his eyes when he laughed. This description matches that of the mythological creature of the Higa-unon in the neighboring Rogongon area. In Bornean folklore, according to Saber, the *Kokok* was a mysterious giant who lured human beings into the world of spirits (Saber, 1977:3). Even as he remarked that its origin had been lost to history, Saber spoke of a pre-Islamic instrumental tradition of the Maranaos' kutiapi, which was supposedly patterned after a beautiful crocodile-like spirit named *Pinatola i-kilid*, believed to be a water spirit of Lake Lanao.

PHYSICAL DESCRIPTION AND CONSTRUCTION OF KUTIAPI

The description of the instrument as a "long-necked lute" like those believed to have originated in Mesopotamia and its neighboring civilization in the Ancient Near East seems inappropriate to the Higa-

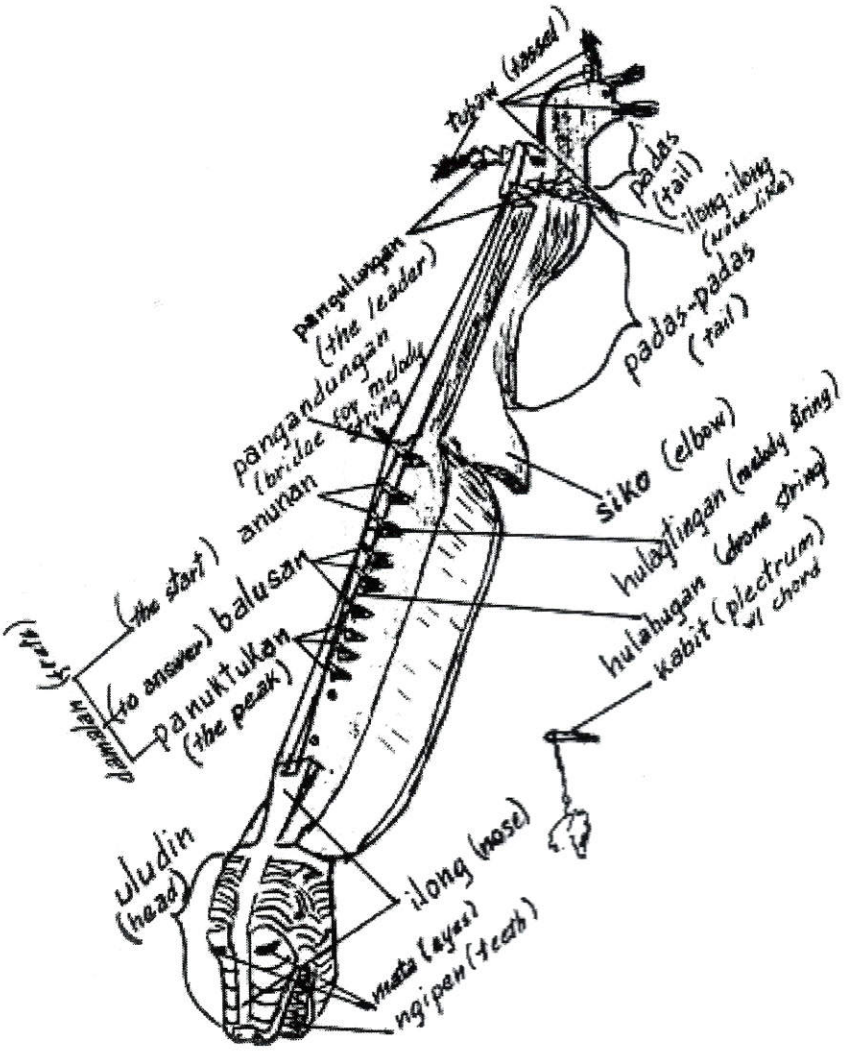


Fig. 3. **Drawings/illustrations from the author's original M.A. Thesis, "The Music of the Higaunon in Rogongon: An Introductory Study."** DRAWINGS/ILLUSTRATIONS BY THE AUTHOR AND BERT MONTERONA.

unons' two-stringed lute (Turnbull, 1972:58). Among the Higa-unons, kutiapi is described as a 'long-tailed lute." The local names of the different parts of the instrument in fact correspond to the body parts of a lizard (*talabasan*), alligator, or crocodile, which are all members of the reptile family. The kutiapi has a reptile head carved on the base end. The opposite end, which looks like the fingering board and where the tuning pegs (*pangalungan*) are located, is called invariably *padas-padas* or *padas*, which literally means "tail" and "tail-end" respectively.

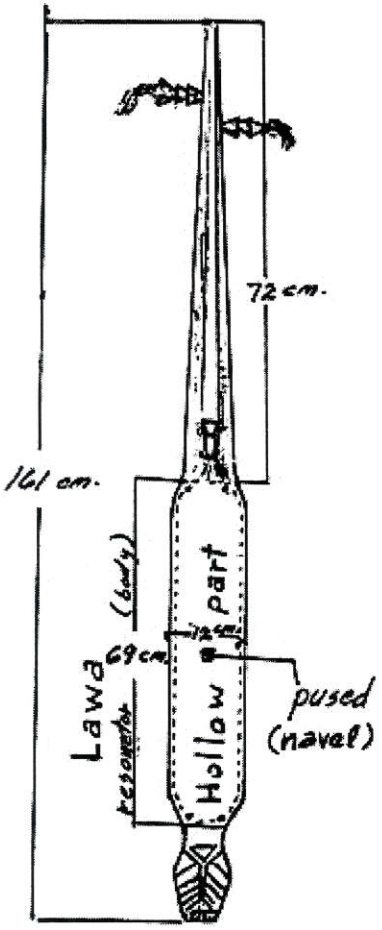


Fig. 4. The Higa-unon Kutiapi (back view)

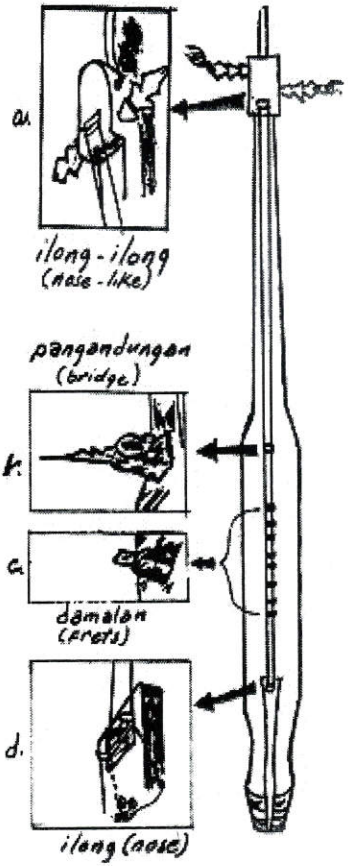


Fig. 5. The Higa-unon Kutiapi (front view)

The reptile-like appearance of the instrument has roots in mythology. Quoting several works on Philippine ethnography, such as that of *Mass* in 1842, Blumentritt stated that among the Manobos "the caiman, a crocodile-like reptile, is held by them as sacred, a belief that is similar to that of the Tagalogs" (Blumentritt 1881, trans. Maceda, 1980:126). However, the Higa-unons in Rogongon found the only source explaining the origin of this reptile-like appearance in the *Batbat* (lit. to tell; also refers to a tale or narrative) recounting the dream of Datu Laud, as told by Datu Mansalumay, and in the iconographic description by the neighboring Maranao tribe mentioned earlier.

The whole corpus of the kutiapi is artistically shaped out of a light and soft wood from any of the following trees: *maggulingan daha,*[8] *copa* (*Agathis philippinensis* Warb.), and *kalantas* (*Toona calantas* Merr. and Rolfe) which are found locally. Today the most commonly used wood is the jackfruit tree (*Artocarpus heterophylla Lmk.),* also used by guitar makers in the Philippines, and the strings (*tagpes*) used are similar to the steel strings of modern guitars.

Traditional kutiapi strings were made from a kind of vine (*bagun*) called *bislig* found only on big tree trunks in the deep forest. Unfortunately these days, this vine is already hard to find mainly due to the unabated denudation of forests. Furthermore, contemporary Higa-unon lutenists prefer steel strings for these enhance the sound. The player uses a plectrum called *kabit* made from the hard outer skin of a rattan vine or bamboo. This is set on the middle finger (*inlalabaw*), fastened firmly by a hemp string. The eight frets are made from chips carved from the core of a tree called *anotong (Cyathea cantaminans)* and are fastened to the board using beeswax. These frets, however, can be removed by lightly heating (with a candle or lighter flame) the base of the hardened beeswax and then fastening them back immediately before they cool. Applying this heating process, a player can therefore make his own desired tuning scale by merely rearranging the distances between frets. Today, however, this special beeswax, which is taken from the beehives of tiny bees called *kiot,* is hard to find. Instead, contemporary lute makers and players use a melted cell from damaged flashlight batteries.

KUTIAPI'S IMPORTANCE AND PLAYING TECHNIQUES

Among the Higa-unon in Rogongon, the kutiapi is played by both men and women. Among other Mindanao tribes, the lutenist plays and dances with the instrument.[9] Unlike their lumad counterparts,

however, Higa-unon lutenists generally sit or squat while playing. There is, however, the utilization of the kutiapi as a prop in a popular solo male dance called *kinukuk*, which reenacts the legendary tale of the *kukuk* playing with a kutiapi earlier described by Datu Mansalumay. The most famous *kinukuk* dancer found was Datu Bubong, who only plucked and stopped the strings (*pamikpik*) rhythmically along to the accompaniment of the drum and/or *agong*. In addition, no ensemble is known in which the kutiapi is included.

A significant social role of the kutiapi is connected with courting. Sometimes a visiting suitor plays the kutiapi while the lady prepares a betel chew. Later, the suitor will hand over the kutiapi to the lady and ask her to play, too. As she receives the kutiapi, the betel chew is also handed over inconspicuously.[10]

At a performance Sowili Gikanan demonstrated the techniques in playing the kutiapi. When playing the lute, he used only three fingers, the index (*intutudu*), the middle (*inlalabaw*), and the ring (*inlalalung*) in stopping the melodic strings. Generally he employed an upstroke in strumming the strings. He also combined both down and upstrokes in fast *paanun* pieces, and used his thumb to slap the board, called *basal*, while strumming, a movement Higa-unon acknowledge as a Maranao technique. In the middle of a piece entitled *Pandaka-pandaka* (short girl), Sowili Gikanan created the effect of a "musical flirtation" by knocking on the board of the instrument from the body up to the tail end and then gesturing as if wiping his eyes and sobbing rhythmically with the music. Sowili's other hand stopped while his finger hammered and plucked the string simultaneously. This plucking and finger hammering of the string by the same hand stopping the string (pressing against the frets) is also common in ornamental passages.

KUTIAPI TUNING AND NAMES OF FRETS

The Higa-unon kutiapi has two strings. One string provides the drone called *hulabugan* (off the frets) and the other provides the melody called *hulagtingan* (on the frets). In western diatonic terms, the interval between these two strings (in open position) is a major sixth. The eight frets are in three groups, each having a name. From the open position, which is the lowest note, they are called the *anunan*, *balusan*, and *panektekan*. Below are the groupings of the frets and the equivalent notes for each fret (stop) with cents and hertz measurement using a portable tuning machine (Boss Chromatic Tuner TU-100):

Kutiapi Tuning: (refer to previous drawing for the location of the frets)

Drone string = C_1 = +20 cents or 445 Hz (an octave below middle C)

Fret Grouping	Fret No.	Scale Degree	Note	Cents	Or	Hz
Anunan (first or beginning)	0	VI^1	A^1	-10	Or	438
	1	I	C	0	Or	440
	2	II	D$^\flat$	+20	Or	445
Balusan (to respond)	3	III	E	+20	Or	445
	4	V	G	+10	or	442
	5	VI	A	-10	or	438
Panektekan (the peak)	6	VIII	C^1	0	or	440
	7	II^1	D^1	+30	or	448
	8	III^1	E^1	+40	or	450

Table. 1.

In western staff: (hemitonic pentatonic scale)

Melody string:	***m3***	***dim2***	***aug2***	***m3***	***M2***	***m3***	***M2***	***M2***
CENTS:	–10	0	+20	+20	+10	-10	0	+30	+40

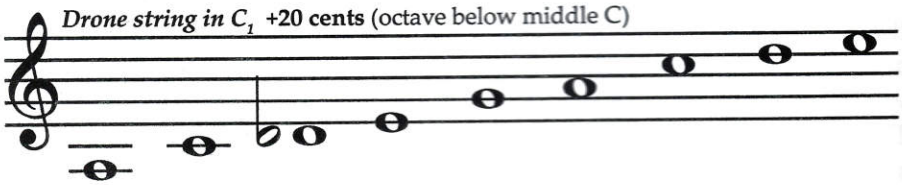


Fig. 6.

THE REPERTOIRE

There are two types of music played on the kutiapi, the *paanun*, an instrumental piece of both slow or fast tempo, and the *epad*, based on verses. The term *paanun*, according to Datu Mansalumay, means walking leisurely.[11] The root word *paa* in the Higa-unon language literally means "foot." Sowili Gikanan recounts a tale describing the playing of a fast *paanun:*

Once upon a time, there was a traveler who was in a hurry to reach his village, which was located upstream, before dusk. Following the path along the riverside, he met a

lute player. As they greeted each other, the lutenist invited the traveler to stop for a rest and soothed his tiredness by playing the kutiapi. Because the traveler was in a hurry, the lutenist played in a fast tempo.[12]

Using the flow of the river as a metaphor, Sowili likened the slow *paanun* to the gentle current of the lower river. In contrast, the fast paanun is compared to the fast surge of the upper river.

Neither fast nor slow *paanun* music has specific titles; they simply speak of the music being produced by the finger stopping the strings (*pamikpik*). The later part of this paper will discuss the musical characteristics of the two kinds of *paanun*.

The second type of kutiapi music is called *epad*. Generally, this is music using verses as reference in constructing the melody. Many revolve around one's feelings especially toward a loved one. Earlier descriptions of the kutiapi as a "talking instrument" by cultural researchers are vague in the literal sense. Today young Higa-unon cannot decipher a single line of the verse-reference of *epad* music although the words of the verse-reference are poetic and not too archaic. Only the old people can decipher them and then only the over-all meaning of the *epad* played. It must be noted that the verses used as references in this music are not sung or recited while playing the instrument; for the player, they only serve as a reference in constructing a melodic motif and the over-all plot of the imaginative drama (e.g., loneliness, longing, flirting, programmatic, etc.). We can surmise, then, that there is a reciprocal relationship between the musical elements (e.g., melody and rhythm) and the verses of *epad* music.

PAMIKPIK – A PERFORMANCE PRACTICE

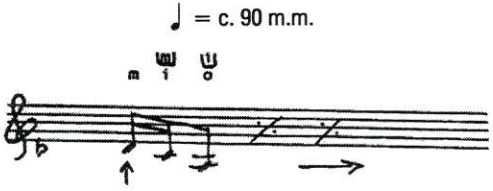
In the Visayan language of the lowland Christian communities, the root word *pikpik* brings up images of a mother caressing a child to sleep by gently patting the child's buttocks. In the musical practice of the kutiapi, *pamikpik* generally refers to the finger-stopping of the melodic string. It is also used during the opening and ending of a piece and between sections, especially after one melodic line as in *epad* music. This *pamikpik* consists of about two to five notes called a unit; it is somewhat similar to the western motif. However, the *pamikpik* (unit) is not used as unifying element of the melody. Further, it does not derive from themes. In *epad* pieces, therefore, one can conjecture that this unit serves as short sections for the player to settle in (or pause by sounding) while intuitively designing a melodic motif for the line that can best portray the natural inflection of the text. In *paanun*

pieces, the *pamikpik* provides a kind of "security" for the player so he can continue the sound (without rest) while designing a theme and its variations. Below are the common *pamikpik* used.

THE SLOW *PAANUN*

The slow *paanun* is also referred to as the apprentice piece. Sowili Gikanan believes that once the student can perfect this apprentice piece, he will be able to play all the other pieces. The following are the procedures for playing the slow *paanun*:

1. First is the preparatory *pamikpik* in open position



played several times

2. Then the second *pamikpik*

played several times

3. The third and last *pamikpik*, which includes the first note of the main melody

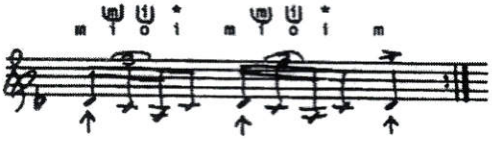
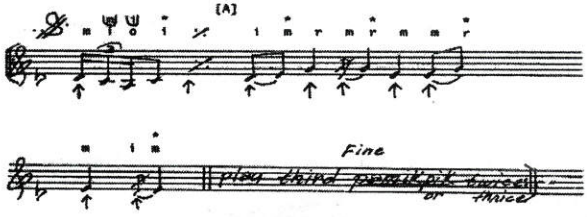
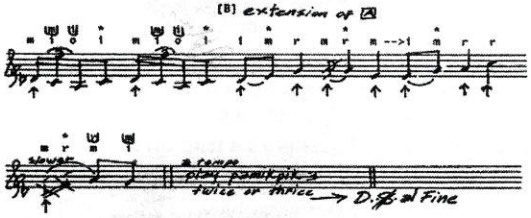


Fig. 7-11.

4. The main melody preceded by the third type of *pamikpik*



Play third *pamikpik* once ot thrice



The above slow *paanum* piece can be extended using variations.

The slow *paanun* piece can be extended using variations, permutations, and extensions of kutiapi music. The form can be freely or intuitively arranged with the following considerations:

1. Section B is always preceded by section A.
2. The pamikpik is played within the two sections and before or after the main sections.
3. Section A and pamikpik are played when ending.

THE *EPAD* MUSIC

Most of the *epad* verses transcribed deal with love, descriptions of a lady or events, or advice. Generally the music is based on the proper way of articulating the text when spoken. Although not all *epad* verses are poetic when compared to their vocal music, they are generally symmetrical in length and rhyme and are organized to emphasize the main line (e.g., repetition of the main line). Some of the words used in

this music are archaic so that even the natives themselves are no longer able to translate or describe their exact meanings. Further study of the text will be left to the care of linguists and future works on *epad* music.

Despite this limitation, though, eight verses of *epad* have been transcribed with their corresponding "sense."

1.

Tinggaw Put
(A tinggaw bird)

By Mahanyag Piansa
Tp. 03-A-338

Tinggaw Put, Tingaw Put	(Name of the bird)
Di kag layun sa layun	Don't cross to the other side (of the river bank)
Panglit-aga sa layun	There's a trap on that side

2.

Tata Hindu Ka Du-un
(A song of longing)

By Sowili Gikanan
Tp. 03-A-406

Tata hindu ka du-un	Lady, where are you?
Dini ka tag dulug ki	Come and stay (sleep) with me
Hadek ata pipi nu	I want to kiss your cheek
Tag ibit a ta susu nu	I want to touch your breast
Tag dampa a ta segpaw nu	I want to feel your "lower belly"
Sa angga ko sa mata nu,	And I like your eyes,
Tata...	Lady...

Variation

Tata ako gi atay	Lady, I'm going crazy
Papait sa baba ko, Tata...	And my mouth is becoming bitter, Lady...

3.

Bukakang
(A kind of Chicken with few feathers)

By Sowili Gikanan
Tp. 03-B-171

Tundug, Tundug Bukakang	Marching featherless chickens
Ta sasagubay siran	Always going together
So tanan siran bukakang	And they are all featherless chickens

4.

Pandaka Pandaka
(Short Lady)

By Sowili Gikanan
Tp. 03-B-248

Pandaka, Pandaka	Short (Lady) 2X
Makempet tag Batugen	Beautiful and nice to have
Su laga ha papanika	That lady in costume..

Variation

Masakit sa ulu ku	My head is aching
Lagkes pa sa kagpa ku	Including my chest

5.

Kapukaw ka Lupandang
(Wake-up my Beloved)

By Amay Mansalumay
Tp. 03-B-349

Lupandang, kapukaw ka Lupandang	Wake-up my Beloved
Masakit sa getek ku	My stomach is aching
Sininda-a u busaw	Induced by a devil
Bulungenuk kan kanak	Treat me
Ta sininda-a u busaw	Because it's induced by a devil

this music are archaic so that even the natives themselves are no longer able to translate or describe their exact meanings. Further study of the text will be left to the care of linguists and future works on *epad* music.

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Sininda-a u busaw	Induced by a devil
Bulungenuk kan kanak	Treat me
Ta sininda-a u busaw	Because it's induced by a devil

6.

Buyungun
(Missing Someone)

By Amay Mansalumay
Tp. 09-A-322

Buyungun kad en asem
Ku muli-ad sag Tangkulan
Haphapengen Kaden
[
Manakem be-an ad-em

Soon you'll miss me
When I go home to Tangkulan
You will miss me...
[
Soon you will miss me...

7.

Tumangkad En Ulahu
(A witch-mother's verse)

By Sowili Gikanan
Tp. 08-A-507

Tumangkad en ulahu
Susukad en su bata
Tag giya ki ta Datu aya
Sa minatay su bata din

Stop crying
My breast-fed baby
We'll go to the Datu's place
Because his son died.

8.

Kag Matutung
(To be on Fire)

By Sowili Gikanan
Tp. 08-A-412

Hinungaw ka, Diwata
Sa natutung bata dan
Masakit sag katutung
Labaw sag kalupahan

Look down (from your window) god
'cause the child is on fire (burned)
It is painful when burned
But there is more pain from those
who are left behind (relatives).

The above examples of verses for *epad* music illustrate a few indigenous musical treasures of the Higa-unon's lute music. This preliminary study revealed that some, if not all vocal music, can be included in the kutiapi repertoire. The Higa-unon lutenist also claimed to know the technique of "thumb slapping" on the sounding board called *basal,* which they acknowledged as a Maranao style. Informants Sowili Gikanan and Amay Mansalumay, pointed to out two types of tuning: one is believed to be that of the Higa-unon, called *salipongan,* and the other is that of the neighboring Maranaos called *lantal.* The latter is accomplished by slightly moving three frets of the instrument. This information, however, needs further investigation due to lack of evidence. This problem is exacerbated by the sheer difficulty of finding at present authentic Maranao kutiapi players.

PEDAGOGY

Three indigenous methods of learning to play the kutiapi were identified.[13]

1. A very young student or child normally sits on the lap of the teacher. In this way, the teacher is right behind the student who is holding the kutiapi. However, this practice applies only when the student is a member of the teacher's family or is of the same sex. The basic traditional pedagogy includes: (a) first, the student practices the techniques of holding the plectrum (*kabit*) and proper strumming termed *pagkebit* while the teacher performs finger-stopping (pressing the string) on the various frets; (b) next, the student learns the specific fingering techniques for a specific piece while the teacher does the *pagkebit;* and (c) to help the student in the proper manipulation of the fingers, the teacher places his hand on top of the student's and guides his fingers. At this stage, it is expected that the student will loosen his grip. As learning proceeds, the teacher will remove his hand slowly until such time that the student can play by himself.

2. The second approach is used with older students and those who are not members of the family: (a) the teacher holds the instrument in playing position while the student sits on the head side of the instrument where the strumming is done. If the teacher is right handed, the student sits to his right. In this position the student

performs the *pagkebit* technique while the teacher does the *pamikpik;* and (b) the seating plan is reversed when the student is ready to practice the *pamikpik* with the teacher doing the *pagkebit.*

3. The third approach is used when the student and teacher face each other when playing. Both will hold an instrument or, if there is only one instrument, the student is asked to imitate the passages previously played by the teacher. In playing *epad* pieces, the student is advised to sing along or say the verses while playing.

CONCLUSION AND RECOMMENDATION

The Higa-unons have retained some of their pre-Islamic and pre-Hispanic traditional culture. The group studied in Barangay Rogongon is close to the Muslim Maranaos hence their categorization as a "Marginal-Islamic" group. This affinity is also seen in their knowledge of the Maranao way of playing the kutiapi, the most widespread lute in the area. But it is evident that their cultural heritage is fast disappearing, if not already acculturated.

Several kinds of vocal music have been identified and defined in their social contexts during the field work. Although traces of epic songs of the *batbat* genre such as the *ulaging,* as well as the *unyag* prayer, the *kaliga,* and some *malingka* versions have been observed, locating other authentic and knowledgeable performers for these epic songs remains a major goal of future studies. For the present work, the collection of secular folk songs is sufficient. While musical instruments can still be found, there is evidence that they may soon be extinct. The repertoire for kutiapi has been identified, and several audio recordings were made. These will serve as reference as more of this lute music is collected, which must be done as soon as possible. As mentioned earlier, only two outstanding authentic performers, who could discuss the repertoire in its original social context (e.g., mythological, lore, and the evolution of certain music pieces), were found in Rongongon, and as of this writing, one of them already passed away.

It is unfortunate that other than their familiarity with traditional dances, the majority of the young Higa-unon never had a chance to appreciate and learn these musical practices. No evidence of active transmission in the area studied has been observed, and most of the music studied was performed by old Higa-unon. Mainly because

instrumental music is usually performed only for personal use explains why it is fast disappearing. Moreover, there are no ensemble types in existence. Finally, during the period when the initial research for this study was undertaken (from October 1986), it was observed that in all gatherings (e.g., the *kaamulan*), where special entertainment was presented, only the traditional dances were most in demand. The only time the instrumental and vocal music was presented in public was at an evening concert held at MSU-Iligan Institute of Technology, which was videotaped for posterity. Yet, it is possible to conclude that remnants of Higa-unon traditional cultural practices still exist and these are found in Rogongon.

It is hoped that this introductory study will encourage future scholars of ethnic music or indigenous cultures to undertake further research on the subject, such as an in-depth analysis of the Higa-unon's preferences in the organization of their music, the identification of specific repertoire for other instruments, and the possibility of transcribing into notation various archaic ritual songs, among others. The involvement of scholars, agencies, local government, and cultural organizations in further research, not just among the Higa-unon but also among other Mindanao *lumad*, cannot be overstressed. Needless to emphasize, this urgent collaboration is imperative if this fast-disappearing tradition were to be salvaged from complete extinction. That today in Rogongon only a few members of the older generation have knowledge of their musical culture provides evidence of the effects of continuing acculturation.

This study is only the beginning, and it is hoped that many more will follow. To chart the path for future research on the subject, this paper's conclusion turns again for inspiration to the words of Datu Rajah Pinto Soong (Roberto Soong):

"Several academic scholars have come to our place to study our way of life, thinking this could easily be understood in a few encounters. The truth is that it will take almost a lifetime to fully understand '*ang kinatibuk-an sa among kinabuhi ug pama-agi.*' In other words, our aspirations, intuitions, insights, and all other aspects of our life and traditional practices."

The above statement is a reminder to consider these living traditions with care and reverence. Only as long as Higa-unon music is still performed, and the peoples' habitat is not destroyed by industrialization or the denudation of the area will this rich musical tradition live on.

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ENDNOTES

[1] A free translation of a commentary made by Mr.Roberto Soong (a.k.a. Datu Rajah Pintu) in the dialect. From *The Music of the Higa-unon in Rogongon: An Introductory Study,* M.A. Thesis by Francisco A. Englis, Kent State University, USA, 1992.

[2] Roberto Soong a.k.a. Datu Rajah Pinto, Barangay Captain. Interviewed by the author, Barangay Rogongon, March 10, 1986.

[3] Roberto Soong, Interviewed by the author, Rogongon, March 10, 1986.

[4] In the Higa-unon dialect, the letters r and l can be interchanged.

[5] From "*organology,*" meaning the study of musical instruments, including their history and physical description, performance techniques, musical functions, ornaments and local names of parts, physical constructions, socio-cultural considerations like mythological and legendary evolutions.

[6] Amay Mansalumay. Interviewed by author. Tape recording, tp. 00-B-00, Rogongon, 25 April 1987.

[7] Invariably spelled Kokok.

[8] Possibly a species known only to the natives, and already extinct. No known equivalent Visayan term.

[9] The Bagobos and the T'bolis.

[10] Sowili Gikanan. Interviewed by the author during a performance, Iligan City, 2 February 1987.

[11] Amay Masalumay. Interviewed by author, Rogongon, Iligan City, 25 April 1987.

[12] Sowili Gikanan, 2 February 1987.

[13] Based on actual lessons and group discussion with Sowili Gikanan, Amay Mansalumay and other Higa-unon.

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APPENDIX

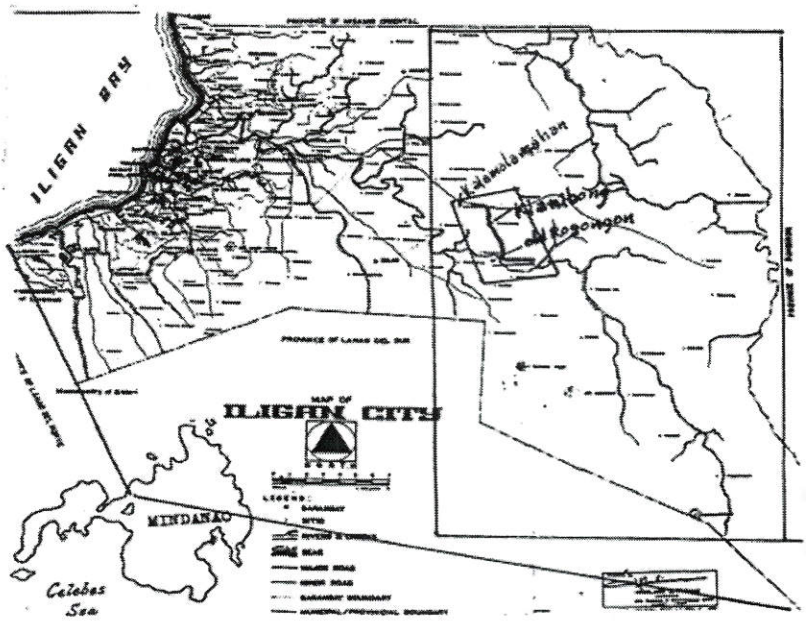

Fig. 12. Map of Iligan City showing Barangay Rogongan

Enrique G. Oracion

The Economic Benefits of Marine Protected Areas

This paper argues that no-take marine protected areas (MPAs) can be sustainable if they offer direct and indirect economic benefits to all members, especially fishing households which have been displaced from their traditional fishing grounds. A majority of the respondents of the study agreed that the existing MPAs have brought them a number of benefits. Direct benefit comes from improved fish catch brought about by MPA spillover effects and monetary incentives derived from user fees paid by tourist divers; indirect benefits include alternative livelihood assistance. Non-fishing members of fishers' associations who manage and enforce the MPAs as well as non-member fishers also enjoyed these benefits. The findings of this study show that proper financial management and appropriation of the income of fishers' associations is necessary to sustain the economic benefits of MPAs.

INTRODUCTION

The effectiveness of fishery management and marine biodiversity conservation of MPAs, which consists of the no-take (core) zones from which nothing is removed, and the take zones in which fishing with non-destructive fishing gears are allowed, is widely acknowledged both in tropical and temperate countries (NRC 2001). For example, marine biologists have documented that fish yield in Apo Island, Dauin, Negros Oriental has significantly improved or has remained stable due to its MPA (Maypa et al., 2002; Russ et al., 2004; Alcala et al., 2005). The Apo fishers who enforced their MPAs since 1982 are noting increased catch per unit effort while experiencing decline in fishing effort and change in fishing patterns (Maypa et al., 2002). They also enjoy tourism-generated benefits after the island has become a popular dive destination as a result of conserved marine biodiversity (Bernardo, 2001).

The experience of Apo Island highlights the findings of White and Cruz-Trinidad (1998, pp. 31-33) about the benefits of protecting the coral reefs and managing coastal resources for the sake of

biodiversity and the survival of coastal communities. White and Cruz-Trinidad argue that putting economic value to coastal resources will encourage local government leaders to put importance on their management and long-term protection. As a consequence, the municipal government of Dauin, inspired mainly by the success of Apo Island MPA, began establishing more MPAs off the mainland in the late 1990s. For the record, Dauin, despite a shoreline of only 10 kilometers, is the only municipality in the province that has enforced nine MPAs totaling to about 52 hectares (range=2 to 9 has) in seven of its eight mainland coastal barangays (see Fig. 1).

Historically, the CRM Plan of 2001 provided Dauin the legal basis for zoning its coastal areas and for establishing more MPAs (Municipality of Dauin, 2001). On January 3, 2005, the municipal council amended the Plan and incorporated this into its amended Municipal Revenue Code (Municipality of Dauin, 2005). The amendment does not only strengthen the regulations covering the use of the coastal zones and MPAs but also expands and increases the price of admission tickets for the touristic use of MPAs. The ticketing collection system was introduced by the Coastal Conservation Education Foundation, Inc. (CCEFI), a Cebu-based non-government organization working in Dauin, as an offshoot of the experience of Gilutongan MPA in Cordova, Cebu. Presently, this revenue-generating aspect of Dauin MPAs explains the incorporation of its amended CRM ordinance into the Municipal Revenue Code. What is more interesting about the amendment is how it enables the local government of Dauin to generate revenues from and for its protective conservation effort (Oracion, 2005, p. 152). Despite the central role this revenue-generating aspect of MPAs occupies in the field of marine biodiversity conservation and coastal and dive tourism, questions about its economic benefits for subsistence fishers continue to be asked.

Using the experiences of members of fishers' association of Dauin as basis for this study, this paper looks at the following issues: (1) which alternative livelihood programs are available to local fishers when they express approval or support of the establishment of MPAs; (2) whether they have enjoyed the economic benefits promised to them when the MPAs were being planned; (3) and whether they are willing to support MPA management given the benefits associated with such activity. However, this paper will focus more on the process and equity issues[1] rather than on the actual quantity of MPA benefits. Later in this paper, the discussion will examine how the financial management

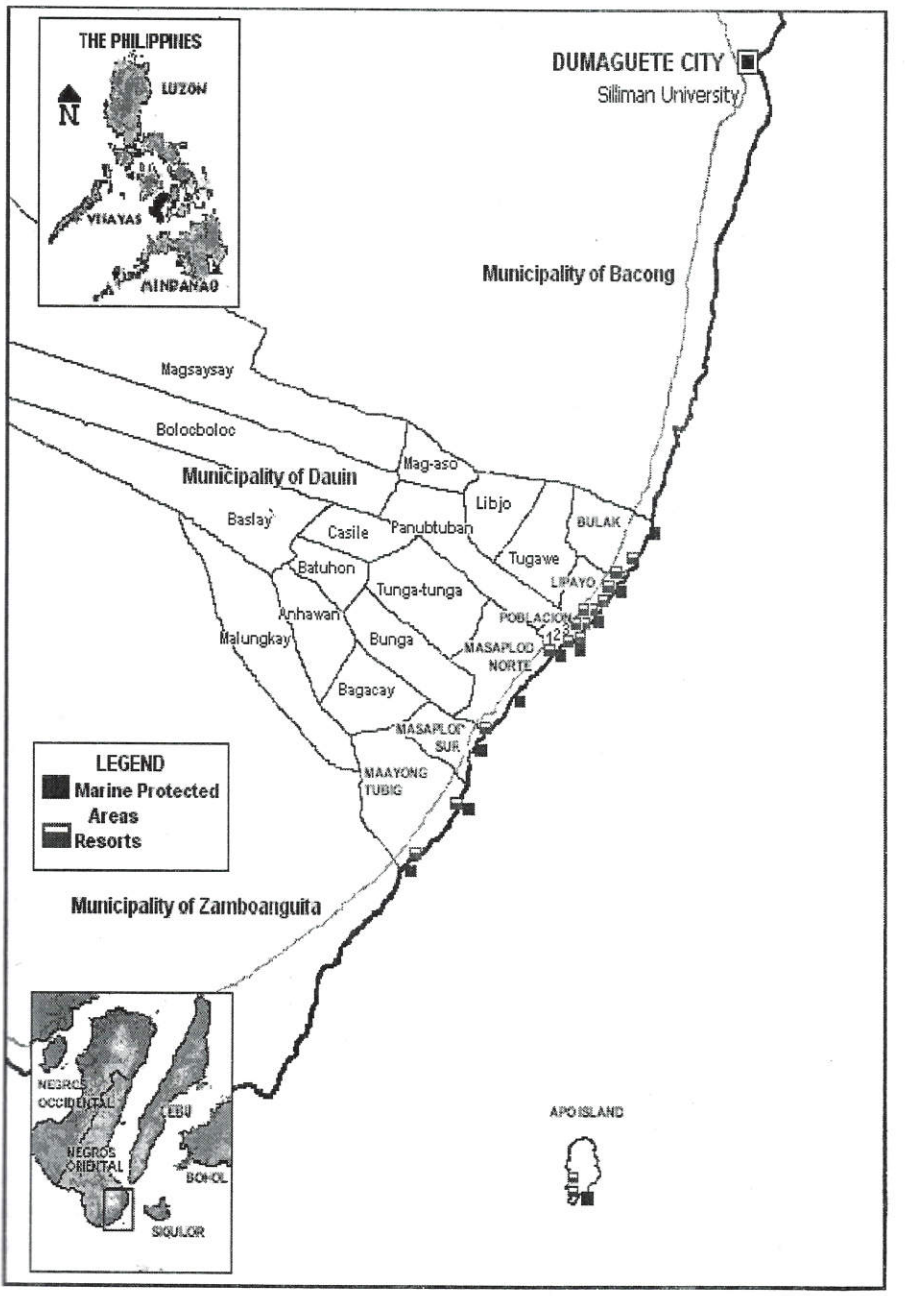

Fig. 1. The MPAs and resorts on mainland Dauin and Apo Island.

of fishers' associations may be improved in order to sustain the economic benefits that MPA members are currently enjoying.

THEORETICAL CONSIDERATIONS

Coastal resource management programs involving the establishment of no-take MPA as a tool necessarily alter the tradition of open and free access to a commons (NRC, 2001; White et al., 2002). For this reason, subsistence fishers who rely heavily upon the coral reefs for fishing initially find protective conservation program burdensome because this means giving away certain fishing access rights and privileges (Eder, 2005; Oracion, 2005). Trade-offs such as those between immediate and long-term gains make no-take MPA a controversial imposition on poor small-scale fishers who, unlike commercial fishers engaged in deep-sea fishing, struggle to make a living using limited fishing technology (Green et al., 2004; Luna et al., 2004; Eder, 2005).

Conflicting perceptions in resource use usually create tensions between those behind MPA management regime and those who cannot appreciate the delineation of certain marine space as protected for future community benefits (NRC, 2001; Oracion, 2003). These conflicts are more seriously felt when there are no management structures and procedures in place. Evidence has shown that in a free regime where everyone gets what resources they want in excess, deterioration of fishery and marine resources has been most conspicuous. Pomeroy et al. (2007) observed that as nearshore fisheries continue to decline because of overfishing, conflicts and social tensions increase requiring resource managers and decision makers to identify more appropriate governance and public policy mechanisms. This point had been raised by Luna et al. (2004: 349) who remarked that intersectoral and intrasectoral conflicts are the intertwining results of the lack of collaborative arrangements among stakeholders and inequitable distribution of benefits from resource use.

MPA co-management regime is generally accepted as a better option for resolving resource use conflict. Besides promoting a sustainable resource use, it also enables various stakeholders to take part in decision-making as well as allows them access to benefits (e.g., Katon et al., 1997; Alcala, 2001). Thus, the development of an MPA should not be a purely technical process. To be successful and sustainable, it should balance ecological and socioeconomic considerations (Bernardo, 2001; NRC, 2001; Pomeroy et al., 2003; Mascia, 2005). This means MPAs must have ecological impacts without causing socioeconomic displacement. Studies have shown that when human well-being is set aside, the MPA will be meaningless to poor fishers whose main and immediate concern is food on the table.

Likewise, when the promised economic benefits of MPA are neither realized nor personally felt, or, if present, are not equitably distributed, MPAs will absolutely have no meaning for marginalized groups (Oracion, 2005, p. 153).

A World Bank Report (2006, p. 41) reiterates that although improvements in the ecological conditions of coral reef may influence the willingness of policy makers to support MPA projects, it is the equitable distribution of MPA benefits that is more important in gaining the long-term support of resource users. The report therefore concludes with an urgent call for MPA management to immediately create zoned areas as alternative to no-take MPAs as a way of addressing the socioeconomic needs of poor, marginalized coastal communities (World Bank, 2006, p. 91). In cases when the MPAs to be established are too small to be zoned, providing alternative income activities to those affected fishers is seen as a possible option to minimize trade-offs. Evidence has shown that affected fishers are willing to support MPA management when they find a better alternative to fishing in already depleted coral reefs, which can sustain their immediate needs while they wait to reap the rehabilitative effects of protective conservation through fish spillover. It should be underscored, however, that these alternative economic activities must be compatible with rather than antagonistic to the goals of MPA (e.g. seaweed farming, Sievanen et al., 2005). A World Bank Report (2006, pp. 85, 94) argues that,

> MPAs cannot be sustained in the absence of alternative income-generating activities that can absorb the excess labor from areas newly closed to harvesting. Such activities do not need to be linked to the marine environment but they need to be something that fishers can and want to do... The channeling of excess labor formerly involved in resource extraction through the creation of new small and medium-size enterprises and demand for services will be essential to the success of any efforts to scale up governance regimes that restrict access or use for the poor.

In reality, however, this may be only easier said than done because there are other compounding social issues, such as the presence of free riders, involved in distributing MPA benefits (Eisma et al., 2003, p. 181). Free riders are individuals who eventually benefit, either directly or indirectly, from opportunities available to fishers' associations because of the MPAs. However, they have no investment in them in terms of management effort and the opportunity cost that results from fishing ground reduction. One of the free riders are private tourism brokers. They are often the first to benefit from no-take MPAs

which, although restricted to fishing, are open to recreational diving (Alcala & Cadeliña, 2004, p. 28; Oracion et al., 2005, p. 401). They sell the MPAs as dive destinations to tourist divers who are paying guests of their resorts and dive shops.

However, the issue of tourism sector as a free rider can be resolved by imposing user fees in exchange for access privilege to the MPA and the enjoyment of its biodiversity as spectacle (White et al., 2000, p. 599). This sector can substantially contribute in financing the maintenance and enforcement of MPAs given the limited budget of a host local government unit (Milne and Christie, 2005). MPA user fees can also fund the alternative-income generating activities for displaced fishers. Thus the tourism revenues and the fish spillover effects of MPAs can strongly motivate local government units to invest in CRM programs (White & Cruz-Trinidad, 1998).

Another group of free riders are the non-fishers who join fishers' associations managing the MPAs. They take away some of the benefits from actual fishers who are already burdened by fishing regulations and fishing ground reduction. They are considered free riders because they also stand to benefit from MPA spillover effects (Pomeroy et al., 2005, p. 376). Unlike the fishers, however, non-fishers have no fishing interest to protect or to sacrifice. They also constitute the group that shows eagerness to agree to the establishment of MPAs or to the prohibition of fishing within the buffer zone (Oracion, 2005). Fishers, on the other hand, tend to show more reticence in agreeing to join any group promoting MPAs unless they are convinced that this will be for their own good in the long run (Oracion, 2006). This difference in perspective often creates a rift within an association of mix-membership, causing internal division and undermining the success of MPA management. These potential problems notwithstanding, there is a positive side to accepting non-fishers into the association. For one their participation increases social cohesion in the efforts to protect a commons. Even though they are not involved in fishing for a living, they are also stakeholders of the community's coastal and marine resources, albeit they use them in different ways.

Compared to the technical delineation of a portion of a marine space as protected zone (Alcala, 2001; Oracion, 2005), the socioeconomic considerations of MPAs are far more complex to manage. Policy makers and various resource users, both fishers and non-fishers, have diverse interests to pursue and protect. Failure to consider trade-offs and to make compromises renders MPA success and sustainability uncertain (NRC, 2001). In order to generate popular

support from stakeholders, certain MPA benefits have to be offered. At the same time, it is imperative to convince policy makers as well as resource users about MPA's long-term ecological and economic gains. Providing alternative income activities can serve as initial drivers for resource users to support MPA establishment and management. Studies (White et al., 2000; Alcala & Cadeliña, 2004) have shown that providing access to actual monitoring data on MPA long-term benefits is necessary for sustaining the enthusiasm of resource users. Knowledge of the workings of the MPA and its ecological and economic benefits is likely to convince resource users to support it, thus assuring its sustainability.

METHODS

The study covers only members of fishers' associations managing the MPAs located in the barangays of Poblacion 1, Masaplod Norte, Masaplod Sur, and Maayongtubig (see Fig. 1). Based on the year these MPAs were actually established (not when their respective ordinances were passed), the oldest is Masaplod Norte (1995), followed by Poblacion 1 (1996), Maayongtubig (2000), and Masaplod Sur (2002). At the time of the study, all these fishers' associations have 180 members based on the list provided by their respective officials. The fishers' association of Masaplod Norte has the highest percentage of membership (42.94%) followed by Poblacion 1 (24.54%), Masaplod Sur (17.18%), and Maayongtubig (15.34%) respectively. Seventy-four percent of all the members are males while the females comprised only 26 percent. The fishers' associations of Masaplod Sur and Maayongtubig are composed only of male members. While Masaplod Norte is predominantly male (84.29%), Poblacion 1 has 60 percent female members (see Table 1).

Considering the financial and time constraints in the conduct of the study, only 30 percent or 49 out of 163 respondents constituted the target sample size. Sampling was based on the list of association members and the required sampling quota was distributed proportionately per barangay. This means that more samples were derived from fishers' associations with higher memberships. Consequently, the sampling distribution of this study shows that more respondents come from Masaplod Norte (n= 21) because it is the biggest association in terms of membership. The sample sizes of the rest of the barangays are as follow: Poblacion 1 (n= 12), Masaplod Sur (n= 9) and Maayongtubig (n= 7).

During the sampling process, the names of all association members per barangay were assigned numbers and written on sheets of bond paper, though not arranged in alphabetical order. The samples were drawn using random start and interval to locate the number of the corresponding association members. This procedure was done per barangay until the required sample size for a particular barangay was completed. Substitutes were also drawn in cases where the original samples could not be located after several followups, or refused to be interviewed for some reasons.

Table 1. Information on the memberships of fishers associations

INFORMATION/ SAMPLE SITES	POBLACION 1	MASAPLOD NORTE	MASAPLOD SUR	MAAYONGTUBIG	TOTAL
Number of Association Members	40	70	28	25	163
Percent Relative to Total	24.54	42.94	17.18	15.34	100.00
Percent of Male Members	40.00	84.29	100.00	100.00	81.07
Percent of Female Members	60.00	15.71	0	0	18.93
Sample Size Based on Total	12	21	9	7	49

A structured interview schedule containing both close- and open-ended questions was used in data gathering and administered by two research assistants. The questions were originally written in English and later translated into Cebuano, the local dialect. Preliminary interviews with association officials were conducted and the information they provided served as basis for formulating the questions included in the questionnaire. The respondents were interviewed at home or at the guardhouse of fishers' associations located in front of the MPAs. The completed questionnaires were edited to ensure the consistency and completeness of entries as well as to check for possible data gaps. The research assistants were required to explain those entries that appeared dubious. When necessary, they had to go back to the field and re-interview the respondents. The data were encoded into the Microsoft Excel Program for descriptive statistical analysis.

RESULTS AND DISCUSSIONS

Demographic profile. The average age of the respondents is 45 years

old. The youngest is 20 years old while the oldest is 73 years old. About 82 percent are males while only 18 percent are females. Gender asymmetry characterizes the distribution of membership among fishers' associations because fishing has been traditionally viewed as a male occupation. Seventy-three percent are married while 27 percent are single. The respondents' households have an average size of 5.10, which is higher compared to the average household size of 4.42 in all coastal barangays of Dauin (SCFHP, 2004). The largest households have 12 members. On the average, all the respondents have nine years of formal education or have reached second year in high school. More specifically, 37 percent have attended or completed elementary education, 43 percent have attended or completed high school education, and only 20 percent have attended or completed college education.

Livelihood activities. The livelihood activities of respondents' households before and after 2000 were compared. The year 2000 is highly significant because it marked the passage of the first MPA ordinance for the mainland, specifically for Maayongtubig. Also in 2000 the original CRM Plan was prepared and subsequently approved and enforced in 2001. Therefore, the CRM Plan is presumed then to have affected those livelihood activities that have direct links with the utilization of coastal and marine resources. The changes in the number of households engaged in particular livelihood activities after 2000 may be partly due to the implementation of the CRM Plan, especially the establishment and enforcement of MPAs. However, it must be noted that not all households of members of fishers' association are involved in fishing as their source of livelihood.

Table 2 shows that while there is a decrease in the number of households engaged in farming, there is an increase in the number of households whose members engage in activities not directly related to planting as well as in off-farm employment like raising animals. The households engaged in fishing increased only a bit but the number of those with members employed as *bantay dagat* (sea wardens) increased significantly after 2000. As of April 19, 2005 all the coastal barangays in Dauin with MPAs employed a total of 54 deputized sea wardens (Oracion, 2006, p. 65). These sea wardens receive modest honoraria from the municipal government and barangay and fishers' associations where they are residents and members, respectively. Funds for the honoraria are taken from MPA user fees. It must also be known that those households engaged in raising animals like pigs and goats actually received support from the provincial government

Table 2. A comparison of household livelihoods before and after 2000

LIVELIHOOD	BEFORE 2000 (a)	AFTER 2000 (b)	DIFFERENCE (b-a)
Fisher	27	29	2
Farmer	26	21	-5
Raising animal	21	27	6
Carpentry	6	7	1
Sari-sari store	6	5	-1
Barangay official	4	4	0
Laborer	3	0	-3
Private employee	2	0	-2
Jeepney for hire driver	2	3	1
Motorcyle for hire driver	2	2	0
Government employee	2	0	-2
Fish trader	1	0	-1
Domestic helper	1	3	2
Charcoal maker	1	0	-1
Remittances from children	1	1	0
Bantay dagat	0	5	5
Coconut harvester	0	2	2
Soft broom maker	0	1	1
Caretaker of fighting cocks	0	1	1
Operator of a beach resort	0	1	1

that assisted the MPA program of Dauin. There were even households that joined the fishers' associations allegedly to avail of the animal dispersal program (Oracion, 2006, p. 69). Nonetheless, the alternative livelihood program has served as attraction for locals to rally behind the MPA management.

MPA impacts on fishing and livelihood assistance received. Another study (Oracion, 2005, p. 152) conducted in two coastal barangays of Dauin has already established the fact that MPAs had negatively impacted fishing activities in terms of fishing ground and gear reductions. Respondents, who were members and non-members of fishers' associations, were asked to give the number of fishing grounds and fishing gears they used before and after the establishment of MPAs in their respective barangays. Table 3 shows negative percentage changes in both the number of fishing gear used and the number of fishing grounds when there were already MPAs. This suggests that the restriction of fishing activities by MPAs has resulted in reduced catch. Consequently, fishers were forced to spend more time in non-fishing endeavors, often as beneficiaries of alternative livelihood programs.

Understandably, the members of fishers' associations experienced the impact of fishing ground restrictions and gear reductions more immediately than the non-members.

But how many of the sample households in the present study

Table 3. Impacts of MPA on the number of fishing grounds covered and gears used

	MEMBER FISHERS			NON-MEMBER FISHERS			TOTAL
Fishing Information	**Before MPA**	**After MPA**	**% Change**	**Before MPA**	**After MPA**	**% Change**	**% Change**
Average number of fishing grounds	2.57	1.95	-24.12	2.52	2.38	-5.56	-14.84
Total number of fishing gear used	147	90	-38.78	123	120	-2.44	-20.61

(i.e. members of fishers' associations) who received livelihood assistance are directly involved in fishing? It is important to establish this fact so that those directly burdened by the reduction of fishing grounds as a result of MPAs are provided alternative livelihood opportunities. The data show that only 39 percent or 19 of the sample households enjoy livelihood assistance and 58 percent or 11 of these households are actually engaged in fishing. This indicates that not all

members of fishers' associations and beneficiaries of livelihood assistance engage in fishing as a main occupation. This suggests that these individuals have been strongly encouraged to become members fishers' associations mainly because of the benefits they stand to gain. In the animal dispersal project for instance, eight of all household beneficiaries availed of goats, seven availed of pigs, three availed of money, and one availed of fertilizer and seed assistance.

For members of fishers' associations, the Environment and Natural Resources Division's animal dispersal project is the number one source of livelihood assistance. ENRD also assists the local government of Dauin in organizing the fishers' associations and provides technical assistance in the establishment of MPAs. Seventy-four percent of the 19 beneficiaries of livelihood assistance included in the survey are recipients of the animal dispersal project. This is intended to compensate fishing households for possible loss of income resulting from the conversion of their favored fishing grounds into MPAs. Meanwhile, 26 percent have received livelihood assistance from the municipal and barangay governments, the Silliman University Angelo King Center for Research and Environmental Management (SUAKCREM), the Silliman University Extension Program (SUEP), and from a family member. The last three provided recipients financial assistance to purchase pigs to raise and to start a small (*sari-sari*) store.

Eighty-nine percent of beneficiaries received livelihood assistance in the form of animal loan. Eleven percent received various assistance either in the form of a donation of fertilizer and seed assistance from the municipal government or as cash provided by family members. None of the dispersed animal was bought with money from the funds of the fishers' associations. Meanwhile, those who received cash loans from SUAKCREM and SUEP were expected to pay back with a minimal interest. At the time of the study, the beneficiaries of money and animal assistance have been engaged in their livelihood projects for about two years (1.87 years) and expected to continue for a maximum period of five years.

Seventy-nine percent of the beneficiaries, of which 53 percent are from fishing households, claimed that this form of livelihood assistance had provided them alternative sources of income. For other respondents, the alternative livelihood activities had little impact in their household expenses. A respondent who had just started to engage in an alternative livelihood activity had, understandably, no conclusive response. In other words, time is an important element in determining whether or not the beneficiaries will find the alternative livelihood

programs of any significant benefit. It must also be noted that none of the livelihood assistance promoted the use of marine and fishery resources. Therefore, if more fishing households avail of alternative livelihood opportunities, this will mean a reduction of pressure on fishery and marine resources. This is particularly significant when the fishery impacts of the MPAs in terms of spillover are not yet significantly felt.

MPA direct economic benefits. Seventy-eight percent of the respondents reported directly benefiting from the MPAs while only 22 percent claimed otherwise. The direct economic benefits include improved fishery and tourism revenues in the form of taxes and MPA user fees. But the benefits can only be appreciated when these are personally felt or translated into real income by fishing households. About 37 percent said that the MPAs effectively work in preserving fish habitat and nursery. They explained that there are still enough fish (71.43%) caught in areas surrounding the MPAs, unlike in the past when the coral reefs were left open to all types of fishing activities. About 24 percent said that there is abundance of fish while only one said it is scarcer now due to the MPAs. Generally, this indicates the spillover effects of the MPAs, but whether or not fishing is carried out beyond the buffer zone remains a question. Another study observed that fishing activities continue within the buffer zone despite the restriction of all kinds of fishing gear. Almost half of those interviewed strongly objected to the buffer zone regulation (Oracion, 2006, p. 137).

The fees for the use of MPAs are collected in the form of tickets sold by the Office of the Municipal Treasurer to dive resorts. These tickets, presented to sea wardens on the day of the dive, allow resort guests to dive or snorkel inside the MPAs.[2] Transient tourists can also buy tickets from the fishers' associations managing a particular MPA. In 2005 and 2006 the total collected user fees from all the MPAs off the mainland of Dauin amounted to Php 5,134,989, or an average of about Php 214,000 per month. The collections per month per barangay are shared by the municipal government (40%), fishers' associations (40%) and barangay government (20%). The share of the municipal government goes to its CRM Fund while that of the barangays is used to finance their various projects. Both also contribute to the honoraria of sea wardens.

The monthly honoraria (43.48%) of the sea wardens and officials of fishers' associations as well as the cash loan (19.56%) to association members constitute some of the direct tourism benefits of MPA.[4] In the case of two fishers' associations in Masaplod Norte and

Poblacion 1, an estimated 30 to 32 percent of their respective share from the user fees went to honoraria. The remainder was used for the maintenance of their MPAs and guardhouses (Oracion, 2006, p. 71). Funds were also allocated for meals and snacks for regular monthly meetings as well as for Christmas parties where all association members, including non-fishers, are expected to attend and enjoy the food.

The extension of cash loan derived from MPA user fee shares of fishers' associations started as a way of helping members who need money in times of emergency. But this became a sensitive matter when complaints were raised about the failure of some creditors to pay promptly. In one association, the members proposed ways to formalize the approval of loans especially when there is a queue of applicants wishing to avail of the financial assistance. These included the specific circumstances, the amount available for loan, the terms of payment, the amount of interest to be imposed, and who would be in charge in the collection. Since not every member of the fishers' associations are sea wardens who receive monthly honoraria, the extension of cash loan to qualified members who are in good standing is considered an acceptable way of democratizing the benefit from MPA user fees. This practice is expected to remain effective for as long as creditors promptly repay their loans so that others in need can also avail of such privilege.

Why some do not enjoy direct economic benefits? The 20 percent of the respondents who claimed that they have not benefited from the MPAs have their own stories to tell, and about 63 percent of

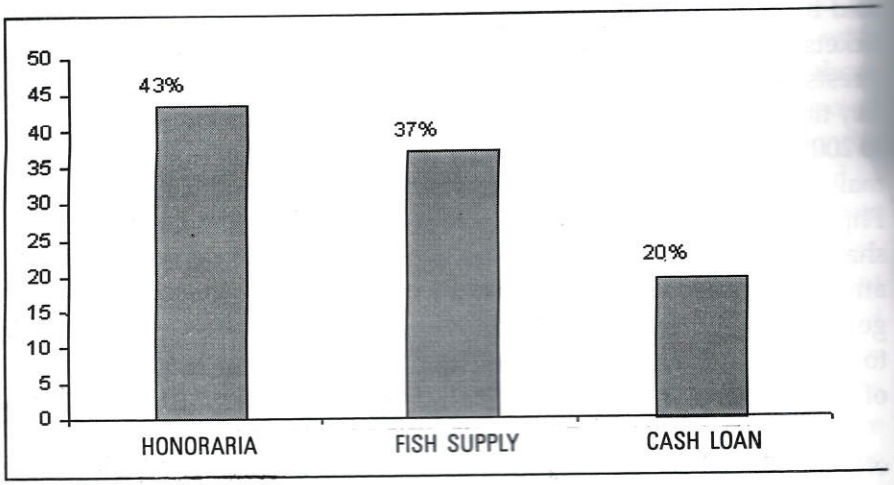

Fig. 2. Distribution of MPA direct economic benefits already enjoyed. The funds paid for honoraria and cash loan come from user fees.

their reasons are related to fishing. They said that since they do not fish or are no longer fishing, they do not see any direct economic benefit from the MPAs. Nevertheless, some of them are beneficiaries of the animal dispersal project. Others specifically said that they have been forced to stop beach seining because the MPAs also covered the sandy areas of the sea fronting their barangays. Although beach seining has been banned by the Philippine Fisheries Code of 1998 (RA 8550), this continues in Dauin as part of the community's fishing tradition. As part of his campaign to prohibit this practice, the incumbent mayor has proposed the use of scoop nets in catching *tugnos* (Family Engraulidae but genus and species unidentified), *tolakhang* (*Stolephorus* sp.) and *atay-atay* or *malobgas* (Family Clupeidae but genus and species unidentified), which are seasonal target species of beach seines. Beach seining is allowed only in one barangay in Dauin that has no MPA.

Meanwhile, a beach resort owner said that the MPA fronting the resort has prohibited his guests from swimming inside the protected area and stepping on the coral beds. Those who would like to go snorkeling inside the MPA are also required to pay. Because this payment is an addition to the entrance fees that the resort collects, the resort operator feared this may discourage more picnickers to come. Another respondent pointed out that it was too early for him to appreciate MPA-related benefits because he had just started his piggery project. Still another said that he was too new in the association to garner any form of benefit that older members have already availed of. Although these reasons may be linked with the MPA, either in a positive or negative way, they are not necessarily a direct outcome. It appears that membership in fishers' associations and the enjoyment of livelihood assistance in exchange for MPA management support are linked with the MPAs. Therefore, as the respondents see it, the lack of enjoyment of the available assistance also means the absence of MPA benefits.

Problems about association's share from MPA user fees. Although providing affected local fishers alternative ways to earn in response to fishing ground reduction due to MPA establishment is problematic, the more sensitive issue that more often emerges, particularly involving community projects, is the management of association money. Money, or more precisely, the handling of association funds, is often a source of tension among members. In addition, complaints came from members who felt that only a few get to benefit from the association's funds and fewer still are involved in the decision regarding the appropriation of money. A study of two

mainland fishers' associations documented how the enthusiasm of some members has been dampened by alleged anomalies in the collection of user fees, poor accounting of funds, and mismanagement of their income from MPA user fees (Oracion, 2006, p. 152).

When the mayor heard of the money problems of fishers association, he immediately instructed the concerned officials to address the matter before things got worse. Subsequently, all fishers' associations of Dauin were required by the mayor's office to submit monthly work and financial plans before their MPA user fee shares could be released by the municipal treasurer. Although there were complaints regarding the time it took for the money to be released, it is clear that this requirement helps in monitoring the way the associations managed their financial resources.

About 77 percent of the respondents reported that they have no problems regarding the current management of their association's income from MPA user fee shares. That only 23 percent said there were problems is perhaps a result of the measure introduced by the mayor. These segment of respondents included association members who still observe the non-issuance of receipts to tourist divers when collecting MPA user fees, who poorly manage the cooperative store they just started to operate, and who have failed to account for some missing money. Some respondents pointed to leadership crisis in their respective associations as the source of money problems.

Suggestions to improve association's financial status. The experiences of Dauin show that besides their long-term impact to sustainable fishery, well-managed MPAs can generate substantial tourism revenues in the form of taxes and user fees. This additional income enables local governments to embark on CRM projects (Oracion, 2006). Tourism revenues are potential sources of capital for alternative income-generating activities of individual members of fishers' associations particularly those who willingly deviate from fishing in order to reduce pressure on the marine environment. The associations can also invest in small-scale ventures so that whatever MPA user fee shares they have will grow to benefit a good number of their members. But since the MPA user fee shares of fishers' associations are public funds, their proper investment requires participatory planning and decision making.

Based on key informant interviews and the results of the sample survey, however, the livelihood assistance to members of fishers' associations was generated solely from government agencies (i.e., ENRD and LGU) and non-government organizations (i.e.,

SUAKCREM, SUEP and others) rather than from the members' own MPA user fee shares. Needless to point out, in order to be self-reliant and empowered to manage their own resources in the event of a political turnover, these associations need to plan and implement their own small-scale enterprises. This will prepare them for the time when external agencies will completely withdraw their support. Following this argument, respondents were asked how their associations could best invest their shares from MPA user fees so that all of them could benefit as a group and as individual members.

Figure 3 shows that majority of the respondents (42.86%) suggested that their associations should set up a cooperative using a portion of their share from MPA user fees in addition to the respective amount individual members were willing to contribute for capital build-up. Other specific suggestions also related to the formation of cooperatives. When followed up on this issue, 96 percent agreed with the suggestion of starting cooperatives within their respective associations. There were, however, those who warned that the cooperatives should be properly managed to avoid the same problems they had in the past. Other suggestions included initiatives involving small-scale enterprises (14.30%) like selling souvenir T-shirts, building cottages or sheds for rent to tourists, renting out of diving gears, and opening a small pharmacy to sell medicine to the community. Others suggested engaging in animal dispersal project (12.24%), similar to what they are presently enjoying from the provincial government, and lending money to association members at minimal interest rate (6.12%).

The other suggestions of mainland respondents pointed to the need for improving the financial management of their associations. They said that the money should be immediately deposited in a bank to earn interest and to spend it wisely with proper planning. One suggested that money should be divided among members so that everyone, not only the sea wardens and association officials who received honoraria, will benefit from it.

Responses should MPAs be removed. In order to further establish or prove the links between MPAs and their impacts on the quality of life of the community, respondents were asked to react to the hypothetical removal of the MPAs. When this matter was brought up during a casual conversation, fishers' association officials and sea wardens said that if this happened the tradition of open and free access would be revived. According to them, all fishers will cast or throw all types of fishing gear on the once protected coral reefs and tourist divers

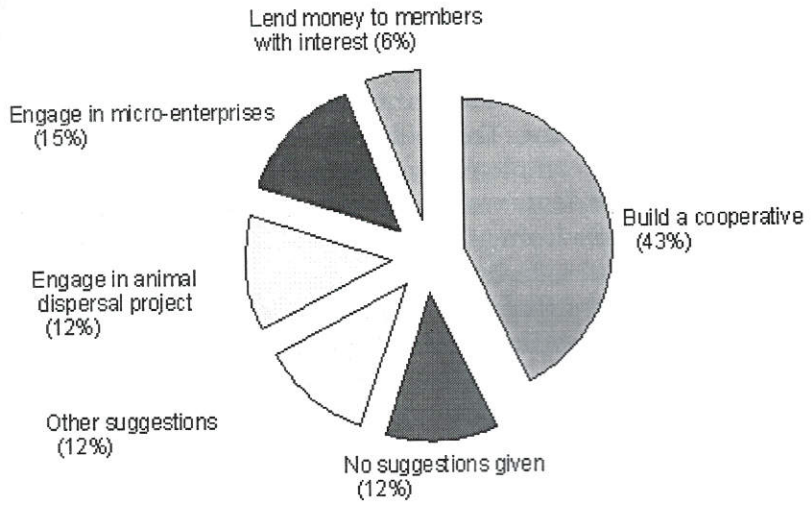

Fig. 3. Suggestions of fishers' association members how they can enjoy more from MPA benefits or income.

will refuse to pay user fees when diving in these areas. They concluded that subsequent over fishing will deplete the supply and predicted that the association will loss thousands of pesos that they used to earn from MPA user fees. Moreover, they pointed out that members of fishers' associations will cease to enjoy other associated non-fishing benefits of MPAs. It is possible that the same scenario was in the minds of the respondents when they reacted to the issue concerning the removal of the MPAs.

The survey shows that 94 percent of the respondents do not agree with the removal of MPAs because of the economic benefits derived from these MPAs and currently enjoyed by both fishing and non-fishing members of the association. They reiterated the fact that the MPAs will ensure the community fish supply in the future particularly for their children (46.66%) and contribute to the revenues of the municipal and barangay governments and the fishers' associations (45.00%). They added that the money the associations derived from MPAs has been a source of cash loans to some members in times of emergency, as well as for their basic needs (5.00%). Besides the local government has invested so much on these MPAs (1.67%). It is precisely for its MPAs that the municipality of Dauin has become well known not only in the Philippines but around the world (1.67%). Removing the MPAs now is a waste of money, labor and time resources,

and means the inevitable loss of all other opportunities associated with them.

Even those who felt marginalized by the MPAs held ambivalent positions about the removal issue. Their reaction implied resistance not to the MPA concept but to the manner of its enforcement and to the choice of site for its establishment. The respondents (5.55%) who agreed with the idea of MPA removal called for the closure only of those protected sites that they considered inappropriate, such as those located in sandy areas without coral reefs that may be threatened by human activities. Such places, they contended, should be reopened to fishing. But this is a gross misunderstanding of marine biology and therefore of MPAs because even seagrasses found in sandy areas are critical habitats of marine organisms. Nonetheless, the removal of existing MPAs on sandy areas, according to them, will leave enough space for beach seine fishing as well as for swimming for paying guests of beach resorts owned by local residents.

Issues related to the management of association funds. Problems are always expected when an association does not have a proper system of managing its funds, such as procedures for recording, safekeeping, disbursing, accounting, and reporting. Absence of such opens opportunities for mishandling of association funds. Likewise, members' limited knowledge of their rights may account for their lack of vigilance on questions regarding money and financial status of their associations. Certain Philippine values and norms of behavior, such as the avoidance of conflict and preservation of interpersonal relationships, further inhibit members from confronting their officials about suspected anomalies involving association funds. These matters hinder effective and efficient financial management and equitable distribution of economic benefits generated from the MPAs. As already mentioned, association monies generated from MPA user fees are public funds and are therefore of public interest.

Therefore, in addition to being educated about the environment, fishers' associations also need to be well-informed about organizational and financial management, since this is at the core of MPA management, enforcement, and user fee collection. Fishers' association officials and members should vigorously practice transparency, accountability, and equity regarding MPA user fees because these are not private funds.[5] A simple cash-out and cash-in flow system (*see* Mayer and Glave, 1999) of financial management has to be observed. Members are expected to know and carry out simple accounting procedures that will show the returns from any cash

amount expended so that they can wisely invest their income rather than to rely solely on incoming user fee shares. Moreover, association officials should learn to be open to queries and to be more transparent in their dealings with their constituents. Finally, because every member has the right to know the financial status of the association, it is the duty of the officials to keep them regularly informed.

The local government should vigorously continue its current effort of requiring fishers' associations to submit work and financial plans to effectively monitor how monies shall be and have been appropriated, or whether these have been re-invested in MPA maintenance and other income generating projects. Such report will show if they have indeed earned "a little something" (Mayer and Glave, 1999), which is necessary if they have to become self-reliant. The performance of the fishers' associations and the sea wardens has to be regularly evaluated by a designated CRM officer in order to redress shortcomings and deficiencies. At the end of each year, a performance and financial report should be required from them to prevent the occurrence or recurrence of any anomalies.

The municipal and barangay governments should likewise plan how a portion of their respective share from MPA user fees can be allocated for community projects and social services, aside from CRM-related projects, in order to democratize MPA benefits and further justify MPA establishment. Fishers need to see more tangible short-term returns. Constituencies should be informed that the money or a portion of the budget used for projects and services comes from MPA user fees. This will increase community appreciation of an MPA. Plans of fishers' associations to engage in income-generating projects, such as establishing a multi-purpose cooperative where they can wisely invest their shares from user fees should be pursued. But adequate education on cooperatives should be provided to prevent financial management problems.

Fishers who are not yet association members may eventually be motivated to join and to extend their open support for the MPAs when they find that these can indeed become sources of economic capital for non-fishing investment. Although displaced fishers are supposedly the target beneficiaries of tourism-generated MPA benefits, many remain uninterested in becoming association members because they do not see significant incentives for doing so. Democratization of non-fishing MPA benefits will discourage any growing perception that only some association officials and sea wardens, who regularly receive honoraria from user fees, benefit financially from MPA creation.

MPA maintenance, such as the repair of damaged boundary and mooring buoys and the removal of surface and underwater debris in MPAs, has to be regularly undertaken. This activity provides proofs that the user fees paid by tourists are used for sustaining MPA quality and enhancing aesthetic values, which in turn will encourage private tourism brokers to support the enforcement of MPA regulations among their guests. Private tourism brokers initially opposed the user fee rate hike because they did not appreciate how the money had been apportioned for MPA maintenance by the local government. In addition, issues on corruption within the fishers' associations (Oracion, 2005, p. 105) have also discouraged this group of stakeholders from openly supporting the proposed increase in user fees. Although problem regarding user fee shares is an internal matter for the association, it can discourage tourism brokers, who are the source of the money, from supporting the initiative. Because problems created by MPA user fees are critical issues influencing MPA management sustainability, they have to be sensitively addressed. A financially and structurally stable fishers' association does not have to be dependent upon the local government; it can continue to function despite a change of leadership in a future administration.

CONCLUSIONS

The lessons from Dauin show that the establishment of no-take MPAs in traditional fishing grounds and the accompanying restrictions in the use of inappropriate fishing gears necessarily alter resource use and economically impact those households dependent upon coastal and marine resources for their livelihood. Providing fishery-dependent households livelihood assistance as an alternative to fishing can cushion any consequent reduction in household income. This is also a means of discouraging illegal and destructive fishing activities until the time fishing in surrounding areas already offers improved catch as result of MPA spillover effects.

Generally speaking, MPA benefits are classified either as direct or indirect results of effective management. Fishers get direct benefits in exchange for supporting the establishment and management of MPAs. The direct benefits include improved fish catch due to MPA spillover effects, honoraria derived from user fee shares being paid to those directly involved in management and enforcement, and cash loans provided to members who need money during emergencies. The indirect benefits take the form of livelihood assistance through

animal dispersal project. Because of the aforementioned benefits they are already enjoying, fishers' association members are against the idea of removing the MPAs. However, proper management of their income, particularly from MPA user fees, is necessary in order to enhance their financial stability and sustain the MPA-generated economic benefits.

Results of the study, however, also revealed that not all the households that received alternative livelihood assistance were dependent on fishing. Consequently, there is a possibility that the original purpose of the assistance program might be undermined. It has been alleged that a number of non-fishing households have joined the fishers' associations mainly to avail of project benefits being offered to members. The problem, however, is that denying them membership in the association means causing a rift in the community, which can also jeopardize the outcome of the CRM program.

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END NOTES

[1] The works of White and Cruz-Trinidad (1998) and Bernardo (2001) are good examples of studies on how the economic benefits of coral reefs protection, in particular, and coastal resource management, in general, are quantified and distributed across types of stakeholders.

[2] In the animal loan scheme, a female pig or a female goat is given to a beneficiary to raise (Cebuano= *sagod* or *batnan*) until this bears offspring. The beneficiary is expected to give one offspring, preferably a

female, to the association. In return, the association gives this to another member who is willing to take care of the animal. This procedure continues so that other association members can also avail of the animal dispersal project.

[3] This system does not apply to Apo Island because the local government of Dauin has ceased to have jurisdiction over its resources after the island was declared under NIPAS. Money collected from user fees is first remitted to the national treasury and only later 75 percent of it is sent back to fund the protection of the island's resources and the management of its various CRM projects. The money is managed by the Protected Area Management Board (Raymundo and White, 2004).

[4] The growth of coastal and dive tourism in Dauin as a result of its MPAs also provides employment opportunities to locals. Currently 14 beach and dive resorts have opened on the mainland and Apo Island. About 64% of their employees are local residents (Oracion, 2005, p. 152). Incidentally, none of the members of the fishers' associations included in the study is employed in these resorts. Nevertheless, one respondent operates a beach resort in front of one of the MPAs.

[5] Training was conducted by SUAKCREM on April 14, 2004 for members of fishers' association.

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Florin T. Hilbay

Undoing Marriage

This article presents a foundational critique of marriage through a linguistic and historical analysis of this legal institution as it has developed in the Philippines. The author argues that the consequences of legalized marriage are the normalization of desire, the standardization of the lived experience for the body, and the idealization of heterosexual association as the paradigm for lifelong intimacy, goals that constrict the possibilities by which human beings can envision meaningful lives for themselves and others. The entanglement of religious beliefs and the State is accomplished through the Family Code whose main program is to privilege heterosexual coupling over all other forms of associations. The paper proposes to delegitimize marriage by deregulating entry and exit mechanisms as well as to decriminalize marriage-related offenses such as bigamy, adultery, and concubinage. These proposals, the author argues, will not only release human beings from freedom-restricting institutions sponsored by the State but will also allow policymakers to focus their regulatory lenses on inequality and abuse of power present in many types of human relationships.

"The law must begin to realize that all talk of 'rights' and 'rights of action' is barbarous and out of date in relation to human hearts and affection; for these cannot, like heads of cattle or pieces of land, be assigned irrevocably to this person or that.... Legal actions concerning the personal relationships of men and women are thus odious to a civilized community."

—MP Herbert
in Fowl v. Myer

"An enterprise has a fifty percent failure rate. The female participants are injured sixty-three percent of the time. Children in the system are physically and sexually abused from thirty to eighty percent of the time. If this were a business, its doors would soon be closed. If this were a workplace, OSHA would shut it down. If it were a school, the principal would be arrested. Instead politicians extol it, courts ruminate over its value to society, and business, religious, and cultural leaders pander to its mystique. It is, of course, marriage and the family."

—Dianne Post
Why Marriage Should Be Abolished

When the Family Code describes marriage as a legal institution, I start worrying about how this combination of legalization and institutionalization is able to contain and distort an ancient manifestation of desire—the will to be associated.[1] This form of wanting *to be,* which normally takes the human form of a touch, a linguistic expression, or a signifying act is the stuff that I think only poets can talk about, for the commonplace use of language finds itself insufficient to the task of description. Because it is only in metaphors that we are somehow able to extract from language a meaning beyond the ordinary, we find ourselves waxing poetic whenever this desire—this wanting to be associated—takes a strong urge to be communicated.[2] It is the closest we will ever get to being metaphysical. And yet, in the name of the social order,[3] we have legalized and institutionalized—pun intended—this species of desire and brought it down to the level of the describable; worse, we have codified the rules of its game. We have dictated our freedoms and lost them in the process of dictation.[4]

One cannot overemphasize the importance of the desire to associate. After all, wanting to be with another is a treasure chest of the significations that arise out of the tension, if not irony, of individuality and sociality. Ordinarily, we associate the phrase "wanting to be" with the desire of the self to attain a certain ontological status; thus, one wants "to be" as a mode of *being for oneself.* On the other hand, wanting to be *with someone* (or *some others*) requires for its fruition that this desire for an ontological status be *beyond oneself,* not simply a matter of willing but also of someone else's desire to be associated with the desiring body. This self is decidedly relational. This revelation is almost, though not quite, a paradox: the individuality of the self is derived from the web of relations in which it is immersed. From here it follows that being for and beyond oneself must be converted into a ritual that is performed, reiterated, and renewed by its participants for it to be a source of continuing meaning; otherwise, the connection is lost and reduced to memory, to be played over and over again whenever the occasion calls for it. And because we are separate bodies, the character of our associations, be it weak or strong, single or multiple, flash-in-the-pan or enduring, ultimately depends on and returns to this "will to associate."

This will to associate takes many forms, is founded on different purposes, and crosses age, gender, race, and economic status. The forms of relation among human beings are so diverse that the only limit to the range of their describability is the fullness of language

itself. One may analogize kinship, friendship, and relationship to the way that the trichotomy of primary colors mix and match to generate an unimaginable set of ways to associate. How is it then that we have ended up privileging some forms of associations over others?[5] Why is it that certain relationships have been co-opted by the legal system while others have been marginalized?[6] Is it because some associations prove better instruments of ideological state apparatuses, as Althusser would say, while some pose a threat to existing powerful institutions, such as the free market and the church?[7] Or is it simply because, as post-colonial subjects, we have casually, unconsciously, and uncritically followed the ways of the colonizers?[8] Why is it that of all configurations, the legal regime has chosen a particular legal instrument—marriage—as an inviolable social institution, *the* foundation of the family, and subject to protection by the state?[9] What is so special about marriage and how is it that this legal device has become so intrinsically associated with the heterosexual family? And what is the business of the State in labeling the ways in which desire is expressed by individuals and groups, favoring particular forms, entitling *one* and discouraging many others?

In this essay, I would like to talk about an idea of marriage and a program for de-containing desire, of giving back to our bodies the right of wanting to be and defining for ourselves the meaning of belonging. In general, I propose to disentangle marriage from the hold of the state by de-legalizing, radically "disestablishing"[10] and "unbundling"[11] this "highly popular institution."[12] The effect would be similar to repealing the Family Code and, at least in many cases, making relationships subject to either contract or special legislation focusing on specific regulatory concerns such as violence, inequality, parental responsibility, dependence, and succession. The project is therefore essentially one of subtraction and deletion.[13] It is structural, not doctrinal[14] or judicial.[15] In this way, marriage becomes separated from the policy aspects of relationships which regulators can respond to on an *ad hoc* basis. De-legalization also results in a more embracive view of human relationships, thereby allowing individuals and groups that are marginalized by the law to cohabit and even "marry," if they want to. It also does away with many other inequitable impositions that follow from the current regime of marriage such as the present inability of individuals to divorce their spouses, the shaming effects of illegitimacy, and the property bias against illegitimates. At the same time, this proposal will allow traditional couples to maintain the kind of arrangements that heterosexual couples have been used to. It is

likewise religion-tolerant, as it allows god-believers and religious institutions to participate in a de-legalized marriage culture, but minus the legitimating effects of a marriage sanctioned by the State.

My aim in this article is not to provide a specific program detailing the host of consequences that follows from de-legalization; rather, it is to underscore the conceptual basis for the rejection of an institution that is more harmful than beneficial. My attack is therefore foundational, and not programmatic—I am measuring the entire weight of the institution and not, separately, the parcels of regulation that come with it. I carry no pretense that the institution will disappear in the short term, although one must always be conscious of the fact that social arrangements are never fixed, and the meanings we attach to the same labels evolve to reflect the predispositions of every era. This paper is thus an invitation to a discourse, not an encyclopedia of the implications of an idea, and I would consider the objectives of this piece happily satisfied if people devoted some time to asking the question: what is the relationship between marriage, as an institution of law and culture, and desiring? As the reader may have already noticed, my answer is "none, except the psychological effects of legal regulation (the feeling of security, settlement, constraint)." This short answer explains the attitude that envelopes the arguments I present here—negation.

INSTITUTIONALIZED DISCRIMINATION

Marriage discriminates. Its domineering over- and under-inclusiveness is definitionally self-evident: "Marriage is a special contract of permanent union between a man and a woman 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."[16] This definition[17] is overinclusive because its regulatory impact touches not only those that are willing to enter the institution but also those that are unwilling and uninterested[18]; it is underinclusive because it excludes from State certification many of those that are willing and interested.[19] This definition is a theory that doesn't fit the facts; it is a template that imposes itself on a very narrow band of desiring. There is a gap between the family in the casebooks and the family in action.[20]

The prejudices of the institution are multi-faceted—the characterization of the contract as "special" provides the regulatory justification for the barrage of exclusion that follows: that marriage is a "status" means that our concept of this relation is of 18th century vintage[21]; that it is a permanent union in this country means that, along with Malta, the Philippines is one of two countries on the entire planet that refuses to formally[22] recognize divorce; that we do not have an exit strategy for marriage means that it functions as a sort of legal trap, allowing heterosexual couples in and luring them with the enticements of the Family Code (not to mention the nod of an approving society) and forever binding them in the name of the sanctity of the family; that marriage is between a man and a woman means that entry is limited to a pair of bodies, one with a penis and another a vagina, and no other pair/s or any other combination of relationships is recognized by the regime; that it must be entered into in accordance with law means that non-compliant relationships are either illegal or immoral or tolerated and that the process of certifying relationships as legal or non-legal is the monopoly of the State; that marriage must be for the establishment of conjugal and family life means that the substance of legalized desire is set by law, that there are legal (and in many cases, social) consequences for manifestations of intimacy that are foreign to the legal regime.

Marriage is an ideology for the containment and categorization of desire; it is a mode of establishing limitations on windows of possibilities and experiences for the human body.[23] As a State-imposed norm-system, it operates as legal jargon for speaking about intimacy and its associated values. In turn, the narrowness of its language affects our cultural space by limiting the way we view human associations. The consequence is the normalization of desire, the standardization of the lived experience for the body, and the idealization of heterosexual association as the paradigm for lifelong intimacy. These perspectives form the core of the view that marriage is an oppressive institution that reduces human beings into unconscious ideologues of the present regime of heterosexual monogamy, conditioning their minds for lives of enforced permanent union, blind to other possibilities for the deployment of desire, and unable to accommodate "changing patterns of intimate behavior,"[24] while simultaneously ignoring or obscuring the nature and extent of individual dependency.[25] The Family Code is an illegitimate "use of marriage as a proxy for desirable outcomes in social policy."[26]

The singling out of heterosexual coupling as the legal standard

of human relationships attenuates our ability to engage in genuine acts of self-authorship, and in defining for ourselves the livable life. To this extent, legalized marriage functions as a mechanism for channeling desire, producing the architecture for creative space of the self's movement and discovery of authenticity. The marriage highway is well-paved, reliable, and safe; any other road is bumpy, unstable, and dangerous.

This legal privileging of the road to marriage is artifice. The state should have no right to privilege or impose one form of family structure or sexuality over another.[27] And if we are to envision greater possibilities for the body as a source of meaning, we must be able to problematize the language of legal institutions that generate and dictate possibilities for both self-creation and self-definition. This we can only do through a discourse of unsettlement.

Preliminarily, we may characterize this institutionalized legal discrimination as part of a more general problem with the way people view the use of language—as simply a tool for naming things or the idea that for every object there is a label. As Saussure pointed out quite a long time ago, the idea of language as a naming process is rather naïve, as one cannot assume that ready-made ideas exist before words. The notion that language is a system of naming finds its roots in Platonic idealism, which sees the reality of things we presently apprehend as imperfect copies of a perfect ideal. This view of language results in a strong conceptualist view of phenomenon.[28] In particular, this conceptualism is manifested in the very definition of marriage. Ask anyone: why is marriage limited to two people? Why must it be limited to heterosexual couples? Why must it be a special contract of permanent union? Why must the law codify its nature, terms, and consequences? Why must it be for conjugal and family life?

Any given set of answers will involve a host of tautologies, moralisms, universalisms, naturalisms, and a list of other *-isms* that essentially say, "because that is what marriage is all about." This belief that marriage is (and therefore must be) *about* or *for* something provides the normative bias for the use of regulatory power for parentalistic and moralizing purposes,[29] and drives the overwhelming majority among us to not only misguidedly hold that marriage should be heterosexual, procreative, and eternal but also to impose such conceptualism by using State authority to privilege a certain form of human relationship over many others.

The linguistic position I have just described is fueled by a history of intermingling between church and colonial State. The

Spanish crown, at a time when it was indistinguishable from the church, adopted this conceptualist view of language for pragmatic reasons as part of the colonial project. By sheer inertia, we have continued to allow this imposed idealism. Even now, we continually fail to acknowledge the arbitrariness not only of words as they relate to ideas but, more importantly, the arbitrariness of concepts themselves. Marriage, as a sign, need not be anything, for there is nothing "inherent" in a jumble of marks.[30] It needn't be between a woman and a man (or a vagina and a penis); it needn't be procreative; it needn't be eternal. Marriage, as text, is merely a linguistic marker that makes communication possible. As a combination of letters, it might as well refer to a cat.[31]

This means that if we want a society of the free and the tolerant, we must rescue our linguistic freedom from the regulators and reclaim our right to re-cast human relations in the kind of language that we want. We must ask the regulators: what gave you the right to channel desire by holding out certain organizational forms as privileged, sanctifying them as if they were the only ones that could hold society together? This is no trivial question, for our control over our bodies depends on how we answer this query.

I do not have to defend the position that no amount of State certification can confirm my desire for someone (or some others) or any such person's (or persons') reciprocal desire for me; whether desire (or love) is felt by anyone is beyond government confirmation. Neither is the form taken by such desire relevant—whether we end up frolicking like rabbits, holding hands, staring at each other till our eyes get sore, sleeping in separate beds, not having sex or children, or just e-mailing, what really matters is that we are able to deploy our desire in ways that satisfy our want for meaning and our yearning for self-narration. The lesson here is that the intervention of any regulator in the business of desiring should carry a heavy burden, similar to what constitutional law scholars would refer to as strict scrutiny,[32] or a very high standard of justification that starts with the question: what is the government's compelling interest in legalizing marriage? Lest I be misconstrued, I am not making a legal argument here that the institution of marriage is a violation of some clause of the Constitution such as the Due Process, Equal Protection, or the Privacy Clause, although such an argument could in fact be made.[33] Instead, I'm asking you, the reader, to locate yourself in a time before legalized marriage, when the government was still selling the idea of enacting something like a Family Code that uses marriage as a foundational organizing

principle for society. Having done this, shouldn't everyone ask: why is the government even doing this? Why is it so interested in heterosexual coupling? And why the fixation with permanence, procreation, and surnames?[34]

Marriage largely impinges upon the individual by affecting the social.[35] The legalization of marriage sets up an artificial hierarchy of human relations,[36] structuring the various forms of desiring and creating incentives and disincentives to the will to associate. At the top of the hierarchy is the heterosexual, procreating couple—they get the tax benefits, legitimate offspring, a choice of property relations, and the right to inherit. The marrying types are the model citizens and their pairing produces the basic social organization, the so-called building block of society. What happens to non-marital relations such as live-in arrangements, same sex partnerships, fly-by-night liaisons, and a host of other manifestations of desire? Society has evolved certain metaphors of discouragement for these arrangements: out of wedlock, living in sin, illegitimate, unlawful, queer.

The consequence of the institutionalization of desire through marriage is the politicization of relationships and the reification of a specific form of desiring. This reification furnishes, in turn, the discriminatory motive against other forms of desiring. Indeed, the only way for this institutionalization to survive is by creating a discourse of politicization—of the penis and vagina, of legitimate and illegitimate children, of adultery[37] and bigamy, of heteros and homos—that rationalizes the entrenchment of marriage, its entitlements, and the views of the moralizing majority.[38] Because the economy of this discourse produces a language that inhibits our ability to imagine alternative realities, we must now produce a counter-discourse,[39] one that provides a better set of metaphors for the kind of lives we want to live and allows us to create the very channels through which desire may more freely flow. The transformation starts with the recognition of the dark history of marriage and ends with the moral commitment to end it.[40]

DE-LEGALIZING MARRIAGE[41]

For purposes of clarity, suspend momentarily your disbelief and consider a legal regime where marriage is not a legal institution—visualize perhaps an act of Congress repealing the Family Code. From now on, Congress will limit itself to certain regulatory concerns such as violence, child care, religious indoctrination of children, support,

inequality, and (quite possibly) incest, and no longer involve itself in procedural and substantive issues related to relationships like licensing, certifying, or nullifying marriages and determining legitimacy or illegitimacy.[42] By privatization, I am not simply referring to a regular contractual agreement,[43] such as, say, a contract of sale where the parties may go to court in case of breach and seek assistance through state enforcement machinery; rather, I am referring to a regime where marriage is legally invisible—de-legalized—where it is not a source of legal rights at all and any interference by the State will be directed at particular problems with specific relationships. The general outlines of the implications of this idea can be concretized through the following sets of hypotheticals. Imagine:

—A—*Entrance*. A couple belonging to a religious denomination (Catholic, Protestant, Muslim, etc.) wants to get married. Under the Family Code, entry into marital status would require that they fulfill procedural and substantive barriers meant to ensure their fitness for the kind of marriage the State allows.[44] In a regime of non-legalized marriage, this couple, instead of going to the city hall in order to obtain a marriage license, could go directly to their preferred church and get married according to the customs established by that institution. Under a de-legalized marriage regime, there is no need for the solemnizing authority to obtain any license from the government. Religious institutions will thus be self-regulating entities insofar as their marriage rules are concerned, so long as they do not affect the regulatory concerns mentioned before. In this situation, everything that "ordinary" (under the law, all) couples do in preparation for marriage can still be done by anyone who wants to get married under traditional rites, with one exception—their ceremony will be purely personal and religious, having no legal effect whatsoever.

With respect to those who have neither the patience nor taste for such formalities or ceremonies, be they religious or not, living together would produce the same non-legal effect. Or they could simply talk and, then and there, draw the status line that separates the moment they call themselves "not married" from "married." The regime I have in mind would thus allow people to get married for any reason, anytime and anywhere they want—in the cafeteria, at some flashy restaurant, in bed, or while driving. Under the new rules, language attains its greatest performative potency. People could even invent a new word for "marriage" if they wanted to.

The hypothesized marriage regime is also inclusive of homosexuals.[45] Because the only barrier to homosexual marriage is

the law itself, the de-legalization of marriage would allow homosexuals to enter into such relationships, the only distinction being that the kind of discrimination to which they are now subjected will have no legal effect—congregations or religious institutions that do not allow homosexual marriages, such as the Catholic church, may continue with their discriminatory ways. As in the case of heterosexuals who see no need for having some god/s or priest/s witness their vows, homosexuals could, at any time they want, simply call themselves married.

De-legalized marriage doesn't stop with couples, simply defined as a pair of bodies, regardless of sex. One important consequence of legalized marriage on the right to associate is the privileging of coupling, viewing society not only as grounded on couples as the core unit of the family but, more importantly, that all such relationships should be the norm. Even if we accept as fact that the dominant social organization in our present culture is coupling, such a fact does not validate discrimination nor furnish any justification against alternative forms of social organizations. To believe that "heterosexual marriage is the worst basis for family formation save any other that has been tried"[46] is to mistake an imagined necessity with the need to imagine; it is to miss the fact that marriage today is nothing less than "compulsory monogamy."[47] Indeed, the dominance of coupling in present society could even be attributed precisely to the mandatory push of the marriage regime to favor coupling. As Martha Fineman so eloquently notes—

> Inconspicuously complementing the myth of individual autonomy are assumptions about the context in which individuals exist in our society, particularly the assumption that we belong to or aspire to belong to families. A traditional family is typically imagined: a husband and wife—formally married and living together—with their biological children. The husband performs as the head of the household, providing economic support and discipline for the dependent wife and children, who correspondingly owe him duties of obedience and respect. This assumed archetypal family provides the normative expectations for the institution of the family.[48]

The de-legalization of marriage leads to the de-privileging of coupling by allowing any number of human beings to define for themselves the character of intimacy they wish to engage in.[49] To be sure, there is nothing biologically or morally wrong about three or more people deciding to live together for mutual convenience, companionship, or support. In fact, there are people who engage in polyamorous unions. The singular reason society does not refer to such social arrangements

as marriage is because the law does not call it so.

We ought to realize the danger associated with the moralizing tendency of law in instances where the legal label itself is the only source of a judgment between what is good and evil.[50] No one would raise hell about three people, say, two females and a male, living, eating, watching tv, and paying bills together, except perhaps some ultra conservative who would view such arrangement as "inherently dangerous." But, once these three become a threesome, once they engage in sexual activities together, for love or sex or whatever, and then appropriate the term "marriage" for the kind of social arrangement they've created, all hell breaks loose and society brings them to the altar of judgment and declares them immoral, perverted, and sinful. How did it ever become the government's business to tell us "only two are ok" or "one partner at a time"?[51] Even progressives who advocate same-sex unions distinguish between legal twosomes and threesomes.[52] When did it ever become our business to tell others, "you can have threesomes and foursomes in the privacy of your condos (just please don't give us details) but you can't call yourselves a family?"[53]

It is worth emphasizing that by questioning the right of the government to intervene in these relationships, I am not trying to promote them. I am not saying that just because the marriage regime should be de-legalized, we ought to experiment with threesomes and foursomes. Neither do I seek to characterize heterosexual coupling as bad, vanilla, and uninspiring. My real problem is not with alternative forms of social organizations being seen as intrinsically good or bad; it is the arrogant position that because heterosexual coupling is dominant, then all other associations should be discouraged, if not legally prohibited. As I have said, marriage, as a legal term, is but a word. And those who seek deep truths in words are bound to miss out on the fact that the ultimate source of meaning in the way we associate with others is to be found in the sheer facticity of a relationship that is unique, shared, and human.

—B—*Exit*. We change, all the time. And not only are we always changing, we can also never, with absolute confidence, control the way we modify ourselves and are modified. Yet, when it comes to legalized marriage, we Filipinos, either because of some mass hallucination or sheer politicizing by the church, have yet to realize the impact of this fact. Our failure to recognize the fundamentality of our own malleability is a tragedy that affects the lives of millions everyday.

Let's be honest. We cannot legislate what our later selves will feel at any time past the immediate present. And yet this is exactly what the Family Code dictates—that human beings eternalize their present selves with promises of tomorrow that cannot be broken by a change of heart, because the law will make sure they are fulfilled in spite of it.[54] Of course, every now and then, or even more often than not, we intend—and hope—that some of our desires last for so long as we live; but a healthy dose of self-skepticism should be enough to make us realize that our confidence in even our deeply held beliefs at any present moment is always subject to the contingencies of time and circumstance. Besides, it is one thing to make a personal commitment to bind oneself to another "till death do you part"; it is another to be compelled by law to keep that promise.[55] While one may rely on the law to compel another to give what's been promised to deliver by a contract of sale, it would be absurd to compel another to deliver love, companionship, and fidelity notwithstanding any promises.

The de-legalization of marriage remedies this coercion of status by giving back to the citizen the right to say *it's over* if and when she wants to. Even on a doctrinal level, this idea is so fundamental to the right to associate and incompatible with state parentalism. The decision to terminate marital association lies well within the core value—if it exists at all—of personhood and is so constitutive of the self that I'm always appalled at rationalizations made by many about the supposed right of the State to make sure couples do not make hasty decisions about the decision to separate and that children be protected from such choices.[56] For such arguments border on the irrational. They assume that all couples are immature about these decisions or that they are always hasty when it comes to these matters. These arguments also presume that compelled status can proxy for meaningful companionship; or that children are better off if their parents are compelled to stay married even if they do, in fact, wish for nothing more than to leave each other. It seems quite clear that there is a yawning chasm of logic between ensuring that children be well taken care of and compelling divorce-bound parents to stay together in order to achieve that goal. It is no exaggeration to say that the projected needs and well-being of children have become the rhetorical engines that drive much of the marriage discourse.[57] Why can't we leave to the individuals whose lives are directly affected by such relations the right to determine for themselves whether their marriage ought to continue, with the state ensuring that decisions made approach a

relation of parity? What makes the State a better decisionmaker than we are on these questions?

At least insofar as the decision to change one's mind is concerned, divorce under a de-legalized marriage regime is decidedly more efficient than divorce under any legalized marriage regime. In the former, all the parties have to do in case they decide to get back together is to re-marry by declaring their intention to live together just like before. They would not need any formal requirement to justify their renewed status. In the latter, the parties would have to undergo the same licensing procedure they went through the first time they got married.

—C—*Legitimacy.* Traditional marriage produces an associated system—the morality of blood ties—which further institutionalizes discrimination against those who happen to be outside of relationships sanctioned by law. One blatant example is the prejudice against so-called illegitimate children.

No one chooses the conditions under which one is born. Color, sex, height, and other physical attributes are all contingent variables that are intertwined with the biology of reproduction. Apart from our genotype, there is another layer of contingency that goes with reproduction. We may call this the socio-type, which could very well refer to all non-physical attributes a person acquires at birth—nationality, economic status, and social status. Because one's status as a legitimate or illegitimate child is completely out of a person's control, it matters to ask: why does the Family Code label children as either legitimate or illegitimate in the first place?

One could venture into a host of possible reasons for this practice of labeling children—this fixation with legitimacy. For one, this is the kind of labeling system we've gotten used to as Spanish subjects. The Civil Code of Spain devotes Title V of Book I to issues of paternity and filiation,[58] whose rules have survived to a large extent through our present Family Code. The concomitant effect is that the Spanish policies on the rights of illegitimate children to support, inheritance, and use of surnames have become Filipinized. But what drives this law is the feudal notion of an exclusive community constituted by blood. Legitimacy rules, from this perspective, are predominantly devices for those with economic wealth to perpetuate themselves through the exclusions provided by the legal system. Naturally, those with properties to transfer would have the greatest interest in these kinds of rules, driven as they are by a Darwinian need to be altruistic to those who share a similar set of genes.[59] The

other variable that drives this system is the theistic belief that those who engage in procreative relationships without the benefit of marriage are living lives that go southwards from heaven, which explains the property bonanza for legitimate relationships and the penalty, in terms of reduced property rights, against illegitimates.

De-legalized marriage deals with this irrationalism by simply eliminating the labeling system, or at least, doing away with the label's legal punch. In short, the new marriage regime simply follows the rule, "pay for your own offspring; anyone you bring out onto this earth is your responsibility." All children, whether born in or out of wedlock, ought to have the right to a share of their parents' properties without discrimination, along with an assurance that the state will be present in those areas where the parents are not. This satisfies a basic rule of fairness.

—D—*Bigamy, Adultery, & Concubinage.* One important question for students of constitutional and criminal law is the extent to which regulators may engage in morals legislation, especially in matters that impact on rights of privacy and intimacy.[60] People should be concerned about the government, in the guise of some vague notion of "public interest"—order, morals, or policy—intruding, as it were, into bedroom matters. The key word is parentalism, the assumed right of the regulators to tell people what to do for their own good, usually on very slippery grounds.[61]

There is also the matter of efficiency, particularly the question of how scarce government resources should be allocated in order to promote the general welfare. Criminalization is not simply about prohibiting acts the state considers inimical to public welfare, but also about ensuring that the threats of public sanction can actually be carried out, considering the meager resources government can employ in enforcing its declared policies.

Crimes such as bigamy, adultery, and concubinage serve as good examples of punishable acts that highlight concerns about parentalism and efficiency.[62] What these laws say is this: by signing on the dotted line, spouses are authorizing the State to insure the parties against marital infidelity and that, in case of breach, the aggrieved party may go to court for relief. The State, as parent, will do the punishing for you—it will spend public time, money, and effort to ensure that married people (and only those that are legally married) will be faithful. This is the classic conversion of a private harm into a public injury.

I doubt if anyone would ever propose the criminalization of

"non-marital infidelity." If someone gives her partner some Jerry Maguire line like "you complete me" or "my word is stronger than oak" and later on changes her mind because she found someone else, I doubt that anyone in Congress would propose some bill, say, An Act To Regulate Non-Marital Infidelity, to address what are otherwise considered "private matters," in spite of their daily occurrence. This fact is important because it indicates how tautological the justification for criminalizing these crimes is: infidelity within marriage is a crime but infidelity without marriage is not so. Infidelity outside marriage is *damnum absque injuria* but marital infidelity will land you accommodations in jail. Adultery, bigamy, and concubinage are crimes simply because of the status validated by a contract. They are about protecting the institution of marriage, and the only infidelity being punished is infidelity to the State's legalized notion of intimacy.

This ought to lead many to realize that criminalization is a rather narrow response to sexual infidelity. A host of diverse remedies already exists to provide couples who are interested in sexual fidelity with a wide range of options for solving marital disputes in private deliberations, instead of a public trial before bureaucrats: civil penalty or damages, forfeiture of certain conjugal property rights, enforced counseling, maybe even loss of parental authority, and forgiveness, among other things. This diversity of options can hardly be accommodated within a marriage regime that threatens married people with imprisonment for deviating from legalized norms.

DE-STABILIZING MARRIAGE

The story of Soledad Escritor is a curiosity of an administrative proceeding.[63] She is an interpreter working in Branch 253 of the Regional Trial Court in Las Piñas, one of many employed by a judiciary that still believes systemic justice is possible even if dispensed in foreign tongue. For some reason, a certain Alejandro Estrada charged her with "disgraceful and immoral conduct," an offense under the Revised Administrative Code. The basis of the charge was that she had been living with a man not her husband, and had borne a child by him. For this sin, the court was asked to have her expelled from government service, lest it appear that the judiciary was condoning her non-marital arrangement.

Soledad answered by way of confession and avoidance, admitting having entered into such a relationship "more than twenty years ago when her husband was still alive but living with another

woman" and that indeed a son was the fruit of such intimacy. She likewise averred that by the time she entered government service her legal husband had already died, thereby re-capacitating her to marry. Her partner, however, was not so capacitated as he himself still had a subsisting, though botched, marriage with another woman.

But irrespective of the legalese, what was more important for Soledad was that her relationship was sanctioned by her congregation, the Jehovah's Witnesses, through a "Declaration Pledging Faithfulness." Apparently, such undertaking makes an otherwise unlawful union "moral and binding within the congregation all over the world except in countries where divorce is allowed," subject to certain requirements. This religious dispensation, she then claimed, was covered by the constitutional guarantee of freedom of religious exercise.

Quite surprisingly, and in a rather tortured essay in doctrinal manipulation, a majority of the members of the Court dismissed the administrative charge. Never mind that the Court's reading of American church/state history evinces a rather casual historicism; never mind the failure to notice that the idea of a 'benevolent neutrality-accommodation' framework is oxymoronic, like 'kind fairness-bias' or 'cold neutrality of a partial judge'; never mind the universalized claim of the subscription of the finite man 'to the infinite' and the notion of man's (even though this case involves a wo-man) accountability 'to an authority higher than the state'; never mind the happy contradiction of the use of the right to religious freedom to destabilize a religious ceremony masquerading as legalized marriage; never mind how adultery/bigamy/concubinage ever got to be part of the exercise of one's religion (something like the right to fornicate as a means to get to heaven or as a passport to the infinite); never mind that the Witnesses or some other religious groups offering the same privileges would probably increase their numbers because of this decision. What matters is that this case is a clear instance of individualized justice for which we should commend the Court *pro hac vice.*

In the first place, I have no idea how Soledad's intimate relationship—legal or illegal—could have any bearing on the work of a court interpreter: as if her ability to translate testimony from one language to another would be affected by her living with a man she cannot yet legally marry; as if she would be more susceptible than

* Popular child-characters in Philippine children's books

anyone else to falsifying her work simply by virtue of her unsanctioned relationship. In the second place, to allow an eavesdropper to file cases of this nature is to grant any *Pepe* and *Pilar** a roving commission to check the morality of all public employees. Surely, the government bureaucracy and private citizens have more pressing problems than making sure stenographers slept only with their legitimate spouses.

There is justice in this result if only because this case, shorn of the doctrinal spin, is one where desire triumphed over formal legality. Soledad did nothing more than express a fundamental human desire to associate, to find meaning in the intimacy of another, and to seek happiness within the confines of her circumstances. She neither stole public money nor forsook her professional responsibility. She fell in love. And that is all that there is to it. Indeed, it is a wonder how the hegemony of legalistic discourse has at times tended to blind us to the practical demands of existential justice. Life in the here and now is, so far as I know, the only life Soledad and her partner will ever live—this is their only chance to extract meaning from their association. To deprive her of employment because some stranger felt the need to glorify the public symbol of marriage is to trump practical justice with idolatry of concepts.

There is also a broader aspect to this case, of which Soledad's story is but a manifestation. This is the inherent tension in standardizing public morality through legalized marriage in a community of diverse values. This tension is unbearable, for I doubt whether the forceful idealization of marriage will ever result in happy and lasting relationships. So long as this tension exists, human beings will find ways to channel their desire, regardless and in spite of the coercive architecture of regulation. They will find meaning in the intimate and familiar embrace of loved ones, even if they are strangers in the eyes of the law.

In the meantime, we ought to ask: why can't the government just leave us with our own desires?

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END NOTES

[1] See **Theodore Zeldin**, *An Intimate History of Humanity* (1994). The will to associate that I describe in this Essay is the core of the right some legal scholars have written about. Considering the policy proposal that I outline in this Essay, it has to be stressed that this will to associate can never be contained in a discourse of rights similar to those some scholars have written about. See **Kenneth L. Karst**, *The Right of Intimate Association*, 89 YALE L. J. 624 (1980). The freedom of intimate association is "a close and familiar personal relationship with another that is in some significant way comparable to a marriage or family relationship. An intimate association, like any group, is more than the sum of its members; it is a new being, a collective individuality with a life of its own. Some of the primary values of intimate association depend on this sense of collectivity, the shared sense that 'we' exist as something beyond 'you' and 'me,'" at 629; **Laurence H. Tribe**, *The Right That Dare Not Speak Its Name*, 117 HARV. L. REV. 1893 (2004); **Collin O'Connor Udell**, *Intimate Association: Resurrecting A Hybrid Right*, 7 TEX. J. WOMEN & L. 231 (1998); **Cass R. Sunstein**, *The Right to Marry*, 26 CARDOZO L. REV. 2081 (2005), "The right to marry, then, comprises a right of access to the expressive and material benefits that the state affords to the institution of marriage." *Id.*, at 2083-2084.

[2] This is probably what William O. Douglas, writing for the majority in *Griswold v. Connecticut* [381 U.S. 479 (1965)], felt when he described the institution—"Marriage is a coming together for better or for worse, hopefully enduring, and intimate to the degree of being sacred. It is an association that promotes a way of life, not causes; a harmony in living, not political faiths; a bilateral loyalty, not commercial or social projects. Yet it is an association for as noble a purpose as any involved in our prior decisions."

[3] The pawns in this game of social ordering through marriage are children, morality, civilization, and god.

[4] The legalization of this discourse of intimacy has led to a battle over characterization of rights: is it a positive or a negative right? See **Sunstein**, *supra* note 2; **Joseph A. Pull**, *Questioning The Fundamental Right To Marry*, 90 MARQ. L. REV. 21 (2006), "the Supreme Court's 'fundamental right to marry' needs to be reinterpreted as a negative liberty—a claim of individual autonomy against the encroaching hand of the state—rather than a positive right that obligates the state to provide all persons a particular set of options under the heading 'marriage.'" *Id.*, at 23-24.

[5] See **Ann Laquer Estin**, *Marriage And Belonging*, 100 MICH. L. REV. 1690 (2002), "The observation that marriage is a valuable source of private and public meaning does not explain why law and policy continue to privilege particular forms of marriage." *Id.*, at 1700.

[6] As **Martha Fineman** in *The Neutered Mother, The Sexual Family and Other Twentieth Century Tragedies* (1995) has argued, so long as marriage exists, "[i]t will continue to occupy a privileged status and be

posited as the ideal, defining other intimate entities as deviant."

[7] Of course, the links between marriage and religion all over the world are secure. No one denies the heavily sectarian form of marriage. The only difference is the extent to which religious institutions continue to hold sway over the character of legalized marriage.

[8] Estin, *supra* note 6, "the monumental public character of marriage is generally its least noticed aspect," citing Nancy Cott's PUBLIC VOWS: A HISTORY OF MARRIAGE AND THE NATION.

[9] CONST., Art. XV, §2.

[10] Estin, *supra* note 6, at 1700.

[11] James Herbie DiFonzo, *Unbundling Marriage*, 32 HOFSTRA L. REV. 31 (2003).

[12] Twila L. Perry, *The "Essentials Of Marriage": Reconsidering The Duty Of Support And Service*, 15 YALE J.L. & FEMINISM 1 (2003).

[13] This project of subtraction thus makes it conceptually different from the growing trend towards legislative or judicial efforts towards accommodation of marginalized groups which runs in the opposite direction: that of addition. See Udell, *supra* note 2: *Inching Down The Aisle: Differing Paths Toward The Legalization Of Same-Sex Marriage In The United States And Europe*, 116 HARV. L. REV. 2004 (2003). I am therefore with Martha Fineman in this project when she asks, "[w]hy not just abolish the category as a legal status and, in that way, render all sexual relationships equal with each other and all relationships equal with the sexual? On the other hand, the relationship that needs the resources and protection of society is the relationship between inevitable dependents, paradigmatically children, and their caretakers." *Cracking The Foundational Myths: Independence, Autonomy, and Self-Sufficiency*, 8 AM. U. J. GENDER, SOC. POL'Y & L. 13 (2000) 21.

[14] The problem with the doctrine of "the right to marry" is straightforward: "If a state can define the boundaries of marriage, then it can manage its citizens' access to marriage through those boundaries. But if marriage is a fundamental constitutional right, such state attempts to restrict access to it should be viewed with great suspicion by the courts." PULL, *supra* note 5.

[15] Cf. Jane S. Schacter, *Sexual Orientation, Social Change, And The Courts*, 54 DRAKE L. REV. 861 (2006).

[16] FAMILY CODE, Art.1.

[17] Maggie Gallagher, *What Is Marriage For? The Public Purposes of Marriage Law*, 62 LA. L. REV. 773, 790 (2002), "Normal marriage is normative. Marriage does not merely reflect individual desire, it shapes and channels it. Marriage as a social institution communicates that a certain kind of sexual union is, in fact, our shared ideal: one where a man and a woman join not only their bodies, but also their hearts and their bank accounts, in a context where children are welcome."

[18] See Jennifer Jaff, *Wedding Bell Blues: The Position Of Unmarried People In American Law*, 30 ARIZ. L. REV. 207 (1988).

[19] During the 19th century, 'marriage became central to the definition of citizenship, and marriage norms were deeply embedded in debates over the civil and political rights of former slaves, Native Americans, Asian Immigrants, and women.' Cott, *supra* note 9, at 1691. Today, the exclusion is, among others, against

same-sex couples, commitment partnerships and friendships, and polyamorous relationships.

[20] *Introduction: Nuclear Nonproliferation*, 116 Harv. L. Rev. 1999 (2003).

[21] See **Arturo M. Tolentino**, *Commentaries And Jurisprudence On The Civil Code Of The Philippines, Vol. 1*: The act produces a change of status; and the new status or relation is also called marriage. In this sense, marriage is a status involving duties and responsibilities which are no longer matter for private regulations, but the concern of the State. In this aspect, it is a civil or social institution, being the foundation of the family and the origin of domestic relations of the utmost importance to civilization and social progress. As such, it is defined as '*the civil status of one man and one woman, legally united for life, with rights and duties which, for the establishment of families and the multiplication of the species, are, or from time to time may thereafter be, assigned by law to matrimony*, at 220-221; **John Witte Jr.**, *From Sacrament To Contract: Marriage, Religion and Law In The Western Tradition* (1997).

[22] I say formally because of Art.36 of the Family Code, which really operates as a divorce clause. I tackle this provision in the article, *Chi Ming Choices: Art.36, A Coasean Analogue*, to appear at 82 Phil L.J __ (2007).

[23] **Estin**, *supra* note 6, at 1707, "Like a coin or a sword, the public structure of marriage has two sides. One, more benevolent, lends symbolic and material support to private family commitments. The other, more coercive, marshals the state's authority to control and regulate the most personal aspects of our lives."

[24] **Martha Albertson Fineman**, *Progress And Progression In Family Law*, 2004 U. Chi. Legal F. 1 (2004).

[25] **Martha Albertson Fineman**, *Masking Dependency: The Political Role Of Family Rhetoric*, 81 Va. L. Rev. 2181 (1995),

[26] **Vivian Hamilton**, *Mistaking Marriage For Social Policy*, 11 Va. J. Soc. Pol'y & L. 307 (2004).

[27] **Drucilla Cornell**, "Fatherhood And Its Discontents: Men, Patriarchy, And Freedom," in *Lost Fathers: The Politics Of Fatherlessness In America* 199, 200 (Cynthia R. Daniels ed., 1998).

[28] This conceptualism is almost ironic, when applied to Greek society in comparison with ours. As **Martha Naussbaum**, writing about Greek culture, pointed out: "We see, in particular, that it was possible not to single out the sexual appetite from the other appetites, as a source of special anxiety and shame; that it was possible not to categorize persons in accordance with a binary division between the homosexual and the heterosexual; that it was possible to regard the gender of one's sexual partner as just one factor in a sexual coupling, and not the most morally relevant at that; that it was possible to hold that same-sex relationships are not only not per se shameful, but potentially of high spiritual and social value." *Platonic Love And Colorado Law: The Relevance Of Ancient Greek Norms To Modern Sexual Controversies*, 80 Va. L. Rev. 1515, 1598 (1994).

[29] Gallagher, confident that marriage is for something because it is a "universal human institution," criticizes Drucilla Cornell's anti-marriage stance, at 780: "Drucilla Cornell is correct, but she does not see far enough. If marriage is just another word for an intimate union, then the state has no legitimate reason to insist that it even be intimate, unless the couple, or the quartet, want it so." The answer to this criticism is simply, yes, of course: the state has no legitimate reason to insist that any relationship be intimate in the first place, assuming the word "intimate" can even be defined. See **Gallagher**, *supra* note 18.

[30] How many, including some legal scholars, in this day and age, continue to speak of marriage as some out-of-this-world institution is a heavy tax on credulity. See, Katherine Shaw Spaht, *Covenant Marriage: An Achievable Legal Response To The Inherent Nature Of Marriage And Its Various Goods*, 4 Ave Maria L. Rev. 467, 468 (2006). "For Catholics, marriage is not simply a covenant, but by Christ's act, it is also a sacrament, 'the intimate mystery of God, manifested across the centuries.' The covenant represents the agreement between husband and wife, an exchange of promises, with God as a party, to join together for life for two fundamental purposes: (1) mutual love and support and (2) procreating and rearing the next generation. Marriage, which the covenant creates, is a natural, social institution, universally recognized across generations and culture, and is 'a response to God's design and the inherent necessity in the nature of man and woman, invited by God himself, to form a very special unity, 'one flesh.'" (citations omitted).

[31] Cass Sunstein demonstrates the same linguistic problem, viewed from the perspective of marriage as legal right or "the right to marry." "And what relationships are included within the right to marry? People do not have a right to marry their dog, their house, their refrigerator, July 1, or a rose petal. At most, people have a right to marry people. But the Supreme Court cannot possibly have meant to suggest that 'people' have a general right to marry 'people'; it did not mean to say that under the Due Process Clause, any 'person' has a right to marry a dozen other people, or five, or even two. We might conclude that the Court is saying at most that one person has a right to marry one another person. But if a right to marry exists, what is the basis for this particular limitation on the right?" See Sunstein, *supra* note 2.

[32] See Pull, *supra* note 5.

[33] See, Sunstein, *supra* note 2, at 2906. "[t]he 'right to marry' entails both some right of intimate association in the private sphere and...an individual right of access to the official institution of marriage so long as the state provides that institution. With respect to the access right, the best analogy is to the right to vote. As the Constitution is now understood, states are not required to provide elections for state offices. But when elections are held, the right to vote qualifies as fundamental, and state laws that deprive people of that right will be strictly scrutinized and generally struck down. The analogy between the right to marry and the right to vote is quite close. In both cases, the state may not be required to create the practice in the first instance. But so long as the practice exists, the state must make it available to everyone." 2096.

[34] Anita Bernstein asks related questions in *For And Against Marriage: A Revision*, 102 Mich. L. Rev. 129, 210-211 (2003), "Why marriage? Who needs it? Not children and their parents, with whom the state can deal separately. Not believers in the sanctity of marital union: such persons remain free to perform rituals celebrating the pair bond. Why shouldn't American law abandon the status of marriage—just as it has abandoned other notorious comprehensive personal status related to race, gender, and mental condition—and allow the ordinary law of torts, property, crimes, and (especially) contracts to govern relations between adults?" 210-211.

Harry D. Krause provides an alternative formulation of the question: A pragmatic, rational approach would ask what social functions of a particular association justify extending what social benefits and privileges. Marriage, *qua* marriage, would not be the one event that brings into play a whole panoply of legal consequences. Instead, legal benefits and obligations would be tailored according to the realities—speak social value—of the parties' relationship. Put crudely, what does society/the taxpayer get in return from parties to a relationship in exchange for granting the partners specific rights and social (including tax) benefits? See *Marriage For The New Millenium: Heterosexual, Same Sex-Or Not At All?* 34 Fam. L.Q. 271, 276 (2000).

[35] For marriage's effect on single women, see Ariela R. Dubler, *In The Shadow of Marriage: Single Women*

And The Legal Construction Of The Family And The State, 112 YALE L.J. 1641 (2003). "Historically, marriage has functioned as a gnomon, the central pillar of a sundial, casting shadows outward and covering even women not formally under the law of coverture—the common-law system of husband-wife relations that 'covered' a married woman's legal identity with her husband's identity—or more modernized forms of marital status law." 1645.

[36] See **Herma Hill Kay**, *From the Second Sex to the Joint Venture: An Overview of Women's Right and Family Law In The United States During The Twentieth Century,* 88 CAL. L. REV. 2017 (2000).

[37] See **Martin J. Siegel**, *For Better or For Worse: Adultery, Crime, & The Constitution,* 30 J. FAM. L. 45 (1991). "While any constitutional challenge before the [] Court to state laws criminalizing adultery would be a longshot at best, there is much in the Court's older privacy jurisprudence that would lead the uninitiated, at least, to wonder why that is so.' The Article also proposes 'ways to recognize adultery as implicating the fundamental right of privacy: adultery as a protected marital choice, adultery as a relationship embraced by the freedom of association and adultery as an act protected by the individual's interest in sexual privacy."

[38] This is apparent in the discourse of those against gay marriage. **George W. Dent, Jr.**, in *Traditional Marriage: Still Worth Defending,* 18 BYU J. PUB. L. 419, 425 (2004), argues—"Nothing in the Constitution should bar a state from denying recognition to same-sex unions simply because the state considers them intrinsically immoral. However, that justification will not persuade anyone who doesn't already accept it." 420. He therefore states "[r]ecognizing gay marriage would impair the honor conferred on the institution. Neither American nor, with a few recent exceptions, any other society in history has recognized gay marriage. Most cultures have, at best, frowned on homosexuality. Many cultures, including those influenced by Christianity, Judaism, and Islam,,, have considered it a sin and, often, a crime. Most Americans would consider gay marriages a caricature of the real thing or even an insult to a relationship that they consider to have a sacred as well as a legal dimension. Even if one opposes that view, it is a fact we must acknowledge, just as we would have to note the rejection of pork in formulating a food policy for Jewish or Muslim populations."

[39]This discourse is similar to that promoted by feminist scholars during the second half of the 20th century in many Western countries. See, for example, **Katherine T. Bartlett**, *Feminism And Family Law,* 33 FAM. L. Q 475 (1999). "Feminism's principal contribution to the law of the family in the United States has been to open up that institution to critical scrutiny and question the justice of a legal regime that has permitted, even reinforced, the subordination of some family members to others. The family has long been idealized as a refuge—a 'haven in a heartless world'—requiring privacy and freedom from public interference. It still is. Feminists have attempted to pierce this shield of privacy, to reach the injustice of family relationships and the law that permits them."

[40] For a consciousness-raising account of the history of marriage, see **Dianne Post**, *Why Marriage Should Be Abolished,* 18 WOMEN'S RTS. L. REP. 283 (1997).

[41] See **Jana B. Singer**, *The Privatization Of Marriage,* 1992 WIS. L. REV. 1443 (1992).

[42] I can envision another strong area of public policy associated with marriage that ought to concern the regulators: reproductive health. If the State must have any obligation related to the deployment of desire, it is that obligation to ensure that everyone has a say as to whether they want to participate in the so-called circle of life and reproduce. If they do, then regulators should ensure that conditions for reproduction are such that the next population will be, at a minimum, healthy bodies; if they don't or can't, the State should not only not prevent access to birth control, but also actually provide such access through

information dissemination and subsidy as a form of positive right.

[43] For a contracts approach to marriage, see **Marjorie Maguire Schultz**, *Contractual Ordering of Marriage: A New Model for State Policy*, 70 CAL. L. REV. 204 (1982); **Elizabeth S. Scott and Robert E. Scott**, *Marriage as a Relational Contract*, 84 VAL. L. REV. 1225 (1998); *Marriage as Contract and Marriage as Partnership: The Future of Antenuptial Agreement Law*, 116 HARV. L. REV. 2075 (2003); **Martha M. Ertman**, *Contractual Purgatory for Sexual Marginorities: Not Heaven, But Not Hell Either*, 73 DENV. U. L. REV. 1107 (1996), offering "a model that describes how selected sexual regulations progress between the public extremes of condemnation and rights, sometimes stopping along the way in contract' which 'may offer sexual marginorities a legal purgatory, where they suffer until they are sufficiently purified to enter the heavenly realm of public right (or until the law is purified of anti-gay bias)." 1108-1109.

[44] FAMILY CODE, ARTS. 1-34.

[45] I thus concur with **Nancy D. Polikoff**'s views about problems associated with the homosexual agenda to promote same-sex marriage. "The desire to marry in the lesbian and gay community is an attempt to mimic the worst of mainstream society, an effort to fit into an inherently problematic institution that betrays the promise of both lesbian and gay liberation and radical feminism." *We Will Get What We Ask For: Why Legalizing Gay And Lesbian Marriage Will Not "Dismantle The Legal Structure Of Gender In Every Marriage*, 79 Va. L. Rev. 1535 (1993).

[46] **Camille S. Williams**, *State Marriage Amendments, Essentialist Arguments and the Non-Essential Woman*, 7 FLA. COASTAL L. REV. 453 (2005).

[47] **Elizabeth F. Emens**, *Monogamy's Law: Compulsory Monogamy and Polyamorous Existence*, 29 N. Y. U. REV. L. & SOC. CHANGE 277 (2004).

[48] **Martha Fineman**, *Masking Dependency. The Political Role of Family Rhetoric*, 81 VA. L. REV. 2181 (1995).

[49] For a proposal to provide some legal protection to unmarried persons in some form of committed relationships, see **David L. Chambers**, *For the Best of Friends and For Lovers of All Sorts, A Status Other Than Marriage*, 76 NOTRE DAME L. REV. 1347 (2000). "The new status, 'designated friends' who register their relationships with the government, are 'empowered to make and undertake the obligation to make financial and medical decisions on behalf of the other in case the other becomes incapacitated; they are entitled to family leave, on the same terms as married persons, to take care of the other if the other becomes seriously ill; they are entitled to the same testimonial privileges as spouses in civil and criminal cases if they enter the designated friend relationship at least two years prior to the event giving rise to the case; if the other dies without a will, they are entitled to some specified modest share of his or her estate; and, finally, if they are government employees, they will be subject to anti-nepotism rules that apply to employees who are married to each other." 1352-1353.

[50] See **Ariela R. Dubler**, *Immoral Purposes: Marriage and the Genus of Illicit Sex*, 115 YALE L. J. 756 (2006).

[51] For arguments for and against polygamy and polyandry, see **Michael G. Myers**, *Polygamist Eye for the Monogamist Guy: Homosexual Sodomy...Gay Marriage...Is Polygamy Next?* 42 HOUS. L. REV. 1451 (2006); **Keith E. Sealing**, *Polygamists Out of the Closet: Statutory and State Constitutional Prohibitions Against Polygamy are Unconstitutional Under the Free Exercise Clause*, 17 GA. ST. U. L. REV. 691 (2001); **David L. Chambers**, *Polygamy And Same-Sex Marriage*, 26 HOFSTRA L. REV. 53 (1997)'; EMENS, *supra* note 49.

[52] See **Hema Chatlani**, *In Defense of Marriage: Why Same-Sex Marriage Will Not Lead Us Down a Slip-*

pery Slope Toward the Legalization of Polygamy, 6 APPALACHIAN J. L. 101 (2006).

[53] The movement of law in other countries has been to provide legal recognition to many other forms of relationships through civil unions or domestic partnerships. See **Martha M. Ertman**, *The ALI Principles' Approach To Domestic Partnership*, 8 DUKE J. GENDER L. & POL'Y 107 (2001);

[54] This marriage regime is therefore not even comparable to early 20th century United States legislation which provided for fault-based grounds for marital dissolution. The revolution in marriage law worldwide is not about whether divorce ought to be accessible but whether divorce ought to be granted even without proof of fault. For a history of the 'no-fault' revolution, see **James Herbie Difonzo**, *Customized Marriage*, 75 IND. L. J. 875 (2000).

[55] Efforts are underway in the United States to put a break on the no-fault divorce revolution of the second half of the 20th century through proposals that mimic fault-based regimes, not through law but through contract. See **Elizabeth S. Scott**, *Rational Decisionmaking About Marriage and Divorce*, 76 VA. L. REV. 9 (1990), proposing 'precommitment mechanisms'; **Katherine Shaw Spaht**, *For the Sake of the Children: Recapturing the Meaning of Marriage*, 73 NOTRE DAME L. REV. 1547 (1998), supporting "covenant marriage."

[56] For arguments and counter-arguments on divorce and children, see **Katherine Shaw Spaht**, *For the Sake of the Children: Recapturing the Meaning of Marriage*, 73 NOTRE DAME L. REV. 1547 (1998); **Linda J. Lacey**, *Mandatory Marriage "For The Sake Of The Children": A Feminist Reply To Elizabeth Scott*, 66 TUL. L. REV. 1435 (1992); **Robert M. Gordon**, *The Limits Of Limits On Divorce*, 107 YALE L. J. 1435 (1998).

[57] **Marthan Albertson Fineman**, *Progress and Progression in Family Law*, 2004 U. CHI LEGAL F. 1 (2004), 10.

[58] See **F.C. Fisher**, *The Civil Code Of Spain* (4TH ED., 1930).

[59] See **Richard Dawkins**, *The Selfish Gene* (1976).

[60] See **Lawrence v. Texas**. 539 U.S. 558 (2003); SYLVIA LAW, COMMERCIAL SEX: BEYOND DECRIMINALIZATION, 73 S. CAL. L. REV. 523 (2000).

[61] For a study of trends in family law as the "diminution in the law's discourse in moral terms," see **Carl E. Schneider**, *Moral Discourse and the Transformation of American Family Law*, 83 MICH. L. REV. 1803 (1985).

[62] See **Martin J. Seigel**, *For Better or For Worse: Adultery, Crime & the Constitution*, 30 J. FAM. L. 45 (1992); **Brenda Cossman**, *The New Politics of Slavery*, 15 COLUM. J. GENDER & LAW 274 (2006).

[63] **Estrada v. Escritor**, A.M. No. P-02-1651, 22 June 2006.

[63] **Estrada v. Escritor**, A.M. No. P-02-1651, 22 June 2006.

I N T R O D U C T I O N

"I wonder, among all the tangles of this mortal coil, which one contains tighter knots to undo, and consequently suggests more tugging, and pain, and diversified elements of misery, than the marriage tie."

Edith Wharton

"Intimacy is what makes a marriage, not a ceremony, not a piece of paper from the state."

Kathleen Norris

Piglet sidled up to Pooh from behind. "Pooh!" he whispered. "Yes, Piglet?" "Nothing," said Piglet, taking Pooh's paw. "I just wanted to be sure of you."

A.A. Milne

After Marriage: Done/Undone
A Conversation Around Hilbay's 'Undoing Marriage'

Elsewhere in the western world, much of the storm that has shaken the grounds under the age-old institution of marriage has been stirred by the explosive debates over the rights of same-sex couples to marry, as well as by social developments that include the mushrooming of single-parent families and the increasing number of couples who opt to cohabit without marriage. In the United States, this issue has become a continuing political struggle between the social liberals who seek to defend the spiritual meaning of marriage and the social conservatives who see marriage as a biological function. Political and religious conservatives pressing for a constitutional amendment to enshrine the traditional definition of marriage stress that marriage is the foundation of organized society, a way of coping with intractable problems like getting men to take responsibility for children, managing the allocation of property, settling questions of custody.

As widely divergent as they are, both groups, including many

who do not belong to either of them, at least share the same questions in mind: What should marriage mean in the 21st century? Is it merely a contract between two people, or does it hold deeper social and spiritual import? In short, why do we value it in the first place? Such questions have triggered debates over the institution of marriage that underscore both the profound human yearning for lasting love and the practical benefits that marriage brings to both children and the marital partners. This radical rethinking of marriage has led to calls for more alternative forms of union, for creating new forms of semi-marriages, about blurring the lines between marriage and cohabitation, about common-law marriage, and even about "delegalizing" marriage by taking the state out of the whole business of recognizing private relationships, and leaving people to solemnify their unions in religious ceremonies or private contracts. Expectedly, such debates have polarized society's religious, political, legal, and social systems. A proposal that strays away from the ideal of men and women committing themselves permanently in a caring relationship and committing themselves to raising their children is particularly troubling, if not downright offensive, to political and religious conservatives who maintain that heterosexual marriage is the only morally correct union, and therefore, the word, "marriage" must be reserved for the union of men and women.

In the US, the argument that individuals could do it all by contract comes, coincidentally, mainly from law professors, perhaps because of their much stronger belief in the power of contracts than other people. Prominent US legal scholars, notably Martha Fineman, one of America's foremost feminist legal scholars, have begun questioning the appropriate role of the state in relationships between adults and are proposing an even more radical change—a "delegalization" of marriage. This rather drastic structural change proposes taking the state out of the marriage business and the most frequent question that underlies it is, Why should the government be in the business of decreeing who can and cannot marry? Advocates of this proposal offer an alternative arrangement they call "privatizing" under which one can opt to keep the state completely out of it or to treat the marriage like any other contract. In the first, couples can choose to cement their relationships with a religious ritual or ceremony that has nothing to do with the state. In the second, couples could also write their own enforceable contracts formalizing individual agreements, ideally one spelling out the respective parties' rights and obligations.

In this debate, Florin T. Hilbay's *Undoing Marriage* takes the side of Martha Fineman whose view of marriage as a misguided quest for autonomy represents one of the strongest oppositions against state support for marriage. Hilbay shares Fineman's view that marriage is simply the means by which the state has historically sought to privilege and promote a particular, monogamous model of heterosexuality and to stigmatize all other models as morally tainted. Hilbay's particular object of attack is the Family Code which he finds a hindrance to the authentic desire and "will to be associated." Consequently, he proposes in this paper "to disentangle marriage from the state by de-legalizing, radically disestablishing, and unbundling this highly popular institution."

Mainly for this reason, we have chosen to feature Florin T. Hilbay's *Undoing Marriage* as our inaugural article for this new section called the **Silliman Journal Forum.** Interestingly, Hilbay's proposal makes its case public just as a bill banning homosexual marriage has made its appearance in both the Philippine Senate and the House of Representatives. Specifically, House Bill 1245 proposed to amend the country's Family Code to limit marriage to 'natural born males and natural born females' only. In the Senate, meanwhile, Senate Bill No. 1276 had been filed to bar same-sex marriages celebrated abroad from getting legal recognition in the Philippines. Consequently, we are presenting this article for dialogue not just because it deals with a subject that is probably the most important contract people ever enter, involving the most private and sensitive decisions, but because it puts forth one of the most radical, if not, given the cultural context of the Philippines, one of the most anarchic proposals—the privatization of marriage.

In keeping with the original intent and format of this section, we have invited a number of readers to participate in this dialogue and share their reactions. Predictably, the provocative issues raised in this article have prompted not just spirited debates but also deep soul-searching and the resulting responses reveal both disagreements as well as convergences. Understandably, given the unique cultural landscape that is the Philippines, only a very small portion of the responses echoes the belief that the state has no business with respect to relationships between adults. Conversely, there are more who argue precisely the opposite. The sentiments vary from the personal to the political, the deeply heartfelt to the skeptical and bluntly critical.

On the whole, these widely divergent perspectives on the same issue, each one focusing on particular goods and principles afforded

by marriage, bring to mind a common metaphor: the story of the five blind men and the elephant, each one feeling a different part and trying to describe his discovery based solely on the evidence at hand. As the story goes, one, his arm wrapped around the elephant's leg, thinks it's a tree, another holding the trunk concludes that it's a giant snake, the other touching its ears, believes it's a fan, and so on, each one describing the part that he has encountered but never grasping the whole picture. It is more likely that we will end up with differing views and configurations of marriage in different parts of the world. Given such a contentious issue, the only consensus that is possible to reach is to agree to disagree. In the end, perhaps the only piece of wisdom we will ever need to heed is this: *Let us not to the marriage of true minds admit impediments.*[1]

I thank the participants of this dialogue for this wonderful, thought-provoking conversation. Here, I leave these eloquent responses to speak for themselves. *(Ed.)*

[1] William Shakespeare, Sonnet 116.

THE FORUM PAGE

"What is at stake in a literature, in a philosophy, in a politics, perhaps, is to bear witness to differends by finding idioms for them"

Lyotard
Differend 12

"Insight, I believe, refers to the depth of understanding that comes by setting experiences, yours and mine, familiar and exotic, new and old, side by side, learning by letting them speak to one another."

Mary Catherine Bateson

"Once the realization is accepted that even between the closest human beings infinite distances continue, a wonderful living side by side can grow, if they succeed in loving the distance between them which makes it possible for each to see the other whole against the sky."

Rainer Maria Rilke

Transforming Marriage

By Lester Edwin J. Ruiz

As I understand it, the argument of "Undoing Marriage" runs like this: *Legalized* marriage is a fundamental problem not only because it is (empirically) inadequate to the every-day experiences of individuals, but also because, even though it is a linguistic sign, and therefore, has no "ontological" status, it has been construed in society *as if* it had such a status—and therefore, has been shorn of its historical/cultural referent and/or specificity, and deployed as a disciplinary practice that is exclusionary, even oppressive. Therefore, the essay argues, "undo" this legal fiction and one can fully address the problems that individuals face as they struggle to express their individual right to association which, according to the author, is rooted in the human desire for association.

On its surface the essay is not only interesting but also illuminating in terms of "the law." It also provokes, or calls forth further thought not only on the ways signs are deployed to discipline and punish, but also how one might address some of the important issues of reason, desire, and intimacy, say in marriage, friendship, or other partnerships that are often attached to these signs, by passing through the essay's philosophical assertions and rhetorical strategies.

I have, however, very deep reservations about the substantive/philosophical argument which the essay makes. First, throughout the essay there appears to be a faultline that is characteristic of liberal philosophy, namely, the epistemological, if not ontological, dichotomy of the "private" and the "public." One of the major arguments that the essay makes reveals this liberal faultline by suggesting that legalized marriage (the public) can be overcome by "getting government out of the bedroom" (the private)—this despite the author's assertion that there are multiple forms or expressions of marriage, if not intimate associations.

However, the problems of marriage or of any practice that the right to association is able to embrace do not stem only from legal regulation. Problems, for example, of domestic violence, or patriarchal privilege, which legalized marriage often legitimize, are not necessarily rooted in the institution of marriage, but in the ways in which we understand the nature of association itself—of which legalized (heterosexual) marriage is only one form—and the manner in which, on the one hand, these understandings are spatially and temporally articulated especially in terms of male-centric power, privilege, and subordination, and on the other hand, how other understandings related to the notion of association are often excluded and/or silenced to the detriment of life itself. In other words, abolishing legalized marriage does not guarantee "freedom" or "justice." In fact, it can create a vacuum of unprotected space, especially for the woman or the partner whose safety and well-being are jeopardized by virtue of his or her subordinate status in a relationship. The proximity of such subordination to total effacement—which is another way of speaking of victimization—cannot be denied, raising both the spectre of the unavoidable need of legalized marriage for the defence of the victim, and the necessity of insisting on reconceptualising (undoing?) marriage in order to overcome victimization itself.

The essay further suggests that in the case of legalized marriage "the law" is not constitutive, but regulative. I agree. However, it seems that there is a serious historical flaw in this argument. Following

Giorgio Agamben's lead on the "state of exception," one could argue that what has happened in the Philippines, or in the modern world for that matter, is that the regulative character of the law (the exception) has metamorphosed into *the* constitutive dimension of life (the "rule"). That is, not only has legalized (heterosexual) marriage come to be understood as the definition of marriage itself, but its "state of [being] the exception" has come to be structured into the everyday lives of people as the fundamental metaphor for any normative form of association. Legalized marriage is, by definition "the exception" because it is not the only form of intimate association. The "concept" has become "real." Language as a system of signs gives way to language as discourse, i.e., discursive formation and strategy.

Thus, it seems to me, marriage cannot simply be "undone" by erasing the linguistic sign from the legal system. It is too late for that. This "lateness" does not seem to be appreciated by the essay, in part I believe, because on the notion of language it remains with Ferdinand de Saussure (language as sign), rather than move with such authors as Ludwig Wittgenstein (language games), Martin Heidegger ("language as the house of being"), Hans-Georg Gadamer ("the linguisticality of human beings"), Paul Ricoeur ("language as discourse"); but especially Michel Foucault ("discourse as power") and the post-structuralists—all of whom have demonstrated that, indeed, language is more than a system of signs. Additionally, if one insinuates Karl Marx into this discussion, then, one will have to pay attention to the *materiality* of language itself and not just to the material conditions of language, and develop a different discursive strategy for "undoing marriage."

I am not an advocate of heterosexual marriage. I do not believe, for example, that "marriages are made in heaven" primarily for the purpose of procreation—as disciples of patriarchal society have so often proclaimed. Neither am I a defender of the Christian-*cum*-Platonist assertion that (heterosexual) marriage is genetically encoded in human beings and ontologically rooted in the very structure of Being itself. For this reason, I appreciate "Undoing Marriage" for insisting on the deconstruction of this heterosexist, logocentric, and idealist notion/practice of marriage. For this selfsame reason, I am not persuaded that undoing marriage in the way the essay suggests gets at the fundamental problem which it identifies as the irrelevance, inadequacy, and danger of legalized marriage for a world filled with the plurality of desires, not only for association, but for human meaning and relevance.

Unfortunately, marriage in a patriarchal society often takes the form of oppressive confinement in the name of the "preservation of the species" rather than of mutual unconditional intimacy beyond reason and desire for the purpose of what Manfred Halpern called the "creation of the fundamentally new that is also fundamentally better." However, in my view, the roots of this oppressive confinement do not lie in legalized marriage as such, though it is powerfully expressed there, in part because the two major institutions that discipline desire are the State (legalized marriage) and, in the Philippines, the Church or religious institutions (patriarchal, phallocratic marriage). Imagine, on the one hand, how an honest and loving woman gives herself to a man, who, without the "benefit" of the legal document, then governs or rules the woman by excluding her from both her citizenship and humanity. Or, on the other hand, remember those loving and committed persons in same sex "marriages" or partnerships who are not only legally or morally barred from receiving the benefits granted to those in heterosexual marriages including the rights to life, liberty, and the pursuit of happiness—not to mention property— but are also excluded from full participation in society by virtue of their sexual preferences and/or identifications. In these two instances, the fundamental infirmity of the liberal contractual model of "public" and "private" reveals its most destructive infection: the effacement of the victimized by way not only of exclusion from legal standing (in the public sphere), but also by exclusion from memory and association (in the private sphere).

In this context, we do not have to be reminded of the oppressiveness of legalized, loveless, marriage. However, if for no other reason than in the name of human decency, we need to attend to the necessity for creating spaces of freedom and justice for those who have been victimized in our society. We all know that "the law" is only one of the many places that could offer the possibility for "legal remedies" to the constitutional and contextual infirmities of legalized marriage; we also know what *patriarchalized* law has done to institutionalize marriage as both the temporal and spatial *domicile* of the patriarchal through which male-centric sovereignty can be guaranteed and preserved. My sense is that we need to look "beyond the law" and towards the "reality" of desire—as *eros*—the life principle (in contrast to *thanatos*—the death principle) and imagine an egalitarian, life-giving world into which desire "arrives" and through which the rights and obligations of association are articulated. To put it in Gadamer's language—to locate desire in that horizon of "justice"

broadly conceived—and there, evaluate the meaning, if not desirability of legalized marriage as one expression among many of a "desire for association."

In other words, what does marriage beyond reason and desire look like? In its more radical formulation, one might say, "marriage" gestures not only in the direction of a fundamental right to association, but also, and perhaps, more important, to a fundamental human desire for unconditional intimacy—which at its heart is about "attunement"—and acceptance in the context of a mutual (and therefore, responsible) "witness" to the unrepeatable significance of the *Other in relation*. Equally important, "marriage" reaches for what interpreters of Heidegger called "spatialized finitude"—a "way of being in the world" that is always marked by care (*Sorge*), and therefore by necessity, "cautiousness," and directed towards an open horizon of questioning and understanding of one's facticity in order to "learn (or create) something new." In other words, "marriage" is the enactment of loving transformative remembrance (*anamnesis*).

Here, the deconstructive movement in "Undoing Marriage" can be a powerful argument—if not an antidote to the oppressiveness of legalized marriage. It opens discursive space, it clears structural/linguistic space, it invites one into meditative space precisely on the questions of reason, desire, and intimacy—these elements that form the warp-and-woof of human associations. Unfortunately, I am not persuaded that as a basis for moving beyond the structural realities of legalized marriage, the essay offers much. Indeed, its reconstructive movement is seriously compromised, in part by its heavy philosophical, conceptual, and interpretive reliance on a Saussurean legacy that insists on a fundamental divide between human facticity and linguisticality. I myself have been sceptical of this tradition, and have been more attracted to the wonderful, sometimes infuriating, plurality of the hermeneutical and post-structural/post-colonial traditions that include such diverse thinkers as Emmanuel Levinas, Julia Kristeva, Gayatri Spivak, and others noted in this essay, but who, in my view undertake "cultural critiques," and in exquisitely compelling and intentionally ambiguous and different ways, articulate them within personal, political, historical, and, indeed, sacred forms that carry one to the "liminal edge" but does not abandon him/her there, while offering not a way back but a way forward.

The critique of "Undoing Marriage" brings one to that "edge"

but "abandons" one there without offering a way "forward." I sometimes wonder whether such "abandonment" is part of that patriarchal "trace," which is both rupture and repetition, in an otherwise interesting and undeniably important critique—an unnecessary blindness to the constitutive character of "the relational" (not just in terms of individuals—as in the essay's understanding of "marriage" as "two individual desires seeking association." It may be that *transforming* marriage will require an imaginative moment that attends to i) a relationality of past, present, future, i.e., Heidegger's "spatial finitude" of *Dasein* as "being-in-the-world"; ii) a shared context understood in the manner of Gadamer's horizonal "effective historical consciousness" (*wirkungsgeschichtliches Bewusstsein*); iii) a strategy of critique that combines Foucault's "scintillating leaps of the imagination" with Jacques Derrida's *apprendre a vivre enfin*—"learning to live finally"; and, iv) a habit (i.e., a cultivated) attitude or capacity, for openness to being "born anew" again and yet again, that does not abandon, but enters into the *aporia* (which marriage or any form of human association most certainly are) in order to exit it in a transformative way.

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Challenging Legalized Marriage: Perspectives from Modern Social Philosophy

By Frederick D. Abraham

When an article does such a masterful job of challenging social institutions as Hilbay's "Undoing Marriage", there is little that I can do except add a few references emphasizing points that particularly appealed to me. I especially liked this article because of its confluence of philosophy with everyday life within its challenge to the institution of legalized marriage. The article is in the mainstream of many trends in modern social philosophy.

1. POST-STRUCTURALISM

The first and most obvious philosophical trend can be derived immediately from its title. "Undoing" bears a strong resemblance to Derrida's "deconstruction", a much misunderstood term, but by which Derrida meant not the dismantling of a word ('signs' and psychological, social, economic, political, or religious concepts), but the examining that which those words and concepts omitted as well as that to which they committed (Derrida, 1978; Taylor, 2004). For Heidegger, 'Being' transcends signification, and Derrida extends this the idea that language is unstable; meanings continually change (Sarup, 1993, p. 33). In so doing, he, and structuralists (including Althusser and Saussure, to whom Hilbay refers) and other post-structuralists, concentrated on language, as does Hilbay. Derrida, introduced several terms to deal with deconstruction: 'difference', '***sous rature***', 'trace', and 'logocentrism', all of which demand an examination which pushes beyond the obvious definitions and meanings of words to explore their full implications (Healy, 1994; Sarup, 1993).

Derrida derived the idea of ***sous rature*** (under erasure) from Heidegger's use of crossing out the word 'Being' which was meant to keep the usual meanings, but at the same time, bring out connotations omitted from normal usage. The concept of 'difference' can be seen in the dialogue in Hilbay's article between the institution of legalized marriage along with the attendant damage it creates in human relationships, on the one hand, and the nature of the intricacies of the 'desire to be associated', on the other hand. Cixous (1975/1980) indicts 'hierarchical oppositions' as privileging one member of a binary over the other (marriage over the right to associate for Hilbay), which is destructive to the fabric of society as well as to the nature of subjectivity. Hilbay is making the case for both the social and personal destructiveness. The post-structuralists arose after WWII when binary, oppositional ideologies had nearly destroyed western civilization.

2. PHILOSOPHICAL HERMENEUTICS

The second thing I especially liked is his invocation of "the desire of the self to attain a certain ontological status" (Hilbay, p. 2). My mention of Heidegger's 'Being' already addresses this ontological aspect, which

is also reflected by one of his students, Gadamer. Gadamer expressed the relationship between hermeneutics and being: "The real question is not in what way being can be understood but in what way understanding is being" (Gadamer, 1976, p. 49).

Gadamer is a central figure in the development of philosophical hermeneutics, and one of his central ideas concerns the symbiotic relationship between hermeneutics (interpretation) and rhetoric (the production of ideas, writing, and speech) (Crusius, 1991). "Thus the rhetorical and hermeneutical aspects of human linguistically interpenetrate each other at every point" (Gadamer, 1976/1991, p. 280).

In Hilbay, the hermeneutic and ontological aspects are seen primarily in the critique of the oppressive features marriage law. The creative or rhetorical aspects are seen in first the explication of the positive nature of the 'right to associate', and second in the attempt to establish a program of new laws in four areas—entering a relationship, exiting a relationship, legitimacy, and morals legislation (bigamy, adultery, & concubinage). This program is fraught with difficulty as it is in danger of itself resulting in a new codification of rules of association which could also turn out to be oppressive, despite Hilbay's care in avoiding such depersonalizations. That some such program would be necessary is reflected in Gadamer's critique of Habermas:

"The inevitable consequence [of Habermas's position] seems to be that emancipatory consciousness cannot stop short of the dissolution of every obligation to restraint—and thus that its guiding light must be a vision of an anarchistic utopia. This, of course, seems to me a hermeneutically false consciousness" (Gadamer, 1991, p. 291).

3. THE END OF NEOPLATONISM

The third thing I liked was the challenge to the absolutism of Platonic ideals as the source of oppressive ideologies.

"The notion that language is a system of naming finds its roots in Platonic idealism, which sees the reality of things we presently apprehend as imperfect copies of a perfect ideal. . .In particular, this conceptualism is manifested in the very definition of marriage" (Hilbay, p. 5).

I, myself, have preferred Heraclitus over Parmenides. This Heraclition fluidity is also reflected again in the indictment of ideologies as the cause of social conflict by the post-structuralists, the critical theorists, the philosophical hermeneuticists, and others (Healy, 1994; Sarup, 1993;

see also Wittgenstein, 1953, and Korzybski, 1933; and for a view from a science/systems theory perspective, Abraham, 1995.). Derrida's term, 'logocentrism', is widely used to express this idea, as are his discussions of the instability of language.

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Another Modest Proposal...

By Antonino Soria de Veyra

Why fix it if it ain't broke? Why indeed? After all, as of last count there are more married couples than there are couples who aren't or can't get married. Never mind if the number of annulment cases is increasing or if more people chose to raise children sans spouse. These are still "isolated cases" compared to the number of unions that remain "solid." And if someone says they know several friends whose marriages have disintegrated, these stories are merely anecdotal and aren't really that reliable as proof. Etc.

For isn't marriage the norm every individual aspires to attain? Isn't that how every person's success and standing in the community is measured? Isn't that why marriage and the family are enshrined in the Constitution? Etc.

So if you aren't married when you're of a certain age, isn't that your problem? Or if you want to marry your significant other or others but can't because the State does not allow such union, shouldn't you just settle with the fact that you can't be married (and stop complaining)? Or if you want to get out of your marriage, for one reason or another, shouldn't you rethink that decision? Etc.

For the State has set down the regulations for this "very sacred" and "sanctified" institution. It rewards married couples certain economic and social benefits. It makes sure that the building blocks, that is, the family (read as: husband plus wife plus children), remain

stable, so that the foundations of the nation are never shaken. After all, to be married and to have a family is the "normal" and "right" thing to do, wouldn't you agree? Exactly.

In fact, I wonder why the State doesn't go any further. Shouldn't it make sure every marriageable citizen finds a mate and "settles down"? Shouldn't it go into the dating or matchmaking industry? Shouldn't it monitor marriages so any cracks in these sacred unions be patched in time and the marriages saved from dissolution? Shouldn't it also track the behavior of individuals — married or not — so they do not do anything stupid that would jeopardize their potential or capacity as spouses or parents? It is to the State's economic benefit—with the taxes accruing from stable families—to keep everyone in line.

Of course, the cost will be astronomical. But then, the State can always impose additional taxes to finance such a Big Brother project. And of course, it may trigger an EDSA 4. The State can always reinforce its military might. What's important is that everything remains "normal" and "stable."

The alternative is to de-legalize marriage.

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Laicismo or Machismo?

By Efren N.Padilla

It is an elegant essay, yet heretical. I admire heretics! I just hope that the writer will not be condemned by the mob to drinking the hemlock.

The author's essay offers a new reading to the notion of marriage (but more so, of sexuality). Rooted in linguistics, marriage as a legal script is a declaration of legitimacy institutionalized by performance in order to exert power. How then does one re-performance it to render it powerless? I say, re-performatized not de-

performatized because he offers a legal way out.

His answer is privatized! He defines it as "...a regime where marriage is legally invisible, where it is not a source of legal rights at all and any interference by the State will be directed at particular problems with specific relationships...such as violence, child care, religious indoctrination of children, support, inequality, and (quite possibly) incest, but will no longer involve itself in procedural and substantive issues related to relationships, i.e., licensing, certifying, nullifying marriages and determining legitimacy or illegitimacy."

I am not sure how his re-performatization will materialize given its unplanned effects and unexpected contingencies. But one thing I acquiesce. He is correct in his attempt towards the reclamation of agency in the midst of an oppressive nuptial legal structure.

And talking about that structure—he is facing a more formidable foe—the legal fealty to the Church! He suggested that his project will be religion-tolerant, "as it allows god-believers and religious institutions to participate in a privatized marriage culture, but minus the legitimating effects of a marriage sanctioned by the State."

This, I am not sure given our feudal patriarchal fixities. If our society simply assumes the patriarchal and hierarchical structure of marriage as natural and normal, how then can one expect concessions from these testosterone-driven institutions hard-wired by *machismo*? Theoretically, it may be religion-tolerant but I am not sure that it will be tolerated by religion.

I can see the project as rather more suitable to more open and advanced societies. In fact, I found some elements of the author's narrative as U.S.-based. Unless there is a wider struggle towards some form of *laicismo*, that is, a "secular state" is believed to be a prerequisite of such freedom of thought. And unless, there is a critical mass of leaders who would give their lives to separate the church and state in the Island, no matter what, I am not hopeful (de jure). And yet, I am, in another sense. For now in the Island, my hope lies in people who reclaim themselves (de facto) despite the prejudice and discrimination. This is the beauty of the essay.

On a personal side, I am all for an inclusive marriage. I believe everyone should be given the right to be miserable. This is the power of agency.

Here's an old Victorian poem:

Married in white, you'll have chosen all right.

Married in grey, you'll go far away.
Married in black, you'll wish yourself back.
Married in red, you'll wish yourself dead.
Married in blue, you'll always be true.
Married in pearl, you'll live in a whirl.
Married in green, ashamed to be seen.
Married in yellow, ashamed of the fellow.
Married in brown, you'll live out of town.
Married in pink, your spirit will sink.

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To Marry or Not to Marry —That Really is Not the Question

By Margaret Helen Udarbe

Undoing Marriage is a fantasy or maybe more like a utopia —never in my lifetime. What? Take away what every little girl dreams about? What, you mean it doesn't have to be in my slumbook anymore—get married at age 25? Are you kidding? Take away half of what our grandmothers scold us about, from a sentient perspective? Nah! Of course it's true that marriage as institutionalized is a form of control and patriarchy. But taking it out of the legal system will really not ensure that women still will not get beaten up. I mean, I had partner I wasn't married to, but I was daily black and blue! It's a feminist battlecry that even feminists realistically will not be screaming about. For what? Everybody in Congress—woman or man—will still want the Catholic vote.

Everybody needs somebody...or so the song goes. And perhaps as testament to such a basic need, it became incumbent upon the state—that needed to wield its authority in the form of laws—and the church—that had to give an explanation for human behavior—to institute marriage. Let's not be hasty in condemning both state and church for this institution. Human beings also need a sense of structure.

Even children (with apologies to those who believe in sparing the rod) have to be given limits (though in practice I spare the rod myself). Limit-setting is a child's basic right. Without limit-setting, we breed little monsters who will grow up to become the anarchists and dictators that we like to exile out of our country. The point is even the need to belong (to someone) has to have some sort of structure to it. Marriage is there for that reason—to give people an idea what to expect, what roles they may explore within that social context, the limitations of that role, and the privileges.

Perhaps the reasons why we bash marriage so much in these cynical times are really because people have taken the privileges for granted and have now misused and abused the marriage role one has taken on, whatever that may be. This is exacerbated by the fact that in the Philippines, divorce is not legal. It is shocking for me to note that we are only one of two countries with that dubious distinction. I agree with the author—why should the state and the church know better to keep couples in a marriage that they want to get out of?

Perhaps a more realistic observation is that legalized marriage has lost its usefulness and should increasingly now be seen as just one of the options of adulthood, along with being single (I have yet to learn not to cringe every time I hear the word "singleblessedness"!), living together (without the appended "in sin"), and same-sex marriage. Indeed, the terms we have for other "options" are far from appealing—spinster, old maid, queer—it really is not very surprising that people toe the line and just do whatever everybody else does: get married, have kids, live happily ever after. Not the happy ending for many, unfortunately. (But I say "unfortunately" little realizing there are other endings so unlike this one and yet happy still).

I guess what the author is pointing to is the matter of choice. That in the age of so-called democracy and free will, one must be able to feel more in control of an area in her/his life and that society/government/church give us one less pressure in these already very stressful times. That area should be the matter of whether or not we wish to legalize our togetherness, and should we wish to do so, that we continue to have the freedom to do what we wish with it when things become untenable—based on our own judgment and not on the state nor the church.

We are already giving our children the opportunity to think for themselves (I hope we are no longer living in the times when children are seen but not heard) and to decide what course to take,

who to marry, whether or not to take that overseas job, etc. Why not throw in the choice as well: to marry or not to marry? But for as long as our kindergarten texts still refer to the family as Papa, Mama, brother, sister, and baby, there is no hope for us. For as long as a school principal tells a student having academic problems to just go home and tell her parents not to separate, we will continue to feel powerless over how to live our lives the best way we know how.

It may appear at this point that my argument is with schoolteachers and our educational system. That's really only part of the problem but certainly teachers ought to be change agents. If only more of them were and if only more school administrators allowed them to be.

I still believe in marriage, for what it's worth, even though I haven't had much success with it myself. I find it amusing that a colleague would choose not to refer a client having marital problems to me because she assumes that I would probably advise the client to go ahead and seek a separation. We are all given unique life experiences. I would never presume to know better the direction in which a person should go in her/his life. The same would be true of the church and the state.

Violence and abuse will continue even if we take out the marriage laws. This is the main reason why I'm not keen on lobbying for this. If you have an abusive partner, you get beaten up anyway, married or unmarried, so it doesn't make a difference. What should happen is that we make it easier for people in abusive relationships to get out of it. I am not in this sense lobbying for a divorce law. In a congress that overwhelmingly favours the Catholic vote, I have no illusions that a law is passed in my lifetime. I am more interested in something that protects individuals—usually women—from abusive relationships, married or not. In this sense, I have yet to see the benefits of the new anti-VAWC act. Because if I am to proceed from the rationale behind the author's proposal, yes, people are drawn to each other, they seek someone else to "complete" them, and when they feel they have found that person, they may or may not wish to get married—they should have that choice—but further, individuals do not seek to be with someone and end up being punched and kicked and thrown about, I'm sure. Those are the individuals we ought to be concerned about protecting. If getting them married ensures that they stand to inherit the abusive partner's property, then we should rethink delegalizing marriage. There's no assurance however that one lives long enough. But there is no conflict.

I do not disagree with anything the author has written. Frankly, I admire his thought-provoking and daring treatise. We simply choose to emphasize very different things.

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Marriage *is* Responsibility!

By Golda Mae Galdo-Macul

Before talking about rights let us first internalize responsibility. Human hearts and affection not based on a rational decision is irresponsible. Meaning before anyone decides to be assigned to this person or that he has to make a final decision...marriage or intimate human relationships are things not to be taken lightly.... If the world and the beings in it will just act according to emotion and affection without thinking of the responsibility then expect disorder. Legal actions though imperfect the system may be are just being put in place to take care of irresponsible people making a mess out of themselves and of the world....

I am really sorry but I believe before anyone participates in the thing called marriage, he must realize that marriage is the most difficult "arrangement" to put oneself into and thus one cannot keep a blind eye and just rush into it. But single persons can't just say "ok, I'll just stay single and have and cut associations when I want to" without the consequences....such as foreclosed emotional collateral. No relationship is without emotional collateral.

Love must be understood according to its oldest definition. "Love is kind, patient, knows no anger...etcetera...etcetera...if we declare that we love a person and yet we do not have the patience, the understanding...etcetera...etcetera....then that is not *love*...it is selfishness. That is why *love* is the main building block of marriage. To avoid such things as physical abuse, mental anguish, emotional breakdown and etc..then one has to decide what type of person he must *love*. Love is not a feeling as most people believe. Love is a

decision. If one "*loves*" a horrible character then too bad...he did not make the right decision.... If I say I *love* someone it means that my objective is to make him happy.... Loving is giving and not taking. If a person loves someone just because he can get something out of that person then it is not love...it is selfishness.

So how would the author propose to establish identity of a person? If a baby is born upon whose family name should the baby be named after? These are just the ingredients for chaos. People can't just simply act on a whim.

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The Place of the Institution of Marriage in Organized Social Life

By Lorna Peña-Reyes Makil

The author invites us to a discourse, "not an encyclopedia of the implications of an idea," and he will be satisfied if his readers ask the question: "What is the relationship between marriage as an institution of law and culture, and desiring?"

I find it quite unfortunate that he has narrowed his terms of the possible discourse to a question which students who have taken an introductory course in sociology and anthropology can answer. To me, what would be more productive in this discourse is an examination of the possible implications of his idea that marriage should be undone and that we will be better off without this social institution.

But let me go along with his "foundational attack" and reiterate his definition of two terms—desire and marriage. *Desire* is "the will to be associated," or "intimate association," and the freedom of intimate association is "a close and familiar personal relationship with another that is in some significant way comparable to a marriage or family relaltionship." *Marriage* is a legal institution that has put limits on desire. His thesis, to put it simply, is that marriage as a legal institution

must be de-legalized for it puts serious limitations on the expression of human desire.

He is correct in his assessment that marriage can pose many inconveniences and, in certain cases, more harm than good to men and women today. But his argument fails to consider why marriage began, first as a social institution and later as a legal institution, and why man's and woman's desire had to be subjugated to socially-accepted norms.

Social life is organized, and institutions define and regulate men's and women's actions. Much of these actions spring from human desires. Some measure of conformity is a prerequisite of an ordered society. Social institutions, including marriage, function to maintain relatively stable social structure. Marriage consists of the rules which govern the relationship between husband and wife (or husbands and wives). These rules define how the relationship shall be established and how it may be ended, the expectations and obligations it entails, and the persons who may—or may not—enter into such relationship. Although sexual access is usually an essential element in marriage, not all stable sexual unions constitute marriage (e.g. *kabit*, traditional Chinese concubinage).

I am sure the author is aware of this elementary tenet about the institution of marriage and organized social life, but he does not give it importance in his essay. By failing to mention it, he reduces into simplistic terms the clash between fulfillment of one's desires and the legal terms of marriage.

Similarly, he ignores making mention that power and authority (or legitimate power) evolved as features of most, if not all, social structures, and that the state possesses the legal monopoly of force in all modern societies. Again, the prerequisites of an ordered society underlie the institution of power and authority, of law and order, however imperfect these may be.

I feel that the author personally does not negate the need for social institutions in making human societies everywhere function. His suggestion of undoing marriage, therefore, seems to apply mainly to the Philippine situation today. He zeroes in on the undesirable consequences of the type of marriage and family that historical forces brought about in our country. His observations are valid, and I agree with most of them, but let us be reminded that even before the Western colonizers arrived, our forefathers already observed the institution of marriage which preferred monogamy but allowed polygamy for some. This is so even in our Philippine ethnic communities today.

Social institutions do change, albeit slowly. We must continue to work for legal changes in the institution of marriage to make it best serve the modern Filipino, but de-legalizing and abolishing it as an institution will lead us to more chaos—as long as we have no substitute for the normative roles that it generally provides.

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Doing Marriage Reform in the Philippines

By Dennis P. McCann

The author of "Undoing Marriage" indicates that his purpose is to provoke us into critical reflection on the following question: "What is the relationship between marriage, as an institution of law and culture, and desiring?" The author's own answer, in short, is "'None, except the psychological effects of legal regulation (the feeling of security, settlement, constraint).'" At the end of the piece the author rephrases the question in a way that reveals unmistakably his deep feelings about all this: "Why can't the government just leave us with our own desires?"

Where to begin a measured response to these questions? "Undoing Marriage" is meant, I think, to provide a philosophical basis for radically overhauling the Family Code in the Philippines. As a foreigner happily married to a Filipina, I am reluctant to take a stand on what needs to be done. For it may be that I have not been here long enough to understand the Code and what it was meant to accomplish in the development of this, my beloved's country. Nevertheless, the Code strikes me as anachronistic and counter-productive, a lingering reminder of the vicissitudes of Spanish colonialism, with all its idealistic moral and spiritual aspirations as well as its brutal cynicism and refusal to trust the peoples' own capacities for development. The anomaly of the Roman Catholic Church's continued influence in shaping the policies enshrined in the Family Code should be evident to all, especially in light of the struggles of other nations also blessed

or cursed with a Catholic heritage no less revered than that of the Philippines, notably, Italy, Ireland, and Poland. Recent history shows that in these Catholic countries, the people, once allowed to exercise their human right to democratic self-governance, resoundingly rejected traditional legal sanctions prohibiting divorce. In light of the Philippines' Catholic heritage, I can well understand the author's impatient demand that the Family Code simply be repealed. On the other hand, what the author has in mind may be a cure that is worse than the disease.

The intent of the author's proposal is "essentially one of subtraction and deletion." It means doing away with the Family Code except in certain areas "subject to either contract or special legislation focusing on specific regulatory concerns such as violence, inequality, parental responsibility, dependence, succession, etc." This would have the effect, the author hopes, of de-legalizing marriage, thus enabling "a more embracive view of human relationships, thereby allowing individuals and groups that are marginalized by the law to cohabit and even 'marry,' if they want to. It will also do away with many other inequitable impositions that follow from the current regime of marriage such as the present inability of individuals to divorce their spouses, the shaming effects of illegitimacy, and the property bias against illegitimates." These good consequences, the author believes, will inevitably follow, once the State no longer is allowed to regulate human sexual desire.

The problem is not that the Family Code currently perpetuates a set of policies that are inhumane, unjust and counter-productive socially. This it clearly does, and the quicker and more thoroughly the Family Code is reformed, the better. But the abolition of the Family Code, called for in this essay, is hardly a step in the right direction. What the author seems unable to understand is the specific nature of human desire, or "the will to be associated," that is meant to provide a moral basis for his or her proposals. Human desire, as the author would have it, seems removed from the constraints of the human condition, that cluster of challenges we all face in living in space/time, and associating with one another in and through our embodied selves. It is as if each human desire were an original choice, with no prior history and no further consequences. The fact that I have already made a choice, given promises to my lover that bound myself to her as she did to me, promises that we both relied upon in making our choice to live together, and that we both have sought to have our choices publicly recognized and respected – all these aspects of fully exercising this so-called "will to be associated," all these are set aside as if they were merely cultural artifacts created by the current version of the Family

Code.

The fact is that human desire, particularly human love expressed as sexual desire, is inescapably social. In the normal course of heterosexual relationships, people get pregnant. A baby, a new human person, is conceived and brought to birth, a person whose gestation and infancy is characterized by certain vulnerabilities that require us to ensure the stability of our parental relationships, which is the basic impulse animating the natural institution of marriage. Desire naturally leads to commitment, and a love freely given inevitably binds us to one another, and to the children who are the fruits of desire enacted in our sexual relationship. If the social nature of human desire is admitted, then liberating ourselves from whatever legal constraints there remain regulating the ways we act upon our "will to be associated" really needs to be questioned. What will happen to the children – we must ask this, as soon as we recognize that becoming parents is normally entailed by "the will to be associated," at least in the case of heterosexual couples in their child-bearing years. The promises made by such couples are not simply a private matter, but are inevitably public, involving their desire to be recognized and to have their children recognized by the community as a whole.

To be sure, people who marry with either no intention of bearing children, or who are incapable of bearing children, may rightfully be regarded as falling into a separate category under some sort of reformed Family Code. Similarly regarded should be people in same-sex unions who want their relationship acknowledged by the community. We may debate whether or not such unions should or should not be included within the definition of marriage, but it is clear that they deserve recognition – and consequent legal regulation – under some sort of reformed Family Code. And just as there will be rules for entering into such social relationships, there must be rules for dissolving them. Inevitably, there will be questions regarding the division of property, and other ongoing responsibilities, such as the obligation to pay debts jointly entered into, for such things, too, inevitably arise when human beings exercise their "will to associate."

It strikes me as odd that the author seems so oblivious to the social nature of human desire, and the ways that acting upon it, whether we like it or not, will involve us in a complex network of permissions, prohibitions, opportunities and constraints, that inevitably provide a context for whatever other human desires we may act upon from that time forward. The ideology the author invokes to support his proposals, alas, is radically postmodernist, anarchic, self-centered, and irresponsible, as if doing away with marriage or completely gutting it of its traditional meaning and protocols were the only fitting response to the Philippines' current state of disarray in family life. Arguments such as the one offered in "Undoing

Marriage" are likely only to succeed in undoing the basis for genuine reform of the Family Code, by dramatizing the worst fears of conservatives and reactionaries who may have some vested interest in maintaining the sorry status quo. We very much need an open and honest debate about the state of marriage and family life in the Philippines today, but proposals calling for the abolition of the current Family Code are not a very promising way to get it moving in the right direction.

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"Basically, the only thing we need is a hand that rests on our own, that wishes it well, that sometimes guides us. "

Hector Bianciotti
Sans La Misericorde du Christ

Florin T. Hilbay **Replies**

A. *Lester Ruiz.* —

I fully agree with the argument that language goes beyond signs, which is why the program of undoing marriage is about undoing the conditions that concretize the set of practices surrounding the institution. I would caution against any confidence in the stability of any institution and thus would not worry about Lester's problem with "lateness." Institutions are not fixed in an ideal place, to be transposed any time in the politics of the here and now. My guess is that it is the brevity of human life that prevents us from looking at how forests become deserts and vice versa. To be sure, the law of marriage, especially in Europe and the United States, has been nothing but concrete—it is, in fact, one of the most dynamic legal institutions whose face and substance today are barely recognizable from what it was three or four decades before. There is no shortage of conservatives willing to assert that marriage as they

knew it is now dead. Here in the Philippines, the law has lagged behind progressive consciousness because institutions such as the Church and the radically conservative political structure have blocked legislative avenues to a paradigmatic shift.

The way forward, as I have mentioned in the article, is to pull down the veil created by marriage so that society may respond to specific policy concerns pervasive in many committed associations—dependency, inequality, violence, childbearing, succession. Because these problems arise in many long-term human relationships, they must be addressed not because they arise within a regime of marriage but because of our collective desire to provide *conditions* suitable to the promotion of relational justice and freedom. I doubt whether these proposals would qualify under the category of liberal ideas. Prof. Abraham's comments are a fitting contrast.

B. *Antonino Soria de Veyra.* —

What can I say? I rest my case.

C. *Efren N. Padilla.* —

Efren's comments raise to a higher lever of generality the normative content of the proposal in the article: the attempt to construct a secular society through the secularization of institutions. I have long believed that the Philippines missed the boat of Enlightenment which, despite its flaws, provided western societies a powerful ideological base to construct a rational/modern/scientific model which continues to influence today's events. The movement from theism to deism (and in some case, agnosticism and atheism) became an inspirational thought that justified a guarded tolerance in faith and skepticism about the infusion of god-belief in institutions positively supported by the State.

Marriage in the Philippines still takes after the kind of social arrangement progressive societies would consider constitutionally suspect. Imagine, if one can, a U.S. law denying couples the right to divorce. The difficulty of even committing to the imagination such a regime attests to the kind of altered legal space in which peoples in other jurisdictions live and act compared to the way we do. The same difficulty that confronts anyone imagining even just a divorce statute in the Philippines is an equal attestation to our collective failure to theorize a society that provides us more pathways to happiness in the

short lives we are condemned to live.

D. *Margaret Helen Udarbe.* —

Margaret's concern about violence is, of course, legitimate. But, to repeat, undoing marriage is not simply about taking away the legal effects of the regime. Violence against vulnerable groups such as women and children is problematic *regardless* of whether it happens in a regime of marriage. It is precisely this fixation with marriage that makes most of us miss the question of policy: should we be concerned about violence, dependency, inequality, etc. solely because it occurs within a state-sanctioned model of relationship? The answer is No. This explains my insistence on seeing past the legality of marriage or the concreteness of the form. With or without marriage, it is the obligation of the state to ensure that eveyone, expecially vulnerable groups, is protected from harm and incapacitating dependency. This is not to say that progressive legislation within marriage is impossible, but one must consider the role of marriage as an important tool of control that allows unaccountalbe institutions such as the Church to impose sectarian ideology through the backdoor, thereby controlling the lives—the conditions of existence and the hows and whys of sexuality—of everyone in the community.

As for the little girl who dreams about marriage, I offer an alternative: a human association of her choice (male or female, based on intimacy or friendship, temporary or permanent, with or without God).

E. *Dennis McCann.* —

To seek to "undo" marriage is to provide a critique of the most basic assumptions of marriage as a legal institution, in the form it has taken in Philippines. Naturally, this is a view from the outside looking in, which is the only vantage point from which one can look at the totality of the legal institution of marriage and which provides the position from which one can measure its merits in relation to the larger goal of helping—or perhaps, simply letting—human beings live good and meaningful lives. Keeping this in mind, I think, resolves most of Dennis's concern.

I thought I had made it clear at the beginning of Undoing

Marriage that my concern is to provide a foundational attack for de-legalizing marriage as it exists today by providing a vision as to why the entire institution should be overhauled. This is obviously not to reject proposals for reform, which Dennis thinks I abhor, but precisely to put proposals for amendments (which many rational, progressive people might accept) within a larger normative context. Specific reforms such as recognition of same-sex marriages and divorce, eliminating bias against illegitimate children, etc. should be seen at a higher level of generality and not simply as fragments of regulation. In my view, this level of abstraction is where people should see legalized marriage as an archaic institution whose core assumptions unjustly discriminate and which oppressively regulates.

I think that Dennis's worries stem from a misreading of the essay. His belief is that it is just about repealing the Family Code. This is unfortunate because he appears sufficiently progressive to worry about the influence of the Catholic Church on public policy and open to a conversation about discrimination against homosexuals. But the essay is not a proposal to repeal the Family Code simply; it is a proposal for a shift in regulatory mindset whose "effect would be similar to repealing the Family Code." This is not to split hairs. To recognize the value of de-legalizing marriage is to realize that the philosophical pillars of many of the Family Code's provisions make little sense. But it doesn't stop here. As I have sought to (over)stress, undoing marriage allows us to focus more on "specific regulatory concerns such as violence, inequality, parental (ir)responsibility, dependence, and succession." These are concerns that should fixate policymakers whether or not they occur within a legalized marriage regime. Violence on women and children does not require that it be inflicted "inside" marriage for it to worry us.

This misconception also serves to betray the incoherence of Dennis's remarks about desire, children, and commitment. He says, "[t]he fact is that human desire...is inescapably social. In the normal course of heterosexual relationships, people get pregnant. A baby...is characterized by certain vulnerabilities that require us to ensure the stability of our parental relationships, which is the basic impulse animating the natural institution of marriage." But the marriage defined in legal codes is empirically not a natural institution, if only because a law is needed to recognize marriage in the first place and give it legal effect. What is natural is the impulse to associate with others as friends, acquaintances, lovers, and partners. One does not need a legal form to deploy one's impulses, sexual or not. And just as

one does not need to be married to have children, also one does not need to be married to recognize the obvious fact that parents have the moral obligation towards their children.

I am rather perplexed by the charge that I am "so oblivious to the social nature of human desire," considering that the introductory paragraphs are about "the will to associate," "the wanting to be associated," the "desire to associate." I also wrote, again in the introductory paragraphs: "This self is decidedly relational. This revelation is almost, though not quite, a paradox: the individuality of the self is derived from the web of relations in which it is immersed."

NOTES

Frederick David Abraham

Derrida: Some Conversation in Memoriam

A conversation among classmates Fred Abraham, Walker Patterson, Larry Morse, Russell Cooper-Mead, and Herb West, from a day, October 10, 2004 on the Internet-listserver of the class of 1956 of Dartmouth College.

WALKER:

Jacques Derrida—may he rest in peace, is dead, according to today's *L.A. Times online*. For those of you not acquainted with Derrida's work, perhaps this quotation taken from today's *NY Times* article will help to keep you from ever making its acquaintance:

"Needless to say, one more time, deconstruction, if there is such a thing, takes place as the experience of the impossible." Jacques Derrida

Larry, have you anything to say?

LARRY:

Of Jacques Derrida, of Saussure, or Lacan, there is little to say because they are determinedly incomprehensible. My son is taking a course in critical theory at Colby and it turns out to be largely Derrida *et al.* I tried reading his text, full of Jaques Derrida, and the jargon is so densely packed and so arbitrary in its intent and construction, that my wife and I found entire paragraphs unreadable.

Try this: Frost's "Stopping By Woods" contains a criticism of capitalism. The speaker is clearly trespassing. One may arrive at these conclusions only by adopting the absolute postmodern position, that the poem and the poet are entirely separate entities, that once the poem is written, the poet's intent and the poem's context are entirely irrelevant. It becomes clear, then, if one adopts this position, that virtually any translation of any poem is possible, because nothing limits the most radical reading.

So what's his name's poem—the NJ doctor—"Patterson" (*sic*)[1]

—oh dammit—"Everything [*sic*] depends on a Red Wheelbarrow..."[2] becomes a critical judgment that sets the aesthetic world against the world of technology, i.e., the white chickens against the lever and the wheel.

There is no limit to the precious and exclusive world conjured up by Europeans because their world is so thoroughly decadent that the extreme and the bizarre are immediately given credence by virtue of these very qualities. We may correctly say of decadence that its presence is clearly declared by the degree to which the normative is denied.

COOP:

In freshman English in "Stopping By Woods," Prof. Jensen told us of the line, "His house is in the village, though"[3] that "some critics suggest this is the destruction of the Christian myth." Anyone else on listserv in that class?

HERB:

!!! Frost had no truck with any of this sort of nonsense.

LARRY:

Jaysus! And how does this line do that? God, I love critics! What would they do if they ever had to work? Or had to defend their propositions with their necks?

Incidentally, I talked twice with Frost and asked him about the last lines. He said it was true that he couldn't think of another and then he decided he liked the repetition. And just think of the poppycock that has been adduced about that doubling.

COOP:

Quite so. When I started teaching, I realized Jensen was testing us, seeing if we would rise to the bait of that absurdity. As I recall, most of us made notes. I was too stunned, wondering where the hell it came from. I was just a simple lad from a public high school in Denver who had never been assigned an entire book to read.

FRED:

I'm in a rush, so I'll be brief. True Derrida and Lacan (poststructuralists) and Saussure (structuralist) are difficult reads, but their ideas, some off the wall, some profound can be made comprehensible by reading some of the Americans who summarize and interpret their works, such as Poster and Surap, and others. Their ideas are worth studying and discerning readers should take what is of value and critique or disregard the rest. One of the books that review both the German and French postmoderns is Poster's (1989). The former he calls the critical theorists, and the latter post-structuralists. He talks about the "vapors over the Rhine" referring to the fact that these two schools had little familiarity with each other despite the commonalities between them. The Frankfurt School (critical theorists) included such people as Habermas, Horkheimer, Adorno, and Gadamer. Other important post-structuralists besides Derrida and Lacan included Foucault, Baudrillard, Kristeva (more comprehensible I think than Lacan; they were friends and their ideas have much in common), Lyotard, and many others, of course.

LARRY:

And Grumpy and Happy and Sleepy; but how did dance wear get into this? Hummm. Anyway, Fred, tell me a substantive idea that was not already in play that Derrida advanced.

FRED
(10/15/04)

Hey, Larry. Glad to see that you are grumpy, happy, and sleepy. Dance wear? We are all getting a bit curmudgeony (but laced with good humor) in our old age, but not necessarily in dance wear.

Of course, your challenge may well be impossible to satisfy. There are precious few ideas for which some precedence does not exist. I do not think that makes new consideration of those ideas any less profound or substantive, and in fact, often, quite the contrary. Great ideas bear consideration and evolution. Originality may play out in the relevance to current cultural context. And there are at least two flavors of precedents, those that have evolved into the current discussion, a direct lineage, and those of which the contemporary discussion is unaware.

I do think there are ideas of Derrida that warrant consideration, original or not. Perhaps I can give a couple of examples. One of his most important ideas relates to instability in language, where he starts with Heidegger's concept of *'sous rature'* to emphasize the fact that words often cannot adequately stand for that which they reference, that is, they are inadequate to make an exact reference or representation. The word sends us on a long chase for meaning. A friend of mine, Christine Hardy, French but not even then aware of the post-structuralists, has written a book quite postmodern in its nature, *Networks of Meaning* (1998), about how those networks shift dynamically (we are both into nonlinear dynamics), ideas that are similar to those of Wittgenstein, Korzybski, and many others, and especially similar to Derrida's views on language. Whether language has instability or not, in Western history, is a discussion that goes back to the Greek Cosmologists. Xenophanes tried "to reconcile the antithetical interpretations of nature, first as an array of ever changing things [the Heraclitian view], and second as an infinite never changing substance [the Parmedian/Platonic view]" (Sahakian, *History of Philosophy*, p. 6). Philosophy has been debating this issue ever since. The cosmological debate was soon reflected in the concern for language (rhetoric), social action, and everyday and political relevance, exemplified by Protagoras, who sent me a letter via Internet in 1996, in which he said,

Dear Fred:

We certainly tried our best to pursue sophia, which means wisdom and skill, to learn and understand. We applied reasoning and humanitarian concerns as an alternative path to enlightenment to that offered by the mythic-poetic-theistic traditions, which were beginning to give way in our culture. Our efforts were honorably received in our day, but have been tainted in time, largely due to the efforts of that rascal, Plato, who felt that our professionalization of these skills in the pursuit of truth in everyday social life, emphasized the skill as a path to success over the search for truth. In teaching rhetoric and law using the adversarial technique of having students argue both sides of an issue, we sought to place the search for truth above all else, not the pretense to truth by a better argument at the expense of truth. I was following the lead of Heraclitus who made much of unity out of opposition as you well know.

Yours, in truth,

Protagoras

Heidegger's concept of *'sous rature'* ('under erasure') also emphasized extracting meaning from oppositions. A word gets erased but is left visible, i.e., as if crossed out, and one wrestles with the difference in

the meaning of its presence and absence. Deconstruction goes further, more Heraclitian in emphasizing the process of extracting meaning by transcending the apparent opposition. Nietzsche also emphasized extracting meaning in opposites in *Thus Spake Zarathustra*, an interesting discussion that I won't pursue now.

According to Taylor (2004),

> The guiding insight of deconstruction is that every structure—be it literary, psychological, social, economic, political or religious—that organizes our experience is constituted and maintained through acts of exclusion. In the process of creating something, something else inevitably gets left out.
>
> These exclusive structures can become repressive—and that repression comes with consequences. In a manner reminiscent of Freud, Mr. Derrida insists that what is repressed does not disappear but always returns to unsettle every construction, no matter how secure it seems. As an Algerian Jew writing in France during the postwar years in the wake of totalitarianism on the right (fascism) as well as the left (Stalinism), Mr. Derrida understood all too well the danger of beliefs and ideologies that divide the world into diametrical opposites: right or left, red or blue, good or evil, for us or against us. He showed how these repressive structures, which grew directly out of the Western intellectual and cultural tradition, threatened to return with devastating consequences. By struggling to find ways to overcome patterns that exclude the differences that make life worth living, he developed a vision that is consistently ethical.

Or according to Surap (1993, p. 35),

> The method of deconstruction is connected to what Derrida calls the 'metaphysics of presence'. It is Derrida's contention that Husserl, along with almost all other philosophers, relies on the assumption of an immediately available area of certainty. The origin and foundation of most philosophers' theories is presence. In Husserl's case the search for the form of pure expression is at the same time a search for that which is immediately present; thus implicitly, by being present in an unmediated way and present to itself, it is undeniably certain.
>
> Derrida, however, denies the possibility of this presence and in so doing removes the ground from which philosophers have in general proceeded. By denying presence, Derrida is denying that there is a present in the sense of a single definable moment which is 'now'. For most people, the present is the province of the known. We may be unsure of what took place in the past, of what may take place in the future, or of what is taking place elsewhere, but we rely on our knowledge of the present, the here and now—the present perceptual world as we are experiencing it. By challenging access to the present, Derrida poses a threat to both positivism and phenomenology.

Taylor also emphasized the importance of uncertainty for Derrida (passage quoted via contribution to the listserver by J. S. Parke; a great quote, thanks J. S.).

> Fortunately, he also taught us that the alternative to blind belief is not simply unbelief

but a different kind of belief—one that embraces uncertainty and enables us to respect others whom we do not understand. In a complex world, wisdom is knowing what we don't know so that we can keep the future open (Taylor, 2004).

Uncertainty of the present, of course, (I would add the present is not just the perceptual world, but is also the domain more of the activity of the mind) sounds a bit original, but the idea of the uncertainty of the present has plenty of roots. It is the psychological world that therapists try to penetrate, so interestingly popularized by Freud and Jung. Depth psychologists usually admit there is no area of certainty. This uncertainty is also what most authors and artists are concerned about. Russ just sent me a detective novel set in 1926 Shanghai (Bradby's *Master of Rain*; a good one, just finished it this morning) in which the intrigue is so great that the protagonist can never be sure of the present.

In discussing Derrida's relationship to Heidegger's concept of Being, Habermas' reflection may be relevant to Larry's challenge concerning originality:

We shall have to see whether the concept of history of Being changes along with the tenor, or whether under Derrida's hand the same idea merely takes on a different coloring (Habermas, 1987, p. 162.)

We can see that these subtleties of language exist in everyday life. For example, take the rhetoric of politics when it comes to every issue, such as homosexual marriage, prayer in the schools, the rights of Palestinians and Jews in the Mideast. There are linguistic polemics related to political and economic exploitation and domination. Most of these are linked to cosmological issues. There is appeal to absolute truth emanating from Xenophanic-Parmedian infinite unchanging God behind all things, Plato's hidden ideal forms, versus those who root their arguments in a pragmatic changing cultural context (Heraclitus, Protagoras). The program of the postmoderns is to place dialogue rather than ideology as the vehicle for cultural improvement, which respects difference and change (see Taylor above).

[Foucault, Derrida, and Lyotard] claim that the quest for certain truth and the claim of having attained it are the greater dangers. The logocentric philosophical tradition, with its strong assertions about truth, is complicit, for them, in the disasters and abominations of the twentieth-century Western history. On this difficult, even tragic issue of the relation of politics to truth, poststructuralists in general strive for a cosmopolitan position that makes every effort to recognize differences, even uncomfortable or disagreeable ones, and for a theory of truth that is wary of patriarchal

d ethnocentric tendencies that hide behind a defense of reason as certain, closed, alized. Above all, poststructuralists want to avoid forms of political oppression that legitimized by resorts to reason, as this kind of legitimation has been, in their w, one of the paradoxical and lamentable developments of recent history (Poster, 9, 16).

Let me briefly examine ideas from this wonderful friendly erchange on our listserver, first with respect to the discussion of rrida and Frost, and then concerning the ideas of originality that rry's challenge brought in.

I want to start with Larry's introduction of Frost. While I am out to critique some aspects of it, I want to point out that I consider response to Walker's prodding, despite being a quick reply, quite lliant, and that it established some basic, legitimate oppositions right ay that relate to the concepts of linguistic stability to which I have t alluded. He implies that, in contradistinction to Derrida, there is area of certainty, of presence, in Frost's poem. He claims that stmodernists adhere to an absolute relativism that admits any erpretation as legitimate, and these could be unintended by Frost, d therefore unallowable. Would the postmodernist wince at being led an absolutist? Even an absolute relativists? A resolvable paradox.

There is some legitimacy to this contention of Larry's. If construction were simply the iterative stripping away of meaning en you get to a complete, or absolute nihilism. But as Taylor noted, s is not what deconstruction is about. It is more like philosophical rmeneutics, which combines analysis with rhetoric, critique with onstruction (Crucius, 1991). If there is any fallacy here, it is in plying that to allow more than one interpretation means to allow y interpretation. I don't think the postmodernists would say that. st clearly works from some area of certainty (but probably not rfect even for him; I would suspect he gets additional meanings on rereading his own poems), a part of which we can share, part of ich we cannot. The reader's experiences will borrow some images m their own memories; some may just have to imagine a snowy od, never having seen one other than in movies and pictures. Are ne interpretations completely off the wall, or can they have some aning for the reader, even though seeming absurd to another pitalism, Christianity in the discussion)? Just because Frost may t have considered or intended them, are they not legitimate ursions for the reader? Of course, when the reader claims that his her interpretation is that which is true and intended by Frost, then or she has 'trespassed' and this is clearly the claim of Larry's, which

is certainly a legitimate point of view.

And what does raising the ownership of the woods in "Stopping by Woods" or the blueberries in 'Blueberries' mean? What is worth exploring there even if claim cannot be made as to exactly what is Frost's meaning? I remember that I had a totally wrong (was it?) interpretation of both "The Road Not Taken" and "Mending Wall", and I was happy to reject my misinterpretation of them when I heard Frost speak to the Great Issues course in 1956, and when I spoke to him afterward about them. Does "Mending Wall" have anything to do with oppositions? Does it have some commonality with Derrida? We will never be certain, but it is worth thinking about. And was my thought that Frost's "Road Not Taken" may have had a twinge of autobiography in it, more than just a letter to a friend urging him to become a war poet. I had thought he referred to his own short stay as a student at Dartmouth, which I learned about during our initial week of orientation and which I thought was so admirable. Maybe there was a touch of that in the poem anyway. Maybe part of his being too old to go off to war himself was in there also? I cannot say.

I only know that it is the most meaningful of his poems to me as a consolation of my own paths in life. And I named my institute, the Blueberry Brain Institute, an institute of one person, its own contradiction, for its personal political meanings for myself, derivative from 'Blueberries'.

Poetry is built with metaphoric ambiguities to make reference to experiences (in contradistinction to precise scientific/technological meanings?). Are experiences found in reading poems mostly beyond words? Can they have exact meanings? Can those experiences actually felt in a snowy wood have permanently etched meanings? For me, one of the meanings of the poem is the transitory nature and the immediacy of the experience in the moment. I wouldn't foist that off on anyone else though. At any rate, I would amend Larry's criticism that postmodern implies that any interpretation of a poem is legitimate. It may be more to the point that 'interpretation' may be the wrong word, let's put it under *sous rature;* maybe 'experiencing' is the better word. Maybe it is uncertain as to what words best explain what a poem is.

Larry next critiques the postmodern proposition that "Stopping By Woods" is "a criticism of capitalism" and that "the speaker is clearly trespassing." According to him, this reading as well as the conclusion that "the poem and the poet are entirely separate entities, that once the poem is written, the poet's intent and the poem's context are entirely

irrelevant" can only be reached by adopting the absolute postmodern position. I just concurred in a sense by mentioning a difference between poetry and science, but I created a false distinction, one of degree more than substance. Science seems to look for absolute truths, but science, despite rules for objectivity, usually has trouble with definitions, and laws found are temporary. It too is fluid, ever changing. We scientists may be less sure of our domain than the poet. But is certainty or uncertainty or both what Frost is doing with his poem?

To get back to "Stopping by Woods," it will be more appropriate to start thinking of the absent owner as in a position of objectivity toward his or her distant property, in contradistinction to the immediate experiencing of the snowy woods, but that still does not resolve the certainty issue. But that again is my interpretation, and interpretations are also objective, not subjective. When I read the poem I think of the coming winter when I will be out alone cross-country skiing (when younger it included being on horseback) through the woods here in Vermont. This is an important distinction. And what does aesthetic mean? Should we put that word '*sous rature*'? Meanings in words may be more elusive than apparent. I like Larry's points, and want to make sure that we do not have a contentious difference, but a mutual searching for some meaning and value in our lives. We should not feel threatened by our differences. We should revel in them.

So, are Derrida's ideas original? Not entirely, of course, but to a large degree, I think they are. There is no "immediately area of certainty" (Surap, 1993), but Derrida's presentation of them is decidedly unique and useful, provocative, with many original extensions of the concepts, and leads to the further evolution of ideas. Do these ideas have relevance to social change and the improvement of the human condition? I think that the Paris revolts of May 1968 (at which he spoke; I saw similar ones in Germany in 1967), in which workers and intellectuals united, show that many think it possible.

ABOUT THE AUTHOR

Frederick David Abraham, Ph.D. is a retired professor of Psychology, a scientist (brain research, psychology), systems theorist, and part-time philosopher and historian. He was one time Visiting Professor at

Silliman University Psychology Department.

END NOTES

[1] Williams Carlos Williams, not "Patterson" as alluded to here by the speaker, wrote the poem, "The Red Wheelbarrow." A medical doctor by profession, Williams studied advanced pediatrics in Germany and set up practice in Rutherford, New Jersey, his native town. (Ed.)

[2] William Carlos Williams, "The Red Wheelbarrow": "So much depends on a red wheelbarrow / glazed with water / beside the white chickens." http://www.english.upenn.edu/~afilreis/88/wcw-red-wheel.html

[3] Robert Frost, "Stopping By Woods on a Snowy Evening": *"Whose woods these are I think I know./ His house is in the village, though; / He will not see me stopping here / To watch his woods fill up with snow."* (Ed.).

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Myrna Peña-Reyes Sweet

On Edith Lopez Tiempo's 'Bonsai'

'Bonsai'

All that I love
I fold over once
And once again
And keep in a box
Or a slit in a hollow post
Or in my shoe.

All that I love?
Why, yes, but for the moment-
And for all time, both.
Something that folds and keeps easy,
Son's note or Dad's one gaudy tie,
A roto picture of a queen,
A blue Indian shawl, even
A money bill.

It's utter sublimation,
A feat, this heart's control
Moment to moment
To scale all love down
To a cupped hand's size

Till seashells are broken pieces
From God's own bright teeth,
And life and love are real
Things you can run and
Breathless hand over
To the merest child.

Edith Lopez Tiempo
National Artist for Literature
Outstanding Sillimanian Awardee for Literature and Creative Writing

For poets and writers, all words spring from and lead back to our basic universal concerns: love, life, death. All other matters that engage the heart and mind are variations on these. What impresses us as readers is the individual poet's skill in presenting his or her personal take on these broad concepts—the *particularization, the personalization, the concretizing of the universal* which gives wisdom and pleasure.

In "Bonsai" the poet shows us how those huge concepts of love and life can be "scaled down/ To a cupped hand's size," making these concepts more comprehensible and, therefore, capable of nurturing us and being nurtured by us. That the quoted lines occur near the middle of the poem is rightly so for they constitute the focus, the center, the heart of the poem.

The poet accomplishes her task by employing the compact and rich language of poetry where one word, a single image, can suggest a wealth of associations. The tangible physical objects or images then assume a higher significance, their symbolic or metaphorical interpretation that bring out the poem's ultimate meaning.

In naming common objects from everyday existence that reflect what she "loves," the poet makes concrete for us those broad abstract concepts, those big sounding general and amorphous words: love and life. The named objects represent various facets of love and life: the private and personal, the public and playful, the artistic and new, the commercial and practical, the past and present. Consider these ordinary objects and the associations they summon up:

A son's note—private and personal, a reaching out to a fellow being, child to mother; unlike a letter, a note is raw, unrehearsed, extemporaneous, a moment's impulse, emotionally honest. By not specifying what the note says, the poet makes the image richer in possibilities: a useful piece of information, a promise, an expression of thanks, tenderness; perhaps disappointment, hurt, anger—the other faces of love and life.

A husband's one gaudy tie—just one, no more; public, playful, perhaps bad taste or an independent mind challenging tradition; stubbornness, fun-loving silliness, perhaps color blindness—a person's strengths and weaknesses, his human-ness.

A roto picture of a young queen—photos, a record of what was,

This was delivered during the *Pagpupugay sa mga Pambansang Alagad ng Sining Para Kay Edith L. Tiempo*, sponsored by the National Commission for Culture and the Arts, Likhaan: University of the Philippines Institute of Creative Writing, Pambansang Samahan sa Wika, Ink., and Silliman University Department of English and Literature, Dumaguete City, 2 February 2007.

stir up memories that recreate, bring back to life what used to be; the past contemplated in the present: former triumphs and pleasures; health, beauty, youth in its prime before bodily decrepitude; the stages and the passage of love and life.

An Indian shawl—a man-made work of art, the artistic and perhaps new; travel, the fascinating, the beautiful; the foreign and familiar: something to keep one warm as love, indeed, warms.

Money bill— Who doesn't love it?—the commercial and practical without which the world wouldn't turn; a "necessary evil" that can also be a kindness and a life-saver.

These ordinary everyday objects representing love and life, we are told the poet folds over more than once to hide away in secret, safe places. The act of "folding over once and once again" while suggesting the special attention and care paid to them also infers that the poet doesn't just put them away for good, but takes them out now and then to refresh, perhaps re-evaluate her appreciation of them as representations of "love." That she *hides* them in safe places suggests not only their great value but a sense of privacy associated with them, as things we hold and feel deeply about are oftentimes regarded.

A box—something purposely constructed, the most common place in different cultures for storing things, universal. The expression "to box" means to encompass, to bring to a required form, to categorize, as the poet classifies and stores in her heart and mind the treasured objects representing specific values to her.

A hollow post—is our native Filipino safe box, a sturdy part of our homes; secret, secure but also vulnerable to termites and fire, as love and life are strong and fragile; a hollow section of bamboo brings to mind our Philippine creation myth: the first man and woman, the beginnings of life and love.

A shoe—the hidden object is worn intimately next to one's body, the feet, our body's support, foundation that enable us to go places: protection, self-sufficiency, independence.

These secret hiding places are metaphorically the poet's heart and mind which are engaged in translating the abstract Universal into its concrete particulars. This act is "a feat," involving control, skill and endurance. "It's utter sublimation," that is, a process that constantly improves or refines till the physical realities become metaphorical significances.

The poet's scaled-down versions of love and life are analogous to **bonsai**, a deliberately miniaturized, but mature, plant; a dwarf tree that blossoms and fruits; complete in itself although representative of

a larger entity, as "...seashells are broken pieces/ From God's own bright teeth." Shells record our planet's life that started in the oceans. Teeth, a most intimate part of one's body, are an essential aid in sustaining life. *To put teeth into* means to make something effective, inferring firmness, steadfastness, resoluteness.

For in the end, all—broad conceptual concerns or their smaller physical representations, animate or inanimate things—partake of the nature, the divinity of their Creator, the original source of Life who is both Idea and Form.

"Bonsai" is Edith L. Tiempo's *Ars Poetica*. (Appropriately, Archibald MacLeish's "Ars Poetica" was the poem Mom Edith used to introduce the Modern Poetry class she taught in 1958, the first class I had under her.) "Bonsai" is an excellent demonstration of the craft of poetry, how with great economy of language and precise choice of imagery such a short piece can suggest a wealth of meanings, suggestion being at the heart of modern poetry.

By dipping into the well of our mutual everyday concerns and experience, large and small, for her material, and through her perceptive insights revealed through a consummate poetic skill, Edith L. Tiempo makes "life and love real things" for us, "hands them"—our shared humanity—"breathless" over to us for "the moment and for all time."

ABOUT THE AUTHOR

Myrna Peña-Reyes studied with Edith L. Tiempo in college and holds an M.F.A. from the University of Oregon. She has taught at Silliman University and was involved in the S.U. Summer Writers Workshop before it was renamed the National Summer Writers Workshop. An outstanding poet, she is the author of two poetry anthologies, *The River Singing Stone* (Anvil, 1994) and *Almost Home* (U.P. Press, 2003, 2004).

Ruby Leah O. Agnir

Prisms: My Poems[1]

There are three things that stand out in my memory of my youth with regard to poetry writing. First, when I was 6 or 7 years old, a cousin of my mother came to spend a few days with us at home in Davao City. One evening she took a chair to our terrace, and sat on it, a pen and paper in hand. I went to her and asked what she was doing, and she replied, "I am going to try to write a poem. Why don't you come and join me and write your own poem?" So I went to get a pen and paper for myself and sat on one of the steps of our short stairway that led from the house to the terrace.

I looked at my cousin and saw her write and then cross out whatever she wrote and start again. I watched her for several moments, and then set myself to do my own writing. Somehow, an eight-line, two-stanza verse appeared on my paper after a few minutes. I looked up to see what my cousin had completed during that time and saw that she had written only two lines. She looked up and said, "You're done?" I said, "Yes," and showed her my poem. This cousin of ours was the very first person that inspired me to write more poems, for she said I had a natural ability.

Second, about three years after that, I thought to take this flair for writing verses seriously. I remember that I had started what had the beginnings of a long narrative poem. Because of my youth, I really didn't think about preserving or keeping anything I wrote. I had written short stories and essays, many of which were published in our school paper. But the idea of keeping them for future perusal never entered my mind. Of course, now that I am older and wiser, I know better. I don't have any copies of whatever I wrote in that long poem. To this day, I wish that I had kept it. All I remember was that it was about two ducks, a male and a female, and that it was a sad tale because they got separated in a big flood. I really can't remember how it ended, whether it was tragic or happy. All I know is that I had written the entire poem on at least 15 sheets of lined legal-length paper.

[1] This is an excerpt of a lecture written for the launching of the author's anthology of poems, *Prisms*, at Silliman University, 27 August 2007

Third, when I went to the University of the Philippines to get my college degree—I was 15 then—I became very involved with the UP Christian Youth Movement which revealed a heretofore undiscovered horizon for me. My active involvement with the UPCYM, in particular, and the UP Church of the Risen Lord, in general, made me aware of the spiritual as well as interrelationship requirements of living. I decided to explore these requirements and, when I was 16, came up with a poem, "This Is To Live." The missionary pastor of the church at the time, the late Dr. Elmer Higdon whom we all called Uncle E.K., was so taken by the poem (I didn't know why at the time) that he decided to send a copy to a lady in the States who was putting together a book on the church and the fine arts, in hopes that she would include it in her book. Her name was Cynthia Pearl Maus and the publishing house was Harper & Brothers of New York. It took four years for the book to be published, so I was 20 years old when it did come out. This was the very first time that I was published as a poet.

Since then, I have continued to write poems. When I shifted from pre-med to Bachelor of Arts in English, my interest in creative writing prevailed. I was especially interested in the Romantic and Transcendental writers—Shelley, Keats, Wordsworth, Christina Rossetti among the British, and Emerson, Frost, Alcott, and Dickinson among the Americans. I just loved reading their poems aloud and found myself feeling intense empathy with the emotions they elucidated. I also realized that whenever something sad or worrisome happened to me, I could more readily translate my feelings into verse. Learning from my past disregard for posterity, I wrote those verses down in a notebook and called the collection "Chanson Tristes," the French phrase for "sad songs." The phrase "sad songs" was introduced by Shelley in his "Ode to a Skylark," where he wrote "Our sweetest songs are those that tell of saddest thought."

It was only later that I found myself able, although a laborious effort, to write about the happier emotions. Thus, you will find that in this collection, there are more poems about frustration or unhappy relationships than about joyful events and positive emotions.

Let me now briefly turn to this collection.

SAD SONGS OF YOUTH

This collection is actually a record of my growing up from teenage awkwardness to adulthood dexterity, or even elegance, perhaps. It

spans about 50-60 years of growth, both personal and creative. It opens with the poetry of my youth, found in the second portion, and titled "Chansons Tristes D'Amour," or sad love songs. To these youthful unhappy love songs has been added a group of sad ones written in my middle age, "l'age moyen," as the French would say. These poems deal with relationships with children, spouse, colleagues.

SAD SONGS OF MIDDLE-AGE

This and the other poems that emerged during middle-age are found in the first part of the collection. They are sad verses, but not so much about unrequited love or unhappy relationships involving the writer. Here's one that centers on social issues. "Child of Despair" is about a boy who, when he was only 15, was abandoned in Greenfield, by his parents. The boy tried to survive by getting into unlocked cars to sleep at night and stealing what he could to live. He was finally caught and incarcerated. In his great fear that he would be murdered in prison, he took his own life instead.

When the tragedy of 9/11 happened, the razing of the twin towers in New York by kamikaze terrorists, my horror at the ruthlessness of the perpetrators and senselessness of the multiple deaths impelled me to write the poem "To Rachel, Weeping." The title alludes to the massacre of the infants that King Herod ordered when he learned that Jesus, the King of the Jews, was born. From *The Everyday Bible*, verse 18 of the second chapter of the Gospel of Matthew reads: "A voice was heard in Ramah of painful crying and deep sadness: Rachel crying for her children. She refused to be comforted, because her children are dead." In the printed version of this poem, I wrote the verses in two relatively tall columns, suggestive of the twin towers that were destroyed. Both columns appear on the two center pages of the booklet.

SPIRITUAL SONGS

I have expressed my growing faith in several poems, beginning with that first published poem, "This Is To Live." Here are excerpts from the last stanza of that poem, slightly revised from the original:

> To seek His presence in the still, small hours;
> To bear His image when the tasks are done;

....

To know joy's pains and sorrow's lessons treasured;
To laugh, to lift, to love . . . this is to live.

A poem titled "Celebration" can actually be sung to the tune of the well-known hymn, "How Great Thou Art." "Thanksgiving Ode" was inspired by country music and could be set to that type of music, country style. A couple of Christmas poems are also included in this collection.

SONGS OF DEATH

Also included in this collection are three poems about death. On the death of my father, I wrote "Vigil." Its main line is "I wish you life when I wish you dead." My father was 97 when he died. Several years before, he kept wondering why he was still alive. He had lived a full life; he was tired and was no longer useful to anyone. My mother used to ask the same question. She was 96 when she died on Ash Wednesday of 2005, thus the title of the poem is "Ash Wednesday."

Before these two elegies for my parents, I wrote "I Do Not Mourn Your Dying" on the death of a friend's father, when I wanted to comfort her and her mother because they seemed terribly inconsolable. This poem emphasizes my belief that death is returning to our real home, a place devoid of strife and pain, and filled only with beauty, peace and unconditional love—forever.

CELEBRATING THE SPLENDOR OF GOD'S CREATION

Several of my poems have been inspired by the grandeur of God's creation. These include "Butterflies," "Constellations," "Lakescape," "The Lily and the Sunflower," "Seagulls," and "Strange Seascape" (which actually is a skyscape where the clouds are shaped like ocean creatures.)

From this group of nature poems comes the title poem, "Prisms." I chose this word to be the title of my complete book of poems, because, like crystals which the sun shines through, my poems reflect the different facets of my thoughts, my feelings, and my beliefs. The poem itself was inspired by the most beautiful sight we saw as we drove from Martinsburg, West Virginia, to Baltimore, Maryland, on January 8, 1994. All the trees and grass along the highway were

coated with ice—not snow, but ice. Every twig, every bough, and every blade was like glass — and the sun shone brightly through them. Oh, it was fairyland. The first four lines read:

Prisms

The sun shines through and paints the peach
and opal blush upon the trees;

Soft they glisten, while the breeze
gently blows on whipped cream cheese;

"Winterscape" has been included in an anthology published in New York, and was inspired by the beautiful scenery in Franklin County, Mass., our home county for 30 some years, after a big snowfall followed by the coldest days of winter. Here's the firs stanza.

Winterscape

I woke to see the world outside
Barren, bright and still;
Trees were planted firmly on
A painter's winter hill.

PERSONAL POETIC IDEALS

I said earlier that my favorite poets are the Romantic and the Transcendental. Subconsciously, I must have written my verses inspired by any or many of them. I use particular forms and conventions to expand the literal meaning of the words or to evoke emotional or sensual responses. Many of my poems are, to echo the definition of poetry by Wordsworth "a spontaneous overflow of powerful feelings." Their themes are, like those of the Romantics and Transcendentalists: nature, faith, beauty, sorrow, and love, to mention a few.

I am one of those who believe that poetry and prose are distinct from each other. Poetry elevates the mundane to the sublime. True, there are poetry types that are close to prose, such as blank verse; free verse; and prose poetry, which has attributes of both prose and poetry. My spiritual and creative mentor for prose poetry is the Lebanese poet-philosopher, Kahlil Gibran, whose well-known book, The Prophet, best illustrates this hybrid genre.

Furthermore, I belong to the school that believes poetry is a

form of communication. I strongly regard the importance of the understandability of a poem. It is coherent, intelligible and eloquent. Unfortunately, there are writers out there who think that the more difficult it is to understand their writing, the more intellectual they sound. To me poetry is communication. It is concerned with feeling or imaginative description. Possessing high powers of imagination and expression, the poet chooses words that best express her feelings and the thoughts she wishes to convey. Let me quote Mark Flanagan, a graduate of University of North Carolina and author of "Guide to Literature." He says, "Poetry is evocative. It evokes in the reader an intense emotion: joy, sorrow, anger, catharsis, love." He further defines poetry as the "artistic rendering of words in such a way as to evoke intense emotion or an Ah Hah! experience from the reader—revelation, insight, and further understanding of elemental truth and beauty." How can I have this Ah Hah! experience if I cannot understand what the poet is writing about?

Another literary expert wrote: "A poem should be read several times in order to 'hear' it and feel its emotions. The more times you read the poem, the more you can analyze and understand subtle shades of meaning . . . often conveyed through specific poetic devices," if there are any at all, I might add.

My poems show that my favorite poetic devices have to do with diction and sound: *alliteration*, the repetition of the same sounds or of the same kinds of sounds, especially consonants, at the beginning of words or in stressed syllables; and its cousin, *assonance*, which is the repetition of the same sounds, especially vowels, **within** words. This is the part of poetry writing that I spend hours and hours on, with a Thesaurus and a Dictionary on hand—to find the words that (1) best describe what I want them to precisely describe, and (2) phrases that consist of at least two words that have the same sounds in the beginning or within.

REVISING, EDITING, IMPROVING

One last thought to impart: Creativity is an ongoing thing. It does not stop just because a poem has been written or published. Revising, editing, fixing, improving goes on. Even now, as I am writing this article, I have re-examined and modified a few verses of my poems.

For example, in "Prisms," I realized recently there was something wrong with the original line that read "Shaped by alkali and sand?" The poem uses the image of glass to describe the trees,

encased in ice. Alkali has nothing to do with the composition of glass. Therefore, I have decided to substitute "silicon" for "alkali," because silicon or silica is one of the elements found in glass or crystal. Revising the line this way also affirms my partiality to alliteration, as the line now reads "Shaped by silicon and sand?"

Revising and editing can and should be ongoing as the process of improving on what has been written continues, until the best, the optimum, is reached.

ABOUT THE AUTHOR

Ruby L. Agnir is an alumna of the University of the Philippines and Silliman University. A talented theater director, composer and singer, she is also a published poet. *Prisms* is her first volume of collected poems.

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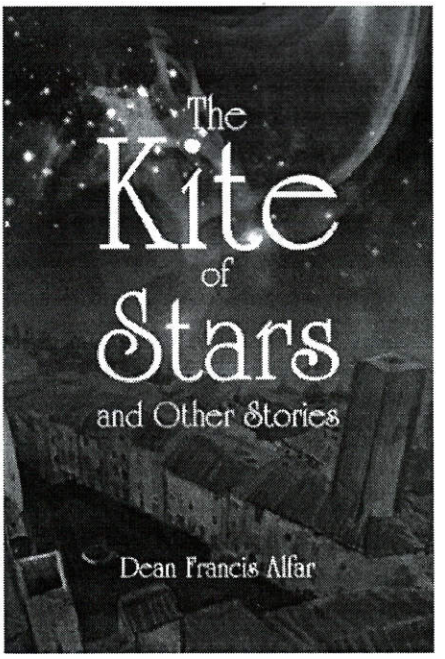
BOOK REVIEWS



Dean Francis Alfar

The Kite of Stars and Other Stories

Quezon City: Anvil Publishing, 2007.
208 pages.

Reviewed By
Ian Rosales Casocot

Things fall apart, and things are never as they are, in the speculative fiction of Dean Francis Alfar. To be more specific, the fragile bonds between one and another are often ripped apart to maintain what *must be* unconsummated distance: love from lover, dream from dreamer, traveler from destination. Mr. Alfar, it can be argued, is the sage of unrequited wants. He relishes, too, the romance of heartbreak.

In his Palanca-winning novel *Salamanca*, for instance, the forces of nature, enchantment, and the vagaries of human desires conspire to keep his protagonists Jacinta Cordova and Gaudencio Rivera from settling into a happy union—and ironically, only a confounded bargain of wounding trickery somehow manages to rekindle lost magic. It is a novel whose ending can be said to be so wrong ("How could she *agree* to this arrangement?"), and yet also *so* right. In other words, we don't exactly get what we expect from this tale of passion, and yet nothing else but this throbbing unreciprocation of our expectations seems true in the end.

Mr. Alfar is strangely fond of rewarding stories of consuming passions with the dull ache of getting absolutely nothing in the end. Yet while we recoil from the slap of such unexpected twists, we also learn something vital about the dynamics of want: that it is the dogged pursuit that is truly rewarding.

In *The Kite of Stars*, his new collection of sixteen stories (all of them genre literature), Mr. Alfar gives us many variations of this theme, particularly in the haunting title story. But before anything else, the book is also a strange compendium of encounters with fantastic characters in a gamut of tales involving barbecued *cerenas*, dragons and prodigal daughters, locust-summoning pagan priests, fat women with racing ambitions, heartless maidens and gentle crocodiles, merchants of time and dreams, and princes aware of the stock destinies of their fairy tale characters.

In "L'Aquilone du Estrellas"—which was chosen in 2004 to be part of the landmark series *The Year's Best Fantasy & Horror*, alongside stories by Stephen King and Joyce Carol Oates—a young girl goes on an incredible journey of many years through the islands of Hinirang. With an unnamed butcher boy as her companion and helper, she resolves to collect the impossibly strange and mysterious materials to build a kite large and powerful enough to carry her to the skies among the stars, where she hopes to be seen by the man of her dreams: a noble astronomer with eyes only for stars, and whose final condition gives the story its poignant sense of loss, as well as the unfairness for the final unfulfillment of desires. And in one corner of the story, there is also the butcher boy silent in his acknowledgement of a love he cannot have.

In "The Maiden and the Crocodile," the treachery of love becomes more pronounced in this backwards-told tale of a woman who carves out the heart of her crocodile-lover—and her barbarity becomes more pronounced and more unsettling as we learn more of her own humanity.

In "Terminos," we are introduced to Mr. Henares who buys and sells other people's time and memory, and Miguel Lopez Vicente, a writer of some renown who has exhausted his life's dramas and can no longer write. Their story becomes a meditation of endings and of time as a panacea of all hurts and pain. But it is also a postmodern exercise in seeing the many possibilities and consequences of our own expiration: in one supposed ending (there are five), the loss of faith for one character triggers the coming of the Apocalypse.

In "Saturdays with Fray Villalobos," the disciple of a well-

meaning *frayle* who has made it a mission to seek and tease out the divine through the cooking of the "savage" natives, goes from godly ministration to slow-burning bloody vengeance, the gastronomic implication of which will leave a distinct distaste in the reader's palate.

In "In the Dim Plane," Mr. Alfar's high fantasy take of the world of Forlorn, the survivors of a cataclysm gather to tell stories from their shared past—and after one of them confesses to harboring desire for a forbidden woman, we learn that all of them has actually become undone by the sheer foolishness of having loved.

And in the science-fiction piece "Hollow Girl: A Romance," a girl-robot struggles to become more human, and yet ironically erases every instance of human bond by her desire to seek answers to her questions of "how to become." In one scene where she dreams of her creator whom she has left, she asks, "Why did you make me this way?" He replies by asking her, "Why are you obsessed with love? It's unhealthy." "Why can't I be happy?" she questioned. "Why do you think love is the answer?" he said. And she replied: "Because love is what I do not have. It is the only thing that I do not understand." Love, in Mr. Alfar's world, is a distant, often treacherous region—and his characters are defined by the frailty with which they succumb to it.

Mr. Alfar, in this volume, also challenges the possibilities of fiction with experimentations in form that he proceeds to undertake with a deftness that may be its own magic. The most difficult story to digest, "An Excerpt From *Princes of the Sultanate* (Ghazali: 1902), annotated by Omar Jamad Maududi, MLS, HOL, JMS," is told mostly in footnotes. A little patience to follow the myriad of information proves rewarding as we learn about the battle for the crown of the kingdom of Marawi. "Four-Letter Words" is erotic fiction involving three characters, where—in a span of narrative development that involves the evolution of four-letter words (give or take a letter)—is mostly a message about how carnality and desire transcends time and people. "MaMachine" reads like a blog from the future, where relationships and consequences are subtly and slowly revealed. "Six From Downtown" is a story composed of vignettes, each one a devastating story that has at its heart an organic marriage of the ordinary and the fantastic.

One thing immediately apparent though is that to read Mr. Alfar's stories is to nurture a secret dream of fantastic cartography. This is because the book is also an exercise, perhaps the most extensive ever seen in Philippine genre literature, of "worldling," that pre-

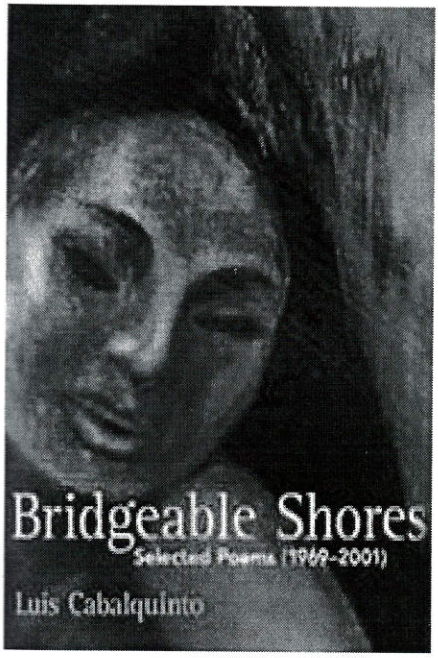
occupation in fantasy writing that requires the setting of geography (with the flora and fauna that go with it, as well as the minute demarcations of its strange corners and islands), and the peopling of another world.

In Mr. Alfar's fiction, that would be the world of Hinirang, a country of magic and history somehow mirroring the Philippines in a time that hovers between the immediate and the Hispanic pasts. (It is a world he conjures with fellow writers Vin Simbulan, Nikki Alfar, Alex Osias, Kate Aton-Osias, and Andrew Drilon, and there is a plan to put out an anthology of Hinirang stories.) It is a looking-glass world where familiar things take on a different dimension, where our own history is magnified to become a richer sepia picture of our dreams and nightmares.

Love may be blind, anguished, or treacherous in Mr. Alfar's stories, but such is the power of his prose that he makes us see there is beautiful honesty in acknowledging that our own hopeful romanticism can be even more perfidious.

ABOUT THE REVIEWER

Ian Rosales Casocot was a fellow for fiction in English in the National Writers' Workshops in Dumaguete, Cebu, and Iligan. He is part of the faculty of the Department of English and Literature. He has won several Don Carlos Palanca Awards, the FullyBooked/Neil Gaiman Award, and an NVM Gonzalez Prize for his fiction, and was chosen as one of the authors for the *UBOD New Writers Series 2003* by the National Commission for Culture and the Arts. In 2002, he edited *FutureShock Prose: An Anthology of Young Writers and New Literatures*, which was nominated as Best Anthology in the National Book Awards given by the Manila Critics Circle. In 2005, the NCCA published his first short story collection, *Old Movies and Other Stories*. He has been translated to French.



Luis Cabalquinto

Bridgeable Shores: Selected Poems (1969-2000)

Edited by Eileen Tabios.

New York: Kaya Press, 2001.
128 pages.

Reviewed By
Beatriz Tabios[1]

My daughter Eileen and I were chatting idly over coffee when she asked, "Have you ever been encouraged to do some creative writing—poems or short stories?" We were discussing the time I spent at the graduate school in Silliman University in Dumaguete, Negros Oriental, Philippines.

My answer: "No." No time. I was a part-time graduate student and part-time college English instructor. As a new instructor I was just a chapter or two ahead of my students reading our textbook. I had to study my graduate course, write related term papers, research and prepare my master's thesis. And I had to eat and sleep, too. I had a very disciplined routine for two years. I still marvel at how I survived with only four hours of sleep a night.

Then it occurred to me: Yes, I did do creative writing—a lot of

[1] Reprinted with permission from *Galatea Resurrects #7 (A Poetry Engagement)*. The original article can be accessed at http://galatearesurrection7.blogspot.com/2007/08/bridgeable-shores-selected-poems-1969.html.

it. It's just that they were never published in magazines or elsewhere for public consumption. But at the same time, I also thought that my "creative writing" efforts might have been thwarted by being encouraged at the time to function more as a literary critic.

Eileen interrupted my thoughts: "Why don't you review some poetry books? I have plenty looking to be reviewed."

"I no longer remember the literary tenets I once knew," I replied.

"You don't need 'literary tenets'—just share something about the poems and how you responded to them. Readers of [Galatea Resurrects] arrive at the journal within the Internet, so the readership can include those who don't know, or care about, 'literary tenets.' Readers include those who don't ordinarily pay much attention to poetry," she said.

I said I would "try." Later, Eileen gave me four books. I took them to my bedroom where I chose one which happened to be *Bridgeable Shores* by Luis Cabalquinto. I opened the page to the first poem, "Depth of Fields," and started casually to read, but then paused to read more slowly as I felt as if the first two lines were created for me:

> I walk some hundred paces from the old house
> where I was raised, where many are absent now

"[W]here many are absent now" caused a lump to form in my throat; I could feel the possibility of tears. I read on until

> it changes me now,
> like someone restored to the newness of his life.

I broke down and wept. I wept for those "who are absent now" in my life.

My son, Roy, died about 26 years ago from a car accident when he had just turned twenty-one. How does a mother bear that grief and loss? Family and friends, my church family, rallied around to offer comfort. As the days passed, I felt a deep need to go Home, home to that little barrio where I grew up. I strongly felt and believed being in my old home in the Philippines (where Mother was still alive) would make me whole again.

We did go. My husband and three children and I. And I did feel "like someone restored to the newness of [my] life."

What is it about going home that haunts one when away from home? I had a family, I had a new home made of my husband and children and myself—but why did I feel I had to be in my old home? I was already surrounded with friends and relatives and their warmth and love, but still I needed to go back to my earlier home.

I was not disappointed with my return. I still grieved, but I felt the burden of my loss and grief become more bearable.

And as I continued to consider Luis Cabalquinto's poem, I continued to weep—this time for my mother who died when she was 88 years old. Two years before she died she lost her desire for food. More often, she would eat only one or two meals a day and she ate very little, according to my niece (a nurse) who took care of her. She would tell my nieces and my brother when they urged her to eat that she was "ready to go." She said the same thing to me—I visited twice a year during her last few years. I couldn't stay long with her because I also had to take care of my husband who then had just undergone open heart surgery. How does one feel when the props of one's life are suddenly taken away?

And my tears continued as the poem also evoked my youngest son, Glenn. Our family had thought he was in good health but at age 43, he died unexpectedly about two years ago. He had been tinkering with something in the garage and when his daughter went out to ask him something, she discovered him lying flat out on the yard. He was brought to the emergency room of the local hospital, but he never revived. I wept for my daughter-in-law and my then 14-year-old granddaughter.

And I wept all the harder for my husband whom I lost to brain cancer just a little over a year ago, three days after our 50th wedding anniversary.

Many are absent now in my life. Would my childhood home still have the power to restore and rejuvenate me?

Well, I just returned from a visit to the Philippines. The old house, mine now according to my mother's wishes, resounds with new life. My niece and her husband, with their three lovely young children, live in it. Because of them, I can say my old home, "where many are absent now," remains a part of my life.

My youngest brother—there's just him and me now among the original four siblings—and his wife built a new house next to the old house that my mother bequeathed to me. I stayed there, felt absolutely welcomed, during my trip. One of my brother's rooms was reserved and furnished for me. Yes, going back to my hometown, to

my birthland, still has the power to restore and rejuvenate.

I turned more pages of *Bridgeable Shores*. I read more poems before pausing at page 62 which contains the poem "At Lake George." The first three lines held me and stopped me from moving on to the next page:

> it seems it is the one sane act you do
> this week, which puts some substance
> to the whole business of living

These words are for me! "One sane act"—what is this one sane act that "puts some substance to the whole business of living"? Only after a while did it dawn on me—and I was shocked at this realization!—that I had given up on the "whole business of living"! Ever since, following my husband's death, I arrived to live with my daughter and her husband here in St. Helena, my thoughts underlying my acts had to do with "many are absent now" and it won't be long before I'll join them, too.

I wept for myself, too. Among other things, I realized that I had been insulating myself from feeling more grief, for example, turning to reading light fiction so that there's no room for memories of absent beloveds to lodge in my mind.

So I finally wept with gratitude for coming across Luis Cabalquinto's poems. "At Lake George" shocked me into realizing that I had stopped putting "some substance to the whole business of living."

I suppose the concept of "bridgeable shores" relate to bridging the shores of the poet's two residences or homes: the United States and the Philippines. But in finding such direct relevance in the poems to my own life, I feel that the poems also act as bridges between the author and the reader.

I also want to say that part of the poems' "healing" effect on me didn't just have to do with their narrative content, but the general tone of calm and peace throughout Luis Cabalquinto's poetry collection. It's a calm that fits tone to content in a very effective combination.

And, now, how do I begin "one sane act" that would give renewed substance to my life? I read on:

> ...this engagement
> with tall pines...

[here, I substitute oak trees which abound on the mountain where I now live with Eileen] ...

> the new air's friendship, the people
> with laughter in their talk
> and looseness in their gait
> the finest words come easy in the mind
>
> ...
> there is something special
> about remaining with the living after all
>
> ...
> something there is about evenings
> in green and moist villages that brings on
> a reaching out to an old self that is
> being repeatedly lost and replace
> for tomorrow...

So I shall begin my "one sane act" then with the thought:

> there is something special
> about remaining with the living after all

ABOUT THE REVIEWER

Beatriz Tabios received her B.A. and MA in English from Silliman University in Dumaguete. Under the supervision of Edilberto K. Tiempo, she wrote her thesis on "(The Use of) Local Color in Short Stories in English," one of the first investigations of Filipino literature.