

## Article

# A Critique of the Inclusion/Exclusion Dichotomy

Cathrine Victoria Felix 

Faculty of Education, Department of Social Sciences, Religion and Ethics, Inland Norway University of Applied Sciences, No-2418 Elverum, Norway; cathrine.felix@inn.no

**Abstract:** In contemporary discourse, inclusion has evolved into a core value, with inclusive societies being lauded as progressive and inherently positive. Conversely, exclusion and excluding practices are typically deemed undesirable. However, this paper questions the prevailing assumption that inclusion is always synonymous with societal progress. Could it be that exclusion, in certain contexts, serves as a more effective tool for advancing societal development? Is there a more intricate interconnection between these phenomena than conventionally acknowledged? This paper advocates moving beyond a simplistic inclusion/exclusion dichotomy and puts forth two theses. First, it posits that exclusion can, at times, be a superior metric for gauging progress. Second, it contends that inclusion and exclusion are thoroughly entwined, challenging the notion of a clear demarcation between them. The underlying premise is that, much like inclusion, there can be meaningful value associated with exclusion. Furthermore, applying a rigid inclusion/exclusion dichotomy oversimplifies the discourse on societal progress, providing an artificial representation of what constitutes advancement. Such oversimplification hampers both contemporary research in the humanities and broader political discourse. The primary objective of this paper is to introduce a fresh perspective to the discourse surrounding societal progress. By challenging the fundamental conceptual framework, it seeks to add nuance to the ongoing debate, fostering a more comprehensive understanding of the complexities inherent in measuring progress within society.

**Keywords:** inclusion; exclusion; human rights; societal progress



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## 1. Introduction

When the United Nations, governmental authorities, organizations and researchers discuss societal progress and specify how to achieve social, cultural and religious diversity they typically refer to inclusion. Inclusion is considered intrinsically good (good per se), whereas exclusion is regarded as something that must be avoided. This overoptimistic use of “inclusion” in political, public and scientific discourse, together with a consequent ignorance of the potential benefits of exclusion, is problematic. Not only is the inclusion/exclusion distinction a false dichotomy where the supposed contrasts are thoroughly entwined, it is also the case that societal progress is often achieved due to a combination of inclusionary and exclusionary processes, and that progress will sometimes be caused primarily by exclusion. This is the view that the paper will explore and explain.

## 2. Inclusion

Inclusion is a buzzword in contemporary discourse; it is appealed to across a wide variety of contexts, from politics to human rights to education. That inclusion is popular is clearly reflected in the growing number of scientific journals specializing on the phenomenon: *Journal of Social Inclusion Studies*, *International Journal of Information, Diversity, & Inclusion* and *Social Inclusion*, to mention some.

In terms of its positive connotations, the word “inclusion” is a bit like the word “democracy”. People take for granted that democracy is intrinsically good and even that simply mentioning it has a positive effect; countries have gone so far as adding it to their

name: the Democratic Republic of the Congo, the Democratic People's Republic of Korea (!) In similar fashion, one hears glowing talk of inclusive societies and inclusive classrooms<sup>1,2</sup>.

The first UN human-rights treaty of the 21st Century—the Convention on the Rights of Persons with Disabilities (CRPD)<sup>3</sup>—made inclusion a fundamental human right [2]. In a widely read 1992 ruling for the US District Court for the District of New Jersey upholding the rights of a child with Down's Syndrome, Chief Judge John Gerry wrote that "inclusion is a right, not a privilege for a select few"<sup>4</sup> [3]. The United Nations as an example is crucial, given its position as a world-leading entity in assessing societal advancements and progress. The UNDP report "Beyond transition towards inclusive societies" states that "...social inclusion has intrinsic value. Reducing the risks of exclusion improves human development opportunities..."<sup>5</sup> [4]. A society that is truly inclusive—so the reasoning goes—gives full moral and social status to people regardless of gender, race, sexual orientation, disability, politics, or religious conviction and is thereby judged to be a good society. For the greater part of human history, being a full-fledged member of society was indeed "a privilege for a select few". Through much of recent centuries, that has meant rich, heterosexual males—though, finally (if often only grudgingly), change has come, for women, Native Americans and other aboriginal groups, disabled persons, members of the LGBT+<sup>6,7</sup> community, and so on.

Former UN Deputy Secretary-General Jan Eliasson told a forum of UN member states that "the universal inclusiveness of the 2030 Agenda for Sustainable Development is an ethical imperative. No-one must be left behind" [7]. This strategy illustrates very well Franziska Felders' assumption that the standard use of "inclusion" refers to social inclusion, i.e., integration in interpersonal, social contexts [1]. Iris Marion Young links the concept of inclusion to the core essence of democracy. She contends that robust democratic processes adhere to a "norm of inclusion", positing that effective functioning aligns with this norm, while dysfunctional processes deviate from it [8]. In her exploration of inclusion, Young's account often boils down to the questions 'who is in?' and 'who is out?'. According to her, "The most obvious forms of exclusion are those that keep some individuals or groups out of the fora of debate or processes of decision-making..." [8].

Jeffrey ties political inclusion to intrinsic value, and describes it thus: "political inclusion has intrinsic value; in fact, its value is so great that it's better to have a state in which this value is realized than one which has maximal instrumental value" [9]. The statement suggests that political inclusion is considered valuable for its own sake, independently of any instrumental or utilitarian benefits it may bring. In fact, the phrase "intrinsic value" implies that political inclusion is inherently worthwhile. The assertion goes further to claim that a state characterized by the realization of this intrinsic value is preferable, even if it might not maximize instrumental benefits. In other words, prioritizing political inclusion is seen as a fundamental and essential quality, possibly outweighing the emphasis on purely instrumental or utilitarian considerations in evaluating the desirability of a state<sup>8</sup>.

It is easy to understand how the inclusion of previously excluded groups could be seen as supplementing and strengthening human rights [10]. It is not always clear what "inclusion" is supposed to mean though. There are many ways of talking about it, formally and informally. Inclusion can, for example, be a strategy or approach as it is when written down formally in UN conventions e.g., [2], strategic documents e.g., [11], and national statutes. Policymakers see inclusion in terms of policy. Inclusion can be a matter of principle as it is for Pride festivals all over the world, where the focus is on participation: including those who previously were excluded. Many researchers consider it a norm or value e.g., [1,8]. It can be all about unwritten social rules. It can even be seen as a way of life: polyamorous persons often discuss their multiple romantic and sexual partners in terms of loving inclusiveness, researchers in pedagogy focus on inclusive education e.g., [12]. Different contexts call for different emphases. What all of these uses of inclusion have in common though is a sense of something worth striving for, a source of both personal and societal progress.

It should not be surprising that I refrain from proposing a rigid definition of inclusion. When addressing social inclusion, for example, MacNaughton and Peter underscore that “there are few terms as vague and abstract as social inclusion” [13]. Nevertheless, they, along with numerous voices in the international community, academia, and beyond, highlight the intrinsic value of social inclusion: “Social inclusion has intrinsic value as people are social beings, and it is, therefore, important for them to take part in the life of the community” [13]. They acknowledge that while the concept is “difficult to capture and to measure” [13], there is substantial support for it among domestic and international policymakers. Thus, acknowledging the challenges in defining and measuring social inclusion, they deeply value its importance.

I will build upon the notion that regardless of the exact definition of inclusion, the fact remains that it is treated as a value—an idea that I challenge. My intention is not to dispute inclusion in general; I often see inclusion as positive. However, my goal is to critique the overly optimistic use of the term “inclusion” and the overly pessimistic view on exclusion.

### 3. Exclusion

As a concept, exclusion is often associated with negative images of segregation, discrimination, and close-mindedness, which may seem incongruent with the notion of societal progress. However, it is essential to recognize that exclusion, like inclusion, is a multifaceted concept. While exclusion can manifest in detrimental forms, such as apartheid or discrimination, it can also be a strategic method employed to achieve positive societal outcomes. Consider, for example, the judicial system’s exclusion of individuals engaged in human rights abuses. Those found guilty are, among other things, excluded from active participation in society through imprisonment. Similarly, nations failing to uphold human rights may face international embargoes, effectively excluding them from the global community. In the realm of commerce, companies exploiting child labor may be subject to boycotts, demonstrating how exclusion can be a tool for ethical progress.

It is crucial to acknowledge the interconnected nature of exclusion and inclusion. Loyalty, often upheld as a virtue, can involve treating friends and family preferentially, potentially leading to exclusion<sup>9</sup>. Goodin describes the “deep human need for exclusive relations” [15]. He mentions that children in particular need someone who cares particularly for them, but exclusive sexual relations also seem to fill a deep human need for most of us. Positive aspects of exclusion extend to educational settings where selective admission processes contribute to maintaining high academic standards and fostering an environment conducive to learning. Exclusive practices can be instrumental in preserving and advancing specialized knowledge and skills. Disciplines such as medicine, law, and science often employ rigorous criteria for entry, ensuring that those who contribute to these fields meet high standards. This selective process helps maintain the quality and integrity of these professions. In the business world, exclusive practices such as patents and intellectual property rights incentivize innovation. Providing creators and inventors with exclusive rights to their work encourages investment in research and development, driving economic progress. In the context of environmental conservation, protected areas and wildlife reserves exemplify exclusionary practices that safeguard biodiversity. These intentional exclusions aim to create spaces where natural habitats can flourish. Exclusionary practices play a crucial role in ensuring security and national defense. Controlled access to sensitive information, restricted areas, and classified technologies helps protect nations from potential threats. Limiting access safeguards the state. In governance and decision-making processes, exclusivity can contribute to efficiency and effectiveness. Exclusive committees or expert panels may be formed to address complex issues, ensuring that decisions are made by individuals with relevant expertise and experience. On an individual level, the practice of setting personal boundaries and engaging in selective social interactions can contribute to mental and emotional well-being.

As Goodin emphasizes “issues of inclusion and exclusion are central to democracy”<sup>10</sup> [16]. It is important to recognize that the appropriateness of exclusionary practices

depends on the context. Careful consideration is crucial. Exclusion can be misused, particularly in instances of discrimination or unjust treatment, but this does not negate its potential positive applications. In our pursuit of social, cultural, and religious plurality, it is essential to consider exclusion as a valuable tool alongside inclusion. Failure to do so may result in missed opportunities for achieving a good and well-functioning society.

While the term ‘exclude’ spans a spectrum, covering instances from barring violence in the public sphere to more specific cases like restricting certain medical procedures to specialized practitioners for improved healthcare outcomes, its broad applicability underscores the varied contexts of exclusion. My intention is to emphasize that the merits of exclusion depend on the specific context. In the context of my paper, the focus is on exclusion within societal structures and governance. I specifically explore exclusionary strategies related to societal norms, policies, and freedom of expression.

#### 4. Two Objections

I want to reply to two possible objections before I continue. The first objection is that I attack a straw man; the other that my argument is trivial.

Straw man: The idea of inclusion has a compelling moral value, but are anyone willing to defend it at all costs? It seems as if I am attacking a straw man, i.e., the view that inclusion is an absolute moral imperative, also when it comes to psychopathic killers, Nazis, pedophiles and more. While it is evident that no reasonable person would advocate for defending inclusion without bounds, I want to emphasize that such an extreme stance is not the primary target of my critique. Instead, my critique is directed towards the prevalent overoptimism surrounding the concept of ‘inclusion’ in humanities, politics, and public discourse. I aim to draw attention to the frequent oversight of the essential positive role that exclusion can play in societal dynamics.

The point is, moreover, to show that not only does the inclusion/exclusion divide pose a false dichotomy—the first always good, the latter always bad—but the two are, more often than not, thoroughly entwined. Societal progress is achieved through exclusion as well as inclusion, and much of the time they are so inextricably entangled as to make any attempt at separating them pointless. This paper explores that entanglement. It argues that an obsessive focus on one side of the coin comes at the very serious risk of downplaying or ignoring the critical importance of the other. Note that I do not target any specific opponent in this paper, the target is rather the tone in the ongoing debate and the contemporary discourse, like the explanation of the term “inclusive” in Cambridge Dictionary online: “the governments want to reach a settlement that is as inclusive as possible”<sup>11</sup> [17]. Inclusion here denotes successful settlement. It becomes a moral norm (recall Young’s “norm of inclusion” as a litmus test for a well-functioning democracy). The worry then, is this: has the endorsement of inclusion as morally desirable gone too far? This concern is genuine and far from being a straw man.

As Goodin emphasizes, the core meaning of exclusion is ‘keeping out’ [15]. I support Karl Popper’s view that tolerating intolerance is paradoxical [18]. He argued that groups promoting intolerance do not deserve inclusion in a democratic society; indeed, they should be excluded from that society. It follows from a view like this that societal progress in society can be reached through exclusion as well as inclusion. Note, however, that this paper makes no attempt to offer an ethics of exclusion; it is but laying the necessary groundwork for such an ethics. It makes no attempt to answer the question “when is exclusion good?” Neither does it offer any precise definition of “inclusion” or “exclusion”—if such definitions are even possible. Its modest aim is to take an often-oversimplified debate and make it more nuanced by reminding readers that inclusion is not always so positive nor exclusion so bad as they might at first blush appear.

Triviality objection: A potential objection regarding triviality may arise, contending that exclusion always serves the purpose of facilitating inclusion<sup>12</sup>. To clarify, exclusion is viewed as a strategy for achieving inclusion. For example, the exclusion of anti-sodomy laws can be seen as a step towards incorporating diverse sexualities into society. However,

acknowledging this does not negate the essential role of exclusion in the process; it cannot be entirely reduced to inclusion. The objection risks oversimplifying by assuming every act of exclusion is interchangeable with inclusion—a reductionist perspective that overlooks the inherent complexity. In reality, not every act of exclusion serves an inclusive end, and vice versa. Attempting such reductionism leaves residual complexities. Inclusion can be a facilitator in processes that are fundamentally about exclusion, and conversely, what initially seems like exclusion may contribute to eventual inclusion. The dynamic interplay between inclusion and exclusion surpasses the constraints of the triviality challenge.

Examining the practice of female circumcision is illuminating. The aim is to eliminate the practice while maintaining inclusion of its practitioners into broader society. Legal mandates, while crucial in expressing societal rejection, can be perceived as oppressive. Simply criminalizing the activity often drives it underground. Scholars argue for an alternative approach: ending female circumcision not solely through the law, but by gradually integrating members of culture into wider society through the deliberate, contagious spread of new norms and values [20]. This strategy necessitates a more inclusive approach. The imposition of new ideas from outside experts, even with good intentions of excluding old practices, can lead to resentment. Those holding traditional ideas may feel excluded. Creating an environment where new ideas and values organically emerge from the community itself is more likely to change minds, successfully excluding old practices in favor of the new<sup>13</sup>. There is nothing trivial about this.

Some might feel dissatisfied with the way I present the concepts of inclusion and exclusion along with the two responses to potential objections, arguing that I am employing uninformative umbrella terms. This critique is understandable, considering the inherent difficulty in precisely defining these concepts. However, must we feel compelled to offer more concrete definitions before engaging in discussions about them? I think not. Exploring and discussing these concepts more loosely should be acceptable, given their inherently elusive nature. Many concepts face a similar challenge, for example human rights. Despite the existence of international declarations, the exact definition of human rights remains elusive. Yet, the difficulty in precisely specifying what constitutes a human right should not hinder us from examining how ideas of human rights influence society. Inclusion and exclusion, like human rights, belong to a category of concepts that are challenging to define precisely. Nonetheless, engaging in discussions about them may yield new insights, even without strict and fixed definitions. This, at least, is my humble hope.

## 5. Societal Progress

My analysis of inclusion and exclusion is grounded in the idea of societal progress, and what it means for a society to make moral progress. Even though it is notoriously difficult to pin down what societal progress is, measuring—or attempting to measure—societal progress over time is a common activity in well-functioning states. How can we know whether our political systems and reforms are successful if we do not try to measure whether progress has occurred?

The focus of this paper is not on individual lives but on how individual lives mirror trends at the societal level: changes in institutions, laws, practices, and moral principles. When I mention societal progress, I mean stable changes toward a better society caused, directly or indirectly, by human enterprises. What counts as “better” or “worse” in this context is, of course, open for discussion, but I will not enter that discussion here, save from the instances to which views regarding “better” and “worse” is directly connected to “inclusion” and “exclusion”.

“Societal progress” is ambiguous between processes that take place in society (“progress in society”) and processes that concern the political, social, and normative structure of society (“progress of society”) [19]. The former has to do with progress of society in general. Here, however, I will first and foremost consider progress in connection to social and political values together with more general ideas on moral value as that which is central to the actual societal progress, i.e., progress of society.

Social and political values. According to the independent watchdog organization Freedom House<sup>14</sup>, global trends in freedom and democracy at the end of the last century and the beginning of the current were highly promising. From 1972—when it started publishing its annual *Freedom in the World* report—to 2006, it observed a dramatic increase in the number of “free” (from 43 to 89) and partly “free” (from 38 to 58) countries. The number of not-“free” countries fell over the same period from 69 to 45. Unfortunately, 2006 saw the start of a global slide with a net decline observed in 113 countries, with just 62 countries experiencing improvement.

Morality. Inclusion of previously excluded individuals or groups is often the key to progress for contemporary moral thinkers: the expanding circle, also called Lecky’s circle after historian W.E.H. Lecky, ref. [22] has become a central concept in the moral discourse. Peter Singer writes with reference to the expanding circle: “overall, it seems likely that these opinions reflect real changes, and thus are signs of moral progress toward a world in which people are not denied rights on the basis of race, ethnicity, or sex” [23]. In similar vein, Rorty understands progress in terms of an increasing capacity to recognize previously subordinate groups as “people like ourselves” [24]. Moreover, once again, inclusion expands beyond the human sphere to *inter alia* the natural environment. To Singer inclusion of animals in the moral sphere is crucial [25]. Deep ecology theorists like Arne Næss go so far as to suggest that trees and other plants should be recognized as moral subjects [26].

Global democracy. A more democratic system can be thought to align with values associated with societal progress. The intricate relationship between inclusion, exclusion, and democratic processes underscores a crucial aspect of societal progress, particularly when viewed through the lens of democracy. Kuyper asserts that “Global democracy, as should be clear, requires the equal inclusion of individuals in transnational decision-making processes” [27]. In essence, this means that for a global democracy to operate effectively, it is imperative to ensure the equal participation of individuals in decisions that transcend national borders or involve multiple nations. The term “transnational decision-making processes” pertains to activities or discussions where decisions are made that impact or involve multiple countries or the global community as a whole. This assertion underscores the significance of fair and equal global participation in shaping decisions with far-reaching consequences. However, Kuyper underscores the predominant role of states in world politics. In the realm of global politics, states stand out as pivotal actors, with the influence of individuals primarily funneled through their respective national political systems. The relationship between inclusion, exclusion, and democratic processes is pivotal for societal progress. Balancing these dynamics is key to achieving societal progress loosely understood as positive advancements and improvements in various aspects of a society, such as economic development, social equity, education, technology, health, and political stability.

It is crucial to note that my primary reason for not providing rigid definitions is precisely the difficulty in neatly encapsulating the key concepts of inclusion, exclusion, and societal progress. I aim to contribute to a nuanced debate, offering perspectives that can resonate broadly. By avoiding overly restrictive definitions, I hope to encourage a more comprehensive discussion that considers the complexities surrounding these concepts, fostering a text with widespread appeal. With this, admittedly preliminary conceptual analysis as my background framework, I will now offer concrete examples to show how problematic it is to equal societal progress to inclusion thereby leaving exclusion out of the picture.

## 6. Examples

I seek to demonstrate the affirmative potential of exclusion, asserting that exclusion itself can propel societal progress. The following examples aim to elucidate how exclusion serves as a driving force and, concurrently, to underscore the intricate interconnection between exclusion and inclusion.

For example, in societies lacking established courts of law or law enforcement, various metrics indicate a diminished quality of life compared to societies with such institutions. A compelling illustration of societal progress through exclusion is found in the establishment of a state monopoly on weapons of violence. This exclusionary measure, circumscribing individual rights to self-defense, fosters safety and civilized life. Individuals are expected to report crimes to the police, rather than resorting to personal vigilantism.

Progress is not confined to legal realms alone. As noted by Alan Buchanan and Russell Powell [28], “moral progress sometimes consists of ‘demoralizing’ certain types of behavior, such as premarital sex or masturbation”. Though having a child “out of wedlock” has generally not been illegal, the social costs were once considerable, especially for the woman and child. Societal attitudes have evolved; derogatory terms like “bastards” are now just used metaphorically. Single parenthood may still entail societal costs, but these are likely less tied to the perceived “sin” of premarital sex and more to certain lingering expectations about the nature of “proper” families. Attitudes toward masturbation have also shifted. Shame and embarrassment may still be attached, but the stringent moral judgments of previous generations are fading. This shows that instances of exclusion have served as a catalyst for societal advancement.

In ancient Greece, honor was often the measure of a person’s worth—gained partly through lineage, prowess or guile in various domains. This traditional concept of honor, determining a person’s rights and duties, unfortunately persists in many cultures, albeit with detrimental consequences. However, in the Western world and beyond, the traditional notion of honor has undergone a transformation, and this shift is regarded as a positive development. The direct link between an individual’s character and family reputation has been a source of harm, often resulting in unjust practices such as honor killings. In the pursuit of societal progress, the exclusion of these harmful ideas is not only warranted, but long overdue.

Sometimes the exclusion of persons or groups has a positive role to play as well. This point is crucial, especially when we keep in mind the fact that those who favor inclusion often speak of social inclusion. But consider the potentially positive effects of excluding certain people or groups from certain places: A number of countries with a history of patriarchy, including Mexico, Thailand, Iran, India, Japan, and Brazil, offer their female citizens the option to travel in segregated female-only train carriages—to avoid sexual assault. Men are (in principle, if not always in practice) excluded from these areas. I do not consider such segregation good per se; but it is a good means to secure the safety of women in the interim while society works towards a future where men and women can safely share the same spaces.

## 7. Interplay and Mutual Significance of Inclusion and Exclusion

The interplay between inclusion and exclusion is vividly demonstrated in the case of gender privilege. The exclusion of maleness as a determinant of moral and legal rights becomes a necessary consequence of the inclusion of women in the class of those entitled to full rights. An illustrative example is the introduction of the Equal Pay Act in the UK in 1970 [29], prohibiting pay and working condition inequalities between men and women. While the success of this law is subject to debate, one undeniable outcome is the end of the overtly offering differing pay rates for substantially the same work based on gender. The (full or partial) exclusion of a former male privilege, in this case, contributes to income growth for women, affording them greater control over their own lives. Similarly, the exclusion of a former privilege related to skin color demands that governments, companies, and institutions more faithfully reflect the diversity of their societies. In these examples, what initially appears as a demand for inclusion inherently entails a demand for the exclusion of certain privileges.

The Equal Pay Act of 1970 had a precedent: the Married Women’s Property Act (UK) of 1870, as amended by an 1882 act of the same name, ref. [30] which abolished the common-law practice, in force up until that time, whereby a woman’s property automatically became

her husband's as soon as she got married—meaning that, previously, married women could not own property of any kind. Further reforms in the early 20th Century strengthened and extended the right to own property independently of the husband. Not only did married women become property owners in their own right but, more importantly, they were no longer entirely dependent on their husbands—granting them the increased freedom they had been clamoring for. As represented by these acts of Parliament, the exclusion of “old-fashioned” ideas about who should hold the purse strings—the elimination of a longstanding male privilege in marriage and the consequent exclusion of men from a position that no longer could morally be defended—meant the birth of a new order in the UK, with repercussions throughout the British empire and beyond.

As with many formerly dominated and repressed groups, women experienced immediate financial and psychological benefits following the enactment of the Married Women's Property acts. This newfound financial independence not only elevated their economic status but also expanded the realm of possibilities previously unimageable. However, I believe that the true legacy of these acts lies in the reduction of male power over marriage rather than solely in the augmentation of women's property rights. In essence, the demand for inclusion in this context is primarily driven by the concurrent demand for the exclusion of a privileged position.

Treating two parties as equals implies including both in one's concerns while excluding both from any privileged status. Exclusion and inclusion, as I have suggested, are two sides of the same coin. The joint property can surpass full human understanding, causing one or the other—either inclusion or exclusion—to take prominence as the other recedes. Social progress, as I argue, finds varying explanations in terms of both inclusion and exclusion. At times, the emphasis leans towards inclusion, at other times towards exclusion, and occasionally, a delicate balance is struck.

Instances labeled as a struggles for something, can often be more accurately described as fights against something else, like superstitions, prejudices, ignorance and a lack of knowledge, sometimes related to religious beliefs. Take the historical discussion on masturbation, where the crucial point was not about inclusion in any trivial sense, but rather the exclusion of antiquated ideas, like the misconception that masturbation promotes homosexuality or leads to mental illness<sup>15</sup>. A similar perspective applies to discussions on blasphemy laws: the aim was not inclusion of blasphemers, but rather the eradication of the concept of blasphemy itself, at least as a legal term.

Examining Victorian property rights in the UK reveals that the focus was on the exclusion of men from privileged status, not the inclusion of women into that privileged status. Likewise, the abolition of nobility's right to special treatment, including tax exemption, was not about transferring that special treatment to someone else. Instead, it was about putting an end to special treatment altogether.

## 8. The Value of Exclusion

It is clear that a substantial number of individuals recognize the significance of inclusion as a catalyst for societal progress, viewing it as a commendable goal in itself. The question arises: can a similar assertion be made for exclusion? I posit that the answer is affirmative. Beyond the instances previously mentioned, I will now introduce additional cases that I believe are relatively uncontroversial. For example, in cases where states deviate from the established human rights standards of the United Nations, it is imperative to consider the implementation of momentary exclusionary processes. Such measures, rather than being punitive, aim to encourage adherence to universal principles of human rights. The international community, represented by the UN, plays a crucial role in fostering a global environment that upholds these fundamental rights. While exclusionary processes may be viewed as stringent, they are a means to prompt corrective actions and realign states with the shared values that underpin the UN's human rights framework.

Exclusion, when judiciously applied, can serve as a catalyst for positive change, urging states to reassess and rectify their human rights practices. It is essential to recognize that

exclusionary measures can be, but are not necessarily intended as permanent isolations but rather as strategic interventions to stimulate compliance. This approach underscores the necessity of balancing inclusion and exclusion within the realm of international relations, reinforcing the idea that exclusionary processes, when thoughtfully employed, can contribute to the promotion and protection of human rights on a global scale.

That said, societal progress may require adherence to certain social contracts and norms, which might involve permanent exclusionary mechanisms for those who violate established rules. For example, individuals who commit serious crime may face permanent exclusion from society because they pose a threat to public safety. Professionals and individuals occupying influential positions in society who breach codes of conduct may encounter permanent exclusion from their respective fields. This is evident in instances involving politicians found guilty of offenses such as tax fraud or involvement in sex scandals, as well as scientists engaged in fraudulent research practices. Another clear case in this regard is that individuals involved in terrorism or activities that pose a significant threat to national security may face permanent exclusion from society.

The case of blasphemy laws provides a lens through which we can assess the implications of both inclusive and exclusionary strategies. By scrutinizing blasphemy laws within the framework of societal norms and freedom of expression, we gain valuable insights into the broader implications of these divergent approaches. A strategy emphasizing inclusion might involve implementing laws that aim to protect religious sentiments and beliefs of a diverse society. This approach aims to prevent the disrespect or offense of any religious group, fostering a sense of harmony and mutual respect among diverse communities. Alternatively, an exclusionary strategy could involve abolishing blasphemy laws to prioritize freedom of expression, even if it means that some individuals may express views that are offensive to certain religious beliefs. By excluding restrictive blasphemy laws, society may encourage open dialogue, critical thinking, and the free exchange of ideas, even those that challenge established norms. Now, why may exclusion be the better strategy? The way I see it, emphasizing exclusion in this context protects the fundamental right to freedom of expression, allowing individuals to express diverse viewpoints, criticize religious doctrines, and engage in open discourse without fear of legal consequences. Moreover, the exclusionary strategy is fostering a robust society. A society that embraces the exclusionary approach may encourage intellectual diversity and the challenging of established ideas, leading to a more resilient and adaptable community. In the context of blasphemy laws, strategic exclusion, by prioritizing freedom of expression, can contribute to a more dynamic and intellectually vibrant society.

## 9. Conclusions

I have argued in this paper that while societal progress is often measured in terms of inclusion, exclusion too plays a critical and positive role in improving people's lives in society. In addition to countering objections like the strawman and the assertion of triviality, a more substantial objection to the thesis of this paper might posit that progress, framed as inclusion, is the general rule and that the examples of "positive" exclusion I have presented are, at best, exceptions to that rule. My initial response is to question whether this is indeed the case? The issue is complex, but it is worth considering that the major developments of the last couple of centuries indicate a movement towards more moral deregulation, and increased individual freedom—freedom concerning sexuality, religion, and general self-realization. This illustrates a key point: the moral circle is dynamic, expanding and contracting, making it difficult to distinguish what constitutes a rule, and what counts as an exception. My modest claim is that it is far from obvious that the trend towards inclusion is the primary rule; instead, societal morality evolves in intricate ways, incorporating both inclusion and exclusion as integral elements<sup>16</sup>.

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## Notes

- 1 An obvious exception is the way many white supremacists in the US openly disparage such talk of inclusion. Of course, many of them are similarly distrustful of democracy.
- 2 Felder [1] emphasizes the important distinction between inclusion as being allowed to be present and inclusion as being allowed to participate: the former does not imply the latter.
- 3 Available online at <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html> (accessed on 21 February 2019).
- 4 Available online at <https://law.justia.com/cases/federal/district-courts/FSupp/801/1392/1945004/> (accessed on 21 February 2019).
- 5 The report is published and cost-shared by UNDP, but it mentions that it is independent.
- 6 Acronym for lesbian-gay-bisexual-transgendered. The “+” is added to encompass orientations and identities that are not explicitly by the letters. A number of variations exist.
- 7 For illuminating articles on LGBT+ people and inclusion, see Joshi [5,6].
- 8 Note that Jeffrey merely formulates this view. She does not defend it.
- 9 See Fletcher [14] for an illuminating and thought-provoking treatment of loyalty.
- 10 Note that Goodin criticizes the use of the concepts inclusion and exclusion. According to him, “the problem of exclusion is that there is an inclusive community” [16]. Note that his focus is social exclusion. My emphasis is broader.
- 11 <https://dictionary.cambridge.org/dictionary/english/inclusive> (accessed on 21 February 2019).
- 12 I thank Lena Halldenius for pressing me on this point in a very early draft. Interestingly, Goodin discusses the opposite point: that inclusion entails exclusion [16]. For a thorough treatment of moral progress, see Egonsson [19].
- 13 I write from the perspective of contemporary Western society—albeit with more than passing awareness of non-Western cultural practices. It is not my intention to promote either a Western mind set or way of living, or to judge either mind sets or ways of living. It is rather my hope that the free and open exchange of ideas through reasoned discourse in a truly democratic society will lead to a global consensus that practices such as female circumcision are best consigned to the past.
- 14 <https://freedomhouse.org/about-us> (accessed on 21 February 2019) [21].
- 15 The historically common euphemistic description of masturbation as «self-abuse» is revealing.
- 16 My deepest gratitude to Dan Egonsson for cooperation on earlier drafts of the paper. Thank you to Joel Parthemore for proofreading and commenting on an earlier draft. ChatGPT has been used to enhance language and elaborate on details like generating more nuanced sentences, refining language structure, or offering expanded information.

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