



# The #metoo Movement in India: Emotions and (in)justice in feminist responses

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## Abstract

This article will enhance and complicate existing debates on the #metoo movements internationally and in India. This will be done by focusing in particular on the feminist debates and responses to LoSHA (List of Sexual Harassers in Academia) in India, an online list naming alleged sexual harassers from academia. This was first released in the public domain in October 2017 and caused much division and strife within feminist movements, including intergenerational conflict. The article will address the underexplored role of emotions in the #metoo movement in India, and attempt to theorise this more widely in the context of ‘justice work’, particularly in the context of epistemic and procedural (in)justice models. It will address how different forms of feminist resistance can be and should be conceptualised within a general context of epistemic injustice.

**Keywords** India · Feminist · Epistemic injustice · Procedural justice · Emotions · #MeToo

## Introduction

This article is concerned with the feminist and academic debates around LoSHA (List of Sexual Harassers in Academia; henceforth the list), an online list of alleged sexual harassers from Indian universities. It was first published on Facebook on 24<sup>th</sup> October 2017, by Raya Sarkar, an Indian law student, who was studying at the University of California at Davis at the time. Sarkar claimed to have gathered the names directly from students, and this list was made into a Google spreadsheet by another blogger, Inji Pennu, who invited others to add names. The alleged offences and incidents listed against the academics ranged from verbal abuse to molestation and rape. The list and the spreadsheet are no longer available in the public domain,

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but when I last accessed the spreadsheet in October 2018, it featured the names of 58 Indian academics from 20 colleges, research centres and universities in India and internationally.

The most dramatically felt response within social movements was reflected in an open letter (henceforth, the letter) made by a group of Indian academics, identifying as feminists, and published on an online website Kafila.<sup>1</sup>

As feminists, we have been part of a long struggle to make visible sexual harassment at the workplace, and have worked with the movement to put in place systems of transparent and just procedures of accountability. We are dismayed by the initiative on Facebook, in which men are being listed and named as sexual harassers with no context or explanation. One or two names of men who have been already found guilty of sexual harassment by due process, are placed on par with unsubstantiated accusations. It worries us that anybody can be named anonymously, with lack of answerability. Where there are genuine complaints, there are institutions and procedures, which we should utilize. We too know the process is harsh and often tilted against the complainant. We remain committed to strengthening these processes. At the same time, abiding by the principles of natural justice, we remain committed to due process, which is fair and just. This manner of naming can delegitimize the long struggle against sexual harassment, and make our task as feminists more difficult. We appeal to those who are behind this initiative to withdraw it, and if they wish to pursue complaints, to follow due process, and to be assured that they will be supported by the larger feminist community in their fight for justice (Kafila 2017a)

This controversy has been subjected to much academic attention (see for instance, Roy. et al. 2022; Dey 2020; Sharma 2021), particularly focussing on the letter, which will be explored further in the next section. Instead, drawing on empirical interviews from interviews with feminist movement activists in 2018, and on online responses to the list and the letter, I will address the issue of the role of emotion in the #metoo movement in India, and attempt to theorise this more widely in the context of ‘justice work’, particularly in the context of epistemic and procedural (in)justice models. I will be following Sara Ahmed’s (2014) understanding of emotion as emotions making and shaping bodies as forms of action in feminist action.

This paper is divided into five further sections: a literature review that maps the writing on the #metoo movements in India and the key conceptual frameworks; a methodology section, describing briefly the data used and analysed and my own positionality; followed by a thematic analysis of the data, and a conclusion that will attempt to pull some of these themes together. In particular, this paper will expand and create new insights on how different forms of feminist resistance, including outward facing activism such as the list and inward facing resistance within feminist

<sup>1</sup> Kafila is a website that describes itself as [a] “collaborative practice of radical political and media critique, and an engagement with the present”. Nivedita Menon, a well known Indian feminist thinker and academic, one of the authors of the letter, is also one of the founder members of Kafila.

movements can be and should be understood conceptually even within a general context of epistemic injustice. Discussions on epistemic and procedural justice often do not take into account the unacknowledged role of emotions in the debates how resistance is mediated within a context of generalised epistemic injustice. This is an underexplored and important area of inquiry.

### Mapping the #metoo Movement in India

The #metoo movement in India needs to be conceptualised within the wider feminist movements in India against sexual violence and abuse. Elsewhere, I have mapped social movement responses to key moments when sexual violence became a focal point for feminist activism since the 1980s (Gangoli 2011; Gangoli et al. 2020), which include: the custodial rape case in 1972 of Mathura, a tribal girl; the gang rape in 1997 of Bhanwari Devi, a social worker supporting victims of child marriage; and the brutal gang rape and murder of Jyoti Singh Pandey in 2012. There have been critiques of why some events become focal points as opposed to others (see for instance, Roy et al. 2022; Bhattacharya 2018), and while these are important questions, they will not be addressed here. Here I seek to contextualise the #metoo movement in India within the wider and longer movements against sexual violence in the country, and support claims that the #metoo movement in India was uniquely Indian and like previous movements intersectional, while drawing from the transnational movement against sexual abuse (Roy et al. 2022). Issues of caste, class and age have been key in these debates with particularly a consideration of how caste and class identities of the victims impact on criminal justice, media and feminist responses to individual cases (Arya and Rathore, 2019).

Chakravarti and Roy (2022) map how Indian universities have long been sites of feminist resistance and activism but suggest that the list was less a plea for individual justice, or widespread social transformation, but more a disruption of power. Phadke (2022, 175) believes that the disagreements following the list were a feminist civil war, but she argues that “feminist frictions are not new and are in fact, a reassuring sign of a dynamic movement”. She contextualises it in the context of previous disagreements in the movement around gay rights and sex work since the 1980s and 1990s. Immediate social movement critiques to the letter include suggestions that the letter was a reflection of Savarna, or upper caste Hindu feminist views, with younger Dalit activists being undermined<sup>2</sup>; debates about who has de facto control over the feminist movements in India (Bargi 2017); explorations of intersectional difference and power (Dey 2020); and assertions of a feminist intergenerational

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<sup>2</sup> Within the Indian caste system, Savarna refers to dominant caste groups, who are part of the Varna (caste) within the four main castes (Brahmin, Kshatriya, Vaishya and Shudra), but in contemporary parlance, refers to the dominant caste. Dalit is a political term, referring to those castes that fall outside the caste system, and mainly refers to those formally referred to as ‘untouchable’ or ‘Harijan’ For an exposition of the caste system in India, see Sana (1993), and for a discussion on caste discrimination in contemporary India, see Borooah et al. (2015). Caste has been an issue of division within Indian feminism, with Dalit feminists critiquing the Savarna feminists of using their innate caste privileges to dominate feminist movements (Arya and Rathore, 2019).

clash (cited in Kafila 2017b; Bargi 2017; Sharma 2021). Most of these important inputs address the issue of sexual harassment in academia, but do not explicitly point to the unique intersection of academic and feminist spaces within which these debates and disagreements take place.

The concept of ‘due process’ has been explored in context of rape and the criminal justice system in the UK (see for instance: Smith and Skinner, 2012) and in the context of sexual harassment and university campuses in the USA around discussions of the legal duties of universities to protect students (for example, see Porter et al. 2023) Menon (Kafila 2017b) clarifies that the ‘due process’ mentioned in the letter refers not to the criminal justice system, but to sexual harassment committees in universities, mandated after legal changes in 2013, therefore following debates on statutory duties of universities to protect women students and staff from sexual harassment and abuse. University committees in India are limited in their powers – for instance, they can support victims/survivors in criminal procedures or can recommend disciplinary action against perpetrators to university governing bodies, but not enforce these actions. The statement acknowledged that the process is “harsh” and tilted against the complainant but maintained that “due process is just and fair” and that naming and shaming men in a public list can lead to lack of accountability. There have been emerging critiques of sexual harassment committees in universities in India as providing no resolution to victims of sexual abuse (for example: see Aina and Kulsheshta 2018; Arora and Sarkar 2022), and the responses to the letter similarly discount the possibility of justice through these committees. This will be addressed in more detail in the analysis section.

## Conceptual Frameworks

This article draws on two key conceptual frameworks, the role of emotions in social movements and theories of justice, particularly, epistemic and procedural (in)justice. This section explores how I understand these concepts.

I rely on literature around the role of emotion in social movements, particularly feminist movements to understand how both the ‘camps’ express emotions in different ways to legitimise their position, and their appeal to justice. It has been suggested that there are “small but significant gender differences in the expression of emotion” with women showing greater emotional expression overall and internalising negative emotions such as sadness and anxiety, and men expressing greater levels of aggression and anger than women (Chaplin 2015, 16). Even though both women and men express and internalise emotions in different ways, women are often cast as irrational and emotional, and men as rational and calm (c.f. Deng et al. 2016). The stereotyping of women’s emotional responses as ‘irrational’ creates a false dichotomy between rationality and emotionality. Ahmed (2014, 52) further explains how within feminist movements, alignments between and within feminists can be formed through how emotions are labelled and experienced and what is ‘given up’ in the alignment, and whose anger is prioritised within these alignments. The anger of marginalised feminists, for example Black feminists in the USA, is often met with defensiveness from white feminists, and Ahmed writes about the need for feminists

to hear the anger of others within the movement, without blocking the anger through a defence of one's own position.

Discourses around emotion and social movements have traditionally aimed to cast social movements as 'rational' as opposed to 'emotional' sites (c.f Putnam 1999; Jasper 2011), but research has also focused on the role of unacknowledged emotion(s) in choices made during social movements (Jasper 1998; Tilly 2008), some of which are, of course, understood as 'irrational' and the role of what Ngai (2005) calls "ugly emotions" such as anger, envy and hostility. There is also work that addresses how emotions link to social structures and inequalities, for example, complaining/speaking out by students against any form of injustice particularly in university structures and systems, is often dismissed as an emotional and irrational response, which can and does lead to further silencing of the complainant (Ahmed 2014, 2021). Relatedly, Whittier (2021) has written about the unacknowledged role of emotions in encouraging or repelling solidarity in feminist coalitions.

There have been some important discussions around the role of emotion and affect in social movements movements. Even before the #metoo movement, Sara Ahmed (2014, 1) wrote about publicly shared emotions contributing to moving and holding people in place and playing a crucial role in "shaping the 'surface' of individual and collective bodies". She suggests that the public sharing creates a sense of solidarity, which has been the basis of many feminist movements internationally. In the context of gay rights movements in India in the 1990s, Dave (2012, 3) writes about events coalescing to create simultaneously an exciting sense of "possibility" and "closure", and the "affective experience of radical emergence". Blom and Lama-Rewal (2020) have written about the important role that emotions play in mobilising in social movements.

It has also been suggested that the mostly digital nature of the #metoo movement enabled many women and girls to articulate and verbalise their trauma as a part of an online community (Nau et al. 2022). Further Nau and colleagues (2022) suggest that #metoo movements had both an affective (physical) and emotional (narrativisable) pull, but these were often difficult to separate. Emotions, such as anger and sadness, and the more abstract affects, including mutual support and encouragement of speaking up were often embedded in the narratives of sexual violence. Similarly, Rovira-Sancho (2021) explains in the context of the Mexican #metoo movement, how the online #metoo campaign turned individual narratives into collective resistance and created a "listening community" (3) which was predicated on believing every woman who spoke out. She suggests that the #metoo movement grants epistemic authority through the experience of each complainant rather than a legal code. She cautions however about inherent intersectional inequalities in the lack of access to digital networks, for example in the context of social class, sexuality and gender.

This article is concerned with how power intersects with emotions and draws on ideas of epistemic (Fricker 2007) and procedural (Laxminarayan 2012; Laxminarayan and Pemberton 2014) forms of justice and injustice. I am also concerned with how feminists appear to draw on, and challenge epistemic and procedural forms of (in)justice through appeals to different emotions including but not confined to anger, sadness, amusement and trauma. The impact of epistemic and procedural forms of justice and injustice can also cause extreme emotions, and the resistance

to injustice involves emotions, which are underexplored. Miranda Fricker (2007) defines epistemic injustice as the unfair discrimination against some actors in their capacity as knowers, based on prejudices linked to people's social identities and attributes, including gender, social background, ethnicity, race, sexuality, accent, and class, and argues that there are two distinct forms of epistemic injustice, namely *testimonial injustice* and *hermeneutical injustice*. *Testimonial injustice* can take place when the testimonies of some speakers are seen as less credible than others, and this refers back to prejudices about the speaker (Fricker 2007). Testimonial injustice can lead to *hermeneutical injustice* (Fricker 2007, 162), where due to systematic underrepresentation of the experiences of marginalised individuals and groups, members of these groups are not able to make sense of their experiences. An inherent part of the feminist project is to highlight, project and legitimise the voices of women and girls who have been silenced epistemically.

Further, I understand procedural justice as the experience of justice for victims in terms of their interactions with the processes and representatives of justice. Laxminarayan (2012) has suggested that while fairness and equity in procedures, including but not confined to criminal justice systems, are important to most victims of crime, these hold a special importance to victims of sexual assault crimes. Processes can also at times cause secondary victimisation by intensifying the distress of victims. There is certainly evidence in the case of sexual abuse in particular, that a positive outcome (for example: a custodial sentence) may not outweigh the trauma caused by the processes of the criminal justice system to the victim (for example see Gangoli 2007; Baxi 2014).

Elsewhere (Gangoli and Hester 2023), I have explored how victims/survivors themselves can resist epistemic injustice by speaking out and resisting sexual abuse. The models of epistemic and procedural (in)justice do not easily allow for addressing resistance, as they focus on how victims/survivors are restricted by injustice. In the context of sexual abuse, survivors find it difficult to articulate what is happening to them as abuse (Middleton et al. 2017). Resistance comes from a recognition of the problem, and naming what has happened as abuse. This article will take some of the debates forward.

## Methodological Approaches

This article combines data from fieldwork conducted in 2018 on the issue of sexual harassment and violence in universities and the workplace, and testimonials from publicly available online sites with reference to the letter and the list. I conducted fifteen interviews with Indian feminists including: left-wing women's organisations with links to socialist/Marxist political parties dominant in the 1970s; autonomous feminist groups, including non government organisations (NGOs) and feminists and activists not linked to any particular group, but who work online and/or in universities and identify with the movement. All the women were purposively selected. Many were known to me through previous work and experience in this area, and the rest were selected through snowballing. Ethical approval was granted by the ethics committee of the university, where I was employed at the time.

The article also draws on publicly available online data and testimonials from feminists, from the website Kafila related to the letter, starting from the 24 Oct 2017 published to the 31 Oct 2017. The starting date was when the letter was published, and I chose the ending date because the final post on this issue on Kafila was by Raya Sarkar, one of the creators of the list. I used a grounded approach (Charmaz 2006), where I relied on the data to generate the codes and guide me towards the theories, which I then used to thematically analyse the data (Braun and Clarke 2006). For example, I started with the online testimonies, where I created word clouds to look at which words were used most often and by which group and found that they used emotions differently and related them to epistemic and procedural justice models. Words clouds can be an interesting way to analyse and visualise data that can contribute to thematic analysis (for example, see: Tessem et al. 2015, DePaolo and Wilkinson, 2014), as they are based on how often a word is repeated within the data. I searched for words related to emotions in the texts and these then led to the codes and themes that that I explored further to look at the interview material and the online material.

## Positionality

Given the nature and topic of this paper, it would be disingenuous if I were not to situate myself in this debate, both politically and emotionally (Nilsen 1996), in terms of reflective practice in research. In the spirit of feminist research (Mulinari and Sandell 1999; Nilsen 1996), I would argue that my personal and 'lived' experiences do not detract from the rigour of my analysis, rather they enrich it.

I grew up in India as a middle class and upper caste girl/woman in the 1970s and 1980s Sexual harassment, assault and rape has historically and continues to be associated with victim blaming, and women and girls are socially seen as responsible for their own abuse, and often internalise a sense of shame. This can often create an unsurmountable barrier against speaking out against sexual abuse of any kind. I became involved in feminist movements around the issue of sexual violence and abuse in the early 1990s, following the famous Bhanwari Devi case, and the subsequent Sessions Court judgment.<sup>3</sup> I was part of a rally in Jaipur in 1992 to protest

<sup>3</sup> On 22 September 1992, Bhanwari Devi, a *saathin* (which literally means 'friend' and is also the title of a community worker employed via the government-funded Women's Development Programme) was raped by two men in a village in Rajasthan, while others held her husband down and forced him to witness the rape. Bhanwari was a 40-year-old woman from the 'lower' Kumhar (potter) caste and her rapists and their accessories were all from the same family, and from the 'upper' Gujjar caste. The rape was an act of revenge for her reporting of child marriage cases among the higher castes to the police. On 5 November, 1995, the Sessions Court in Jaipur acquitted the five men implicated in the case. Sessions Court judge Justice Jaspal Singh stated that it was impossible in India for members of the same caste to commit rape together. It was also argued that the five accused were of different castes (four were Gujjars, and one a Brahmin) and that it was equally impossible that they would have worked together, as, according to the judge, rural gangs are not multi-caste. He stated that Indian rural society members would not degenerate to the extent that they would lose "all sense of caste and class, and pounce upon a woman like a wolf". He further asserted that it was also impossible that any Indian man would stand and watch his wife being raped when "only two men twice his age are holding him" (cited in Junghapa 1995, 22).

against the judgment, and this was the first public rally that I attended of that scale, and this has had a powerful and lasting impact on me. I remember watching and hearing Bhanwari Devi making a powerful speech about how she had refused to feel the shame that she was socially supposed to feel as a rape victim, and she wanted the shame to be visited on the perpetrators.

It is this prism through which I view the list: that the shame of sexual harassment, traditionally felt by the victim, has been passed on to the perpetrator(s). Further, I also situate myself as someone who was a part of the feminist, left and academic culture in Delhi and Mumbai in the 1990s, who witnessed and experienced as a young woman, the hypocrisy of several left-wing men, who felt a sense of entitlement over the bodies of women, particularly women who identified as feminist. My caste/class privileges intersected with my position as a young woman and there is no doubt in my mind that perpetrators tend to benefit from the culture of shame that silences women.

I had experienced several incidents of sexual harassment from male academics (both peers and those in positions of seniority) in India over the 1990s,<sup>4</sup> and not once have I reported any of them, partly due to an internalisation of the shame, and also because I knew that there was no point in doing so. Keep in mind that this was the decade when sexual harassment panels were set up in different universities, and workplaces in the country, when the 'due process' referred to in the letter was being established as a result of the feminist movements that I saw myself as an integral part of. Having also studied the implementation of rape law in the Indian context (Gangoli 2007; Gangoli 2011), I have little faith in the wider criminal justice system, and a belief that victims of sexual abuse, particularly in the Indian context, experience epistemic injustice. Therefore, I have always held that if a woman were to speak out about sexual abuse, I would believe her.

When I first read about the list in autumn 2017, I was impressed by the bravery of the young women who started it, and the young women who contributed to it. However, when I looked at the contents of the list, I recognised most of the men named on the list. I had met many of them during the course of my academic career, and I knew two of them well in the past. I followed many of them on social media. Some of them were my peers. My initial response was a combination of horror and disbelief ("this cannot be true of x person! He's ever so nice"), vindication ("I have seen/experienced y and z harassing women") and confusion. The letter, when it came, similarly created ambivalence. I count many of the signatories of the letters as academic colleagues, mentors and feminist co-travellers, and some as personal friends.

At an emotional level, I can understand the concerns raised by the letter, but similarly, at an intellectual level, I can also understand the concerns of the creators and contributors of the list. The Kafilā statement, and Menon's more detailed response, recommends that 'due process' would be the best way forward for victims/survivors of sexual harassment, which in the university contexts in India would be the sexual harassment committees mandated after legal changes in 2013. The statement acknowledged that the process is "harsh" and tilted against the complainant but

<sup>4</sup> I moved to the UK in the late 1990s, therefore subsequent experiences are irrelevant to this paper.



maintained that "due process is just and fair", and that naming and shaming men in a public list can lead to lack of accountability.

My emotional response is the letter's faith in procedural justice may well be misplaced in this instance, and that Sarkar's list may represent a more nuanced, and victim-focused understanding of justice than belief in procedures. I am cognisant of caste and class intersections that further disadvantage some of the young women who have spoken out that further complicate their positionality as "justice seekers" in university settings. However, to some extent, I share concerns about 'vigilante' action, and empathise with the fears that, satisfying though it may be, anonymous reporting can ultimately work against the core basis of justice, 'innocent until proven guilty'.

It is this emotional confusion that I bring to this article.

## Thematic Analysis

### Role of Emotion

The key aspect of the discussion on the list and the letter is the different positions that supporters and detractors of the list take in relation to emotions, and whose emotions are taken seriously, and whose emotions are ignored. I found that the supporters of the list were more expressive when it came to using words associated with particular negative emotions (e.g. pain), and these are attributed conventionally with femininity and therefore have less value than other emotions (e.g. anger) that are seen as masculine (Deng et al. 2016). In contrast, the words used by the writers of the letter, and subsequent responses, particularly by Nivedita Menon on Kafila, make appeals based, at least outwardly, on rationality and facts.

The word clouds generated below from the letter and the online responses to the letter (25/10/2017–26/10/2017) indicates this (Fig. 1).

### The Letter

The word cloud above indicates that the letter draws on ideas and words that make common cause with ideas of rationality, including 'due process', 'procedure', 'unsubstantiated', 'committed', 'genuine', 'explanation'. The authors of the letter and Menon's further responses (Kafila 2017a, b) seek to undermine the emotional responses of the complaints made by Sarkar, and the women sharing their experiences online. Ahmed's work (particularly 2021) addresses the silencing of the complainant within institutions, primarily academic institutions, but the letter and subsequent responses appear to want to silence complaints when they are made anonymously.

While Menon (Kafila 2017b) in her response to the online uproar caused by the letter, stated that they were making an "appeal" to take down the list, and not an order to the writers of the list, the letter implicitly draws on the legitimacy of the authors as established and renowned academics, and experienced members, and potentially leaders of, the feminist movements in India. Though



statement also makes a claim towards collective action, to reiterate a sense of staking a claim to feminist activism.

@ I must say though, that I am quite amused by the predictable shift all around from concerns for feminist politics around sexual harassment, to “savarna” versus “Dalit (Kafila 2017b)

The term “amused”, while an emotion, suggests a sense of intellectual distance, and perhaps superiority (Roberts 1988). This draws from the superiority theory initially attributed to Hobbs, and then to Aristotle and Plato, who explore how humour is often adopted aggressively in order to claim or establish status over others (Duncan 1985). Humour has, of course, been used against women by men to ridicule and gaslight their concerns (Stark 2019) and here is used within the feminist movements to undermine the concerns and testimonies of Dalit young women reporting sexual abuse. There is a connection to dominant caste syntax and praxis where gender and caste intersect in humour, for example the ways in which Dalit sensibilities are seen as laughable in mainstream comedy (see for example: Shivaprasad 2020), but the use of amusement by Menon has more in common perhaps with the rational/supercilious/masculine syntax normally associated with white, but also notable in Brahmanical academic scholarship (Shephard 2018).

## The list

Figure 2 about here.

In contrast to the writers of the letter, the responses of those supporting the list are more overtly emotional, including words such as ‘appalled’, ‘regret’, ‘anger’ and ‘disappointment’.

@I had to eat my experience (Prabha, Kafila 2017a)



Fig. 2 Word Cloud—Responses to the letter by supporters of the list

@Do you realise many of you taught many of us our first lessons of feminist theory and praxis? I personally know for a fact that some of you who've signed this letter regularly gaslight your students. (hunting witch, Kafila 2017a)

@Thanks for traumatising me – (Raya, Kafila 2017b).

The supporters of the list clearly articulated how they felt powerless in comparison to the writers of the letter. The latter were seen as feminist theorists, teachers and leaders, and the former as students (both literally and metaphorically). They also expressed the disappointment and rage felt by the latter. The term 'gaslight' is linked with domestic and other forms of abuse, where women's experiences are often ignored, minimised or laughed at (Stark 2019) by abusers, with victims doubting their own lived experiences. Prabha and Raya refer to trauma, particularly powerfully through the expression of "eating" or internalising the experience of abuse. There is a recognition of a sense of hermeneutic injustice and a rejection of the 'gaslighting' through the act of recognition. The underlying message is the emotion of feeling 'disappointed' as a result of being 'patronised' (see Fig. 2) by the well-known feminists writing the letter. The writers of the letter articulate this as generational conflict – older and more established feminists undermining the views of younger and less experienced feminists – which also speaks to the larger question of where power is located within the feminist movements, and whose voice matters. Generational conflict in families particularly in India rest on assertions of rationality, respect and age, where older people are implicitly seen as wiser, and worthy of respect (Kakar and Kakar 2007). Unlike intergenerational conflict in families (Szydlik 2008), generational conflict in feminist movements are often ignored or dismissed, as Menon's response (Kafila 2017b) does, thus creating more conflict.

### Drawing on Lived Experience

Both the writers of the list and the letter draw on lived experience. The creators of the list challenge the view that there is a hierarchy of suffering, and abuse, and suggest that *all* abuse needs to be treated as equally important. Further, they posit that the call made somewhat obliquely in the letter, and more overtly in Menon's response, to provide more details of the abuse, is, in itself, problematic. While the letter does not mention a hierarchy of abuse, the reference to "unsubstantiated accusations", and subsequent clarifications by Menon, suggest that the authors of the letter were requesting details about the abuse:

@In an atmosphere in which Indian courts are increasingly referring to 'false' complaints of domestic violence, and 'misuse' of rape laws, it is incumbent upon feminists to establish to the extent possible, *context and explanation* around our claims of sexual harassment (Kafila 2017a, emphasis in original).

The supporters of the list believed that this call for context was tantamount to not believing the anonymised testimonies of the victims:

@It is sad that experience does not qualify as a valid fact (Ritesh Dhar Dubey, Kafila 2017a).

@ ...people are within their right to discredit the list and call it false despite mounting public testimonies from survivors but they may not harass any of us to reveal details for their own lascivious entertainment. Some folks claimed that it is unfair to clump all alleged harassers together because some of them may have harassed 'less' than the rest. Rape culture is when people grade your trauma. There is no such thing as sexual harassment lite™. If an act falls within the scope of sexual harassment, then it's sexual harassment. Period. (Sarkar, Kafila 2017b)

The two statements by the supporters of the list above make a strong claim to feminist beliefs that victims of sexual harassment need to be believed, and that creating a hierarchy of abuse feeds into rape culture (Kelly 1988). Sarkar's critique resonates with feminist critiques of grading different forms of (particularly) sexual abuse into categories. For example, Liz Kelly's pioneering work on the continuum of sexual violence (1988) suggests that seemingly 'everyday' acts of sexual abuse can have profound impacts on women and girls. Kelly argues that it is important to recognise that "forms of sexual violence shade into one another at certain points" and that how women define their experiences of sexual violence "varies, both between women and over time for any individual woman" (Kelly 1988, 67), and therefore creating a hierarchy of abuse in terms of seriousness or impact can be counterproductive. Instead, she suggests that even 'trivial' acts can have a deep and long lasting impact and they all contribute to normalising gender based violence and abuse.

Interestingly, the authors of the letter also draw on their personal experiences of supporting victims of sexual harassment, and this becomes a call to legitimise their position in the discussion as feminist actors:

@I am saddened that in the blink of an eye and a click of the mouse, those of us who have lost skin in innumerable battles supporting survivors against "men of our own ideology/politics/milieu", who are the usual suspects supporting every such complainant and facing vicious hostility for so doing, are being pilloried and mocked on social media as "establishment feminists protecting their own" (Krishnan 2017).

@And just to remind ourselves that people who have signed this letter have often stood by complainants against our friends and colleagues, and have been branded and attacked for it, sometimes from "our own side", as we are now (Menon, Kafila 2017b)

### **Calls to justice: Epistemic injustice and Challenges to Procedural Justice**

As noted above, the letter makes pleas to procedural justice in the context of sexual harassment committees in universities, but the evidence suggests that these procedures are problematic (see for example: Aina-Pelemo and Kulshrestha 2018; Arora and Sarkar 2022). The creators and supporters of the list make a conscious claim to

the inherent epistemic injustice in asking for evidence, and suggest that the institutional committees serve as repositories of unresolved trauma:

@I have been abused by a person, named the person only to be abused even more by others who asked for evidence (Prabha K, Kafila 2017b).

@Does it not occur to you that the unfairness and injustice of the system has short changed the experiences of the survivors and rendered them remediless and forced them to stay in the campuses where they have to face against the clinching requirement of evidence and the obstacle of due process (Ritish Dhar Dubey, Kafila 2017a)

The statements above testify to the structural issues that plague survivors and victims of sexual abuse. There is a body of work that addresses this in the context of the criminal justice system, for example, the high rate of attrition in rape cases from reporting to conviction (Lovett and Kelly 2009; Clark 2015), and the retraumatization of women and girls in rape cases, starting from the process of police inquiry to the court process, including cross examination (Baxi 2014). There is little research on the problems of providing evidence in university sexual harassment committees, but the testimonies above point to the culture of disbelief. Menon made a considered distinction in her response to the letter (Kafila 2017b) regarding the differences between legal remedies and the "due process" mentioned in the letter, which she suggests refer to sexual harassment committees, the establishment of which she rightly links to feminist activism following from the Bhanwari rape case (see footnote 3 above). However, interviews with activists from the feminist movements (see Gangoli et al. 2020) have revealed that these committees were not free from pitfalls, and the procedures followed were often arbitrary and judgements reached were based on subjective judgements about the complainants, and sometimes reflected rape myths. There is a general lack of trust about the sexual harassment committees. This is reflected in very low reporting to these committees (Dasgupta and Mukherjee 2020). Alka Mehta, a university lecturer alluded to the pervasive nature of sexual harassment in Indian universities:

Some men refuse to understand that sometimes women say yes when they mean no, especially because women are trained never to say no. If women say no, they are ignored anyway. Most, I would say 99.9% of sexual harassment cases don't come forward, women and girls are just too scared (Alka Mehta, university lecturer, interviewed 22.10.2018).

My interviews with activists revealed substantial unease about the committees, ranging from increased pressure on feminists to join (the committees are mandated to include voluntary sector representatives), to the lack of employee understanding of feminist norms. This can include a lack of reflection on power relationships between the parties concerned, including dynamics of age, gender, staff and student status.

Some cases that come forward are relationship rapes, sometimes it is cases of male lecturers making promises to women students that they will get good grades in return for sex. Are these [cases of] sexual harassment? Are these

consensual? Is it abuse, or is it rape? There is a relationship between the man and the woman, but there is [also] a clear power dynamic, but this is ignored by the committee (Rukmini Venkat, university administrator and member of a sexual harassment committee, interviewed on 25.10.2018).

In this context, the public and unregulated nature of the online #metoo movement as manifested in the list may offer a way out for survivors of sexual abuse to find a voice. There is much evidence that survivors rightly mistrust 'due process', whether it takes the form of criminal justice, or of university structures. However, there have equally been reservations expressed about what the list can achieve in terms of resolution, as seen in the excerpt from a Facebook page of a young women in 2019:

As much as I am all support for the women who've spoken up, I am also very scared because I can see a pattern repeating itself here. As much as naming and shaming is great - there is never any follow-up action. Women are put through ordeals to re-live their trauma and share gritty details to the world and then left at that. Women speak up to be heard, to be understood, but more importantly, for something to be finally done about it. Institutes and 'due processes' have constantly failed us, and maybe, all these women speaking up on their counts of assault will lead nowhere, once again. Inaction with knowledge, is perhaps the strongest kind of action. It essentially tells women what the Brett Kavanaugh confirmation to Supreme court did. It tells women, "We hear you. We believe you. But we just don't care." (Mukherjee 2019).

This powerful statement speaks to the role of doubt and uncertainty as other "ugly feelings" that Ngai (2005) refers to – to what extent do procedures lead to a sense of closure, if not justice, and can the list offer this, even fleetingly?

## Reflections and Conclusions

This article brings to the fore the importance of emotion in social movements, and in the ways in which intergenerational solidarity in feminist movements can often be challenged by the differential and unacknowledged ways in which feminists express emotions. As noted above, both groups of feminists (the supporters of the list and the letter) express emotions in different ways, with the authors of the letter having a more overtly rational approach, and the supporters of the list having an expressly emotional, approach. What is interesting in this debate is that the authors of the letters draw and are given legitimacy both as academic and feminist leaders and draw on this intersectional power to assert their authority. This speaks to articulations of generational conflict in India which are based on ideas of older/more experienced people being implicitly wiser, more rational and more, and projected as more authoritative than younger people. The voices of the less experienced and younger feminists are therefore seen as less legitimate. There is also unacknowledged caste privilege – the voice of upper caste thinkers have always been associated in the Indian context with wisdom, as seen above.

To me, the key issue that the list and the responses to the letter implicitly raises is not so much what it achieves in terms of procedural justice, but that women are able to name and shame their abusers in a public forum that allows their identity to be concealed. There is also an either/or dichotomy articulated in the Kafila letter – some survivors had added their names and accounts to the list, and simultaneously followed “due process”, others had chosen not to. To dismiss the claims of those who did not follow “due process” as unsubstantiated reflects a form of survivor bias (Elton, Gruber, and Blake, 1996) where only the claims of those who report are seen as seen as valid, and denies the validity of certain emotional responses to the issue. However, it is clear from the online and interview data that university or other procedures do not provide closure or comfort to the survivors, rather that they exacerbate a sense of trauma. The “due process” in a sense is based on an inherent lack of trust of the survivor, and implicitly a form of epistemic injustice.

In this context, I suggest that anonymous and online reporting is a form of active resistance and that it can and does provide a cathartic experience of speaking out for victims. The list is a form of ‘speaking truth to power’, where the voices of the victims are prioritised over the voices of the perpetrator. The list also implicitly questions patriarchal norms that priorities particular forms of ‘evidence’ and ‘process’ over the testimonies of victim/survivors, and challenges and subvert conventional ways of complaining (Ahmed 2021), where procedures add another layer of epistemic injustice to the experiences of victims/survivors. This list and the responses to the letter become a form of resistance against epistemic injustice posed by “due process”. Resistance comes from a recognition of the problem, and naming what has happened as abuse, and in challenging the limits of procedural justice.

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