



Naming and shaming or ‘speaking truth to power’? On the ambivalences of the Indian ‘list of sexual harassers in academia’ (LoSHA)

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abstract

This paper analyzes the appearance and circulation of an anonymously crowd-sourced list of names of alleged sexual harassers in Indian left-wing academia (referred to as LoSHA). Publicized by former law student Raya Sarkar, LoSHA has led to widespread discussions on feminist strategies of exposing sexual violence and is said to have divided feminists across the country. Instead of assessing the magnitude of the problem of sexual violence, discussions centred more on the ethics of the list and its aim to ‘name and shame’. The paper attempts to answer the question, whether there is legitimacy in what has mostly been dismissed as ‘naming and shaming’ through the lens of Michel Foucault’s concept of *parrhesia*. Understanding Sarkar as a whistleblower and LoSHA as an act of *parrhesia* situates the moment within the *agora* of a transnational feminist *#metoo* movement just as it allows for a reading of LoSHA as an attempt to alter the ‘truth games’ within the organization of Indian academia. Through this framework, LoSHA becomes a way of addressing ubiquitous cultures of sexual violence, for which there seems to be a lack of language.

Introduction

In the wake of the Harvey Weinstein takedown and the following popularity of the *#metoo* campaign, numerous women*¹ have spoken up, sharing their

1 The asterisk behind gendered ascriptions refers to umbrella terms, which may include those normatively excluded from these terms. In this sense, women* (with the asterisk) includes not only those with biologically female genders, but broadens the term, to include queer perspectives and voices. Here, this acknowledges that,

experiences of sexual harassment in the workplace (Davis and Zarkov, 2018; Khomami, 2017). Increasingly, this has also taken on the form of popular listicles – lists that point out certain items or names to be circulated within the digital. One example is the ‘Shitty Media Men’ list, which anonymously called out specific names as men who work in the liberal left wing media metropolis of New York, but whose political and intellectual work does not translate into their personal politics, men who have trespassed against co-workers on a sexual basis of some form (Quinlan, 2018). These lists have also travelled to more mundane circles, where writers such as Christine Fair (2017) have named and asked to name harassers in academia. The Internet has been a catapulting factor, connecting discourses across the globe and allowing for forms of exposure and accusations to travel, giving testimony to the vast and transnational extent of sexualized harassment and violence.

Particularly in response to the Harvey Weinstein affair, Rose McGowan has been called a ‘feminist whistleblowing badass’ (Vincent, 2017) as one of the first people to go public with her accusations. This is the first time that the two notions, ‘feminism’ and ‘whistleblowing’, have come together to resonate within a transnational audience in such a prominent way. What is there to gain from such ascriptions, or rather: why were they not put together before? Is it possible for feminists to be whistleblowers when the accused is not ruthless like Weinstein, or when the accusees are not white Americans earning superstar salaries? Or are lists naming harassers nothing more but vapid strategies of shaming so inherent to the digital? The following article aims to analyze such lists as a modality of blowing the whistle on pervasive cultures of sexual violence within the organizational infrastructures of academia. It will do so through a specific moment in the South Asian #metoo movement, the leaking of Raya Sarkar’s List of Sexual Harassment in Academia (LoSHA) – or the ‘List of Naming and Shaming’, as critics have referred to it. Although at first whistleblowing – much like #metoo – seems to be a phenomenon of the West, digital infrastructures allow for a transnationalization of activism, which makes forms such as the LoSHA list travel within online spaces that have little regard for copyright or origin stories (Nayar, 2010). Nonetheless, the ‘global’ character of the list has also been a vulnerable point, as its ‘globality’ became a point of critique within the public discourse of the largest post-colony.

The article sets out to analyze the form of institutionalized critique these lists have to offer, and how such lists can be framed as a *parrhesiastic* ‘speaking truth to power’ (Foucault, 2001). I want to contextualize the resistance to seeing

while a large majority of those speaking out were women, not all confessions necessarily came from heterosexual perspectives or cis-gendered voices.

LoSHA as 'truth' by discussing the ethical tightrope walk that is an inherent part of whistleblowing (e.g. Nayar, 2010), so as to reframe the supposed lack of nuance within LoSHA as a *parrhesiastic* critique of pervasive cultures of sexual violence. Assessing Sarkar's list along the delineations of whistleblowing, and connecting it to Michel Foucault's notion of *parrhesia*, or 'speaking truth to power' (Foucault, 2001), will help to categorize the list as institutional critique and contextualize some of the discomfort that overshadowed the political drive of India's most prominent *#metoo* moment. More so, it will validate LoSHA's argument as an infrastructural one, where the power that the list speaks truth to never resides only in individuals, but is 'everywhere' and embodied in 'games of truth' (Foucault, 1997) that are genealogical and therefore not rigidly unchangeable. Through the concept of *parrhesia*, LoSHA can be read beyond a framework of 'naming and shaming' and as a form of critique that sets out to engage and alter the local contexts of Indian academia precisely through connecting to international discourses such as *#metoo*. Rather than assessing whether names being put on the list are justified, *parrhesia* allows for it to be read as testimony to cultures of violence that have allowed for such contents to stay an open secret, while women's* voices are reduced to whispers and gossip.

The paper will first engage with the way *#metoo* has travelled and found urgency within the Indian context. This lays down the basis for an understanding of the way such movements travel across national boundaries, but are adapted to and confronted with situated and specific terms within each context. In a second step, the article proceeds to differentiate between whistleblowing and *parrhesia*, proceeding to then explore the concept of a digital and networked *parrhesia*. This latter concept will then go on to serve as an entry point into the analysis of LoSHA as *parrhesia*, where I discuss the potentials of the preceding theoretical work through the example of the leaked LoSHA list and its consequences. To explore the reactions to such digital forms of *parrhesia* in other contexts, I draw on a second example, which has also been read in line with the theoretical work presented here. Juxtaposing the much discussed WikiLeaks disclosures as a prime incident of whistleblowing with the LoSHA accusations, the article then turns to question the terms and conditions which allow for a person to be recognized as a whistleblower/*parrhesiastes* and hence be considered worthy of protection.

No country for *#metoo*?

In a country, where only a quarter of its population are going online on a regular basis, the virality of *#metoo* did not catch on with as much vehemence at first, as it did in the West. While Bollywood and the Telugu film industry had begun to

be scrutinized under aspects of institutionalized sexism and harassment, the hashtag did not immediately wash over into more mundane circles with the same compelling omnipresence it demanded elsewhere. As most Indian women do not have private nor regular access to digital and social media, it was mainly the well-educated computer or smartphone owning (and predominantly English-speaking) upper- and middle-class urban minority that was able to take part in the mass disclosures. LoSHA may have been the first incident identified to be directly in line with *#metoo*, as it was rumored to be an immediate response to an article by Christine Fair, which was deleted off of the Huffington Post website (Chadha, 2017). The controversial article named a renowned Indian academic as one of many sexual predators that led to Fair leaving academia (Fair, 2017). Poignantly titled *#HimToo – a reckoning*, the piece seemed to follow a thrust already present within then budding *#metoo* conversations – that it was time to turn to the perpetrators instead of constructing women as passive victims of crimes without origin. About a year later, in late 2018, *#metoo* has flared up again in India and at the time of writing the hashtag has become a central node around which feminist discussion and action is now organizing – feminist sexual health activists, legal advisors and social media users are now all including *#metoo* and even LoSHA in their work.

Even as there seems to be a ‘belated’ arrival of *#metoo* in the country, LoSHA is not a singular or even the first event within India that marks what is now often referred to as digital feminism. Long before *#metoo* went viral in the West, a number of feminist groups were using social media and digital infrastructures to speak out. *Blank Noise* has been constantly looking for new ways to say ‘#INeverAskForIt’ by telling stories and posting photos online in a virtual ‘slut walk’. *Pinjra Tod* hopes to break down sexist hostel rules at universities by gathering students and disseminating information via *Instagram*. The viral *Kiss of love* campaign protested against the policing of interfaith relationships by publishing pictures of couples kissing in public online. There is a history of digital feminism in India, which has been asking for more nuanced and more diverse conversations on sexual violence for over a decade. All of these protests seem to be speaking their ‘truths’ into the supposedly vapid infrastructures of social media, and have been linked to *#metoo* after the fact (Kurian, 2018). However, the disclosures of *#metoo* and of LoSHA in particular seem to go beyond these activist measures of consciousness raising. Contextualized through literature on whistleblowing, the list becomes the infrastructure for institutional critique, involving *parrhesiastic* forms of ‘truth-telling’. In this frame, its aim becomes nothing less than to change the ‘game of truth’ within the institutional infrastructures of the university (cf. Weiskopf and Tobias-Miersch, 2016). Through the logics of *parrhesia*, LoSHA addresses both the local university institutions, critiquing the way they have failed (especially Dalit and especially

non-male) students, as well as a global public space within which the names on the list, but also structural gendered violence can still freely proliferate.

Whistleblowing and *parrhesia*

Whistleblowing and *parrhesia* have been invoked almost interchangeably above, but this is not to say that the concepts simply translate into each other. Following Weiskopf and Tobias-Miersch (2016), I understand *parrhesia* as a possible, but not necessary part of whistleblowing, and whistleblowing as an organizational form of critique within institutionalized contexts (*ibid.*). Michel Foucault, who has analyzed the role of *parrhesia* in ancient Greece, identifies it as 'fearless speech' (Foucault, 2001), where the *parrhesiastes* speaks their truth before a political assembly, at the speaker's own peril. Foucault understands the *parrhesia* as a 'truth-teller', exploring truth as societal critique that exposes hushed secrets, which are detrimental to society (*ibid.*). The subject is not forced to expose such truth, but does so out of their free will and with full conscience of the danger involved in doing so.

Similarly, the whistleblower is described as an ethical figure that often acts alone and out of moral conscience, which is why institutions founded to protect whistleblowers offer infrastructural support to potential and actual whistleblowers (Weiskopf and Tobias-Miersch, 2016). India received its own Whistleblowers Protection Act in 2011, under which future leakers might receive protection, or could find validation, should incidents such as LoSHA be understood as whistleblowing in future. Through the act, whistleblowers can theoretically be provided with adequate safeguards against victimization and harassment, however, it has been said that in reality, these forms of protection are not easily fulfilled. While contemporary forms of whistleblowing are seen with more ambivalence than the noble *parrhesia* of ancient Greece, the *parrhesiastic* quality of whistleblowing is present when it allows for 'a modification or reinvention of truth-telling in the particular context of modern organizations, where truth-telling is linked to modern forms of governmentality and related to formal obligations associated with membership in organizations' (*ibid.*: 1626).

Like whistleblowing, *parrhesia* does not describe the articulation of an incontestable or absolute truth, but rather produces truth as a relational category that sets itself apart from what is generally believed within a certain context and for what is believed to be the 'greater good' (Foucault, 2001). Moreover, *parrhesia* is involved in changing the narrative of what is deemed to be true, how this truth comes about and how it is dealt with. While Foucault identifies several layers of

‘speaking truth to power’, more recent literature has attempted to contextualize *parrhesia* within digital terms, as online mass disclosures such as the infamous WikiLeaks case have altered the dimensions of outreach and control over ‘truth’ and eradicated the notion of a singular truth-teller (Munro, 2017). Following Munro and Nayar, I want to therefore suggest reading LoSHA as an instance of ‘digital’ (Nayar, 2010) and ‘networked’ (Munro, 2017) *parrhesia*. In both of these readings, *parrhesia* involves the attempt to alter the ‘set of rules by which truth is produced’, what Foucault calls ‘truth games’ (Foucault, 1997), and can be considered a form of critique, not only on a content level, but as infrastructural critique that also disrupts the way things are done on a networked and organizational scale. When whistleblowing is *parrhesiastic*, it then not only critiques the working ways of an organizational context, but disrupts the status quo in a way that the entire regimes of what was known and how things are done are put to question. Hence, both authors understand the distinct quality of a digital or networked *parrhesia* to lie not only within speaking truth, but also in altering the forms in which truth can be spoken, without the necessity of a singular truth-teller (Munro, 2017; Nayar, 2010). Digital infrastructures have created the possibility for a new politics of truth that affects a ‘globalization of conscience’ (Nayar, 2010: 28), which allows for categories of and discourse on injustice to travel and function across location. In this way, the transnational quality of the #metoo movement is vital to an understanding of LoSHA’s valence and credibility. In addition, the networked quality of this *parrhesia* serves to ‘reduce the risk for others to speak truth to power’, as networked times allow for a more relational approach to truth-telling (Munro, 2017: 529).

LoSHA has pointed to the extent and ephemerality of occasions of gendered violence too subtle to handle through existing processes of natural justice, disrupting the possibility of conducting ‘business as usual’ and inserting the local problematic into a global movement. Speaking ‘from below’ to a condition of power that is ‘above’ them (cf. Foucault, 2001: 17), the subjects revealing these truths are therefore vulnerable to repercussions by those they are criticizing. In this way, they speak from a position of utmost precarity, which, according to Foucault, underlines the truth-value of the condition they speak of:

...if there is a kind of “proof” of the sincerity of the *parrhesiastes*, it is his [sic] courage. The fact that a speaker says something dangerous – different from what the majority believes – is a strong indication that he is a *parrhesiastes*. ... do not use brackets in such instances, just three dots – check throughout *Parrhesia*, then, is linked to courage in the face of danger: it demands the courage to speak the truth in spite of some danger. (2001: 15)

While whistleblowing is tied to the subject that tells truth, I invoke *parrhesia* here to include LoSHA as an ‘infrastructure’ of truth-telling (Munro, 2017).

Understood in this way, it then provides a networked quality to truth-telling, where the risk is considerably reduced for other truth-tellers behind the crowd-sourced list, as they may remain anonymous. As Sarkar is the leaker and hence the proxy of the list, they² can be understood in terms of the figure of the whistleblower. *Parrhesia*, however, extends the notion of 'truth' to include the regimes and decisions on the way things are done beyond individuals and on a structural level. In case of the quote above, the way critique and resistance is formulated can hence be telling of whether the speaker is sincerely speaking their 'truth', but the infrastructural notion of a digital or networked *parrhesia* suggests that there is more at stake than the mere content of the leaked information. If we assume *parrhesia* to be inserting a gap into the dominant narrative, its manifestation also simultaneously produces the risk of its eradication (Nayar, 2010). This means that it is the infrastructure of truth telling itself, produced through *parrhesia*, which is simultaneously at risk through the same speech-act that it is brought forth in, because of *parrhesia's* destabilizing effect.

LoSHA's 'game of truth'

LoSHA was first posted on Facebook, naming around 70 renowned South-Asian academics as perpetrators of sexual misconduct in varying degrees. The list was formatted into a Google Doc spreadsheet, with information varying widely with regards to the number of allegations, descriptions of alleged violations and resolutions undertaken. Often, names of alleged perpetrators were produced as almost standalones, with not much more than the number of alleged accusers to their name. Sarkar, who revealed themselves to be the proxy administering the list, stated that they had proof of every incident and only included listings by trustworthy and/or verifiable sources and repeated first person accounts, thereby following what could be called an unwritten rule of feminism to always first believe the victim who reports assault. While Sarkar kept all third-party information, such as messages, emails and screenshots private, they shared some incidents regarding Sarkar themselves on their Facebook profile, possibly, to gain credibility, without harming those who wanted to remain anonymous. They stated that other information was kept confidential to protect victims, who feared being identifiable through the circumstances of their harassment – subsequent to which they would be vulnerable to further harassment and pressure to retract their statements (Shankar and Sarkar, 2017). I read these partial revelations as an attempt to set new rules for the 'game of truth' that the *parrhesiastic* act is trying to alter, as Sarkar was willing to give up some context – involving the self and

2 Sarkar prefers indefinite pronouns and refers to themselves as 'they'.

their own vulnerability – in order to protect the other anonymous contributors. In this way, even though Sarkar does not only speak *their* truth, as the *parrhesia* of ancient Greece would have, the infrastructural quality of networked or digital *parrhesia* suggests a collective truth game (Nayar, 2010: 29). Anonymity for the victims alleviated the fear of facing repercussions at work, at the time of posting and in future. As the contributors were said to be mostly students just starting out in their academic careers, Sarkar argued that there needed to be a system of trust to allow for disclosures to happen without repercussions. Entrusting Sarkar to tell their stories without exposing their identities was therefore not a volatile exercise; a fact, which Sarkar claimed to be enough to give LoSHA the needed weight and urgency (Shankar and Sarkar, 2017). Its constitution as a digital object released on Facebook made the list into a viral sensation, easy to share and almost impossible to ignore, with political voices across the spectrum feeling the need to comment and position themselves as either ally or adversary to Sarkar and LoSHA.

As is often the case with social media, resistance towards what was considered to be ‘naming and shaming’ was almost immediate. Perhaps surprisingly, vehement critique came especially from those feminists who had fought over decades for better mechanisms of denouncing and prosecuting sexual harassment. Dominantly, there seemed to be the worry that LoSHA would dismantle precisely these mechanisms, instead of working at improving them, as a statement written by Nivedita Menon and signed by 11 other prominent feminists explained (Menon, 2017a). The statement suggested there could be flaws in evaluating certain cases as harassment; unfair accusations could be made against innocents, since lack of proof made it impossible for outsiders to evaluate the circumstances, even more so, as often the incidents themselves were not disclosed in detail. The way LoSHA was set up, the statement argued, led to different degrees of harassment to be lumped together without nuance, as descriptions and resolutions were left blank – even for people already found guilty of severe misconduct through institutional mechanisms. Feminists and leftist intellectuals saw the danger of enabling right-wing conservatives in their claim ‘that all anti-nationals are sexual predators’ (*ibid.*). Critics also questioned the anonymity of contributors, the lack of context, as well as the format – being put up on Facebook through Sarkar, who was now acting as a proxy and had sole editing power. The digitality of the object seemed to open the gates for an Internet culture which knows only trolling and shame, is flippant in its judgment and produces no real way to move forward politically.

Fearless speech

These responses illustrate the difficulties the supposedly globalizing effects of consciousness such digital movements may have. LoSHA could only appear, because of a globalized moment invoked through *#metoo*, which altered the discursive possibilities for communication on sexual harassment. As the movement was less present in an Indian context, this reference to a transnational *agora* verified the fragility of belonging inherent to such hybrid hashtag publics. After Sarkar took accountability for the list, they received rape and death threats, anonymously solicited via Social Media (Firstpost Staff, 2017). Troublesome inspections into Sarkar's personal life were undertaken, to suggest that they might not be Indian, not Dalit, and had relocated to California, meaning that their status was one of an outsider, unfamiliar with the context, and, above all, with considerably more privilege than most Indian feminists (Chachra, 2017). Inconsistencies in Sarkar's statements were pointed out and it was claimed several times that they were 'mentally unwell', both by those for and against the list (cf. Firstpost Staff, 2017; John, 2018; comments on Menon, 2017b).

In literature on the topic, the attempt to marginalize whistleblowers, frame them as outsiders to the subject of critique, or question their moral and emotional capacity has been referred to as the 'nuts and sluts' strategy (Alford, 2002), where whistleblowers are made out to be mentally ill, unstable and morally questionable. This framing of Sarkar as an outsider can be read as an intricate way of supposing that they may not know what they were talking about:

...discipline works through diagnosis. ... Sometimes diagnosis is bureaucratic. 'That is not your department and hence not your proper concern'. (Alford, 2002: 106)

As the circle of critics consisted mostly of feminists, there was little in the way of framing Sarkar as hypersexual or promiscuous – the 'sluts' part of the strategy, which is always gendered female (Alford, 2002). However, critique took on a paternalistic and dismissive tone, implying that Sarkar and LoSHA supporters had simply not understood feminism correctly and probably did not care enough to go beyond 'finger tip activism' (Menon, 2018). This implies that the Internet is there to vent, and lean back before actual work has been done – a mirror of the moral panic around 'slacktivism' that accompanied the encomia of so-called twitter- and Facebook revolutions in the years before. Such critique of using digital infrastructures is dubious at least, not only because of the yearlong presence of digital feminisms mentioned initially.

While, indeed, it is possible to see lists themselves as networks, as they draw things together and separate these selected things from the rest of informational

infrastructure (Young, 2013) they can certainly be considered spawn of the digital. In this case, however, the critique that the digital lacks context is highly gendered and lack of context could also be a charge the alleged sexual harassers are required to face as they formulate their defense. Not doing so again reveals an unspoken bias that constructs embodied masculinity to go unquestioned, while femininity is sanctioned when it moves beyond its normative frame.

Truth from below

The Internet has become a space that offers opportunities especially for Dalits to speak out, organize, and connect across locations (Nayar, 2011). Speaking as a Dalit and Anti-Caste activist, Sarkar, as well as others, responded to critiques of the list by pointing out that no one would have a problem naming and shaming *Uber* drivers, rickshaw pullers or shopkeepers, who would typically be of lower castes (Gupta and Dangwal, 2017). 'Dalit' is the title given to those formerly known as 'untouchable' and below/outside of the caste system in India. While caste-discrimination has been outlawed for decades and affirmative actions have been put in place for scheduled caste and indigenous – 'tribal' – persons (also summarized under the collective term 'avarna'), these still face increased backlash and real-life discrimination in all areas of work and life. Avarna members of Indian society can generally expect judicial mechanisms to not work in their favor, all the more so if the opposing party consists of members of the upper castes, or 'savarnas', while simultaneously being most prone to becoming victims of crimes that require such forms of redressal (Patil, 2014; Rege, 1998). The pivotal point to LoSHA was precisely that it was not accusing defenseless or poor populations, but high-profile academics with well-paying jobs and institutional backing, some trained in law or well-connected enough to face the claims head on, should any legal action be taken.

The atmosphere of partition, of all or nothing dualisms was amplified by a wave of articles covering the event. On the one side, Sarkar and their supporters were turned into a monolith of younger and inexperienced 'fingertip activists' (Menon, 2018), LoSHA was paralleled with Kafkaesque trials, even a Gulag, where no one knew the charges, with knee jerk reactions and lacking regard and respect for the legacies younger feminists had inherited (Menon, 2017b) Sarkar was accused of ignoring infrastructures that feminists had taken decades of hard work to build and replacing them with vigilantism and revenge. This despite the fact that there had never been feminist unity and even now, the divide was not generational, for there were young feminists opposing the list, just as older feminists were speaking out in its favor. The digital object, made for circulation, was able to have a reach beyond Sarkar's own circle of friends, and, in its public form, could

address young students, even if they were not within the arguably elite group that initiated the event. According to Sarkar, it was also what allowed for them to speak from the relative safety of a position 'outside' of the context. Attempts to name perpetrators on a large scale were also nothing new and had been implemented in India to effect a reversal of the burden of proof from victim to perpetrator as far back as the 1980s (Bhandaram, 2017).

On the other hand, those opposed to LoSHA became patronizing 'auntie-feminists' (Das, 2017), who were old-fashioned and conservatively fetishized state mechanisms (cf. Menon, 2017b; especially in the comment section). These voices continuously insisted that due process was not an option, as these infrastructures had been largely inaccessible and had failed especially Ambedkarites (those who reject Hinduism and the caste system) and avarnas in the past, and would continue to do so (Kappal, 2017; *The Ladies Finger*, 2018). For many, the Internal Complaints Committees (ICC) and Gender Sensitization Committees Against Sexual Harassment (GSCASH) at Indian Universities have more potential than filing a police report. Still, they mostly do not include representatives from all marginalized communities and create a heterosexual and upper caste matrix, putting avarnas at a disadvantage. Taking into consideration a dominant discriminatory stereotype, which frames Dalits as hypersexual and constantly available, especially to upper castes (Paik, 2014; Still, 2017), the question is, how sensitive these committees can really be. Furthermore, students experiencing discomfort with the actions of professors rarely report, especially when they do not evaluate the behavior as hard harassment (Das, 2017). Due process mechanisms are difficult enough to navigate as a student or person just starting out in their academic career, as accusations of false allegations, backlash by perpetrators or their peer groups and refusal to work with accusers in future are only some of the repercussions any person naming their assaulters may face. However, the perseverance of caste-discrimination, coupled with the preponderance of upper-caste women on gender sensitivity committees, makes the mechanisms of due process and natural justice almost inaccessible to everyone at the lower end of the social hierarchy (Gupta and Dangwal, 2017).

In this particular case, due to the relatively small circle of left-wing academics in India, the individuals on these committees were also bound to have personal relationships of some kind with those that now have had to withstand accusations on LoSHA, which suggests further conflict for those who would want to report. The question is, how valuable due process may have been at this point of the LoSHA revelations, how willing the committees might be to have a close look at one of their own, and how adequate the repercussions would be, should all of these steps even be taken. Validating LoSHA's claim is the instance of at least one of those named on the list having been found guilty through the due

process mechanisms of Ambedkar University in Delhi. However, at the time of writing, no repercussions have been laid upon him as Gender Sensitivity Committees mostly formulate mere suggestions and the accused has expressed intention to appeal, prolonging his declaration of innocence within ambivalent conditions. Under these circumstances, taking LoSHA seriously as *parrhesia* would not mean to propose it as an alternative to natural justice, but to suggest that it could exist in parallel for those with marginalized access to due process mechanisms, support their claims, or give voice to those wanting mere acknowledgement of trespasses against them.

The numerous flaws in processes of natural justice within Indian academia were not new revelations, and yet, they made for little lenience on the part of critics of LoSHA. In an unfortunate move, the statement by renowned feminists pejoratively explained that caste should not be relevant in these cases, sounding to some regrettably reminiscent of a caste-based version of ‘all lives matter’ (Menon, 2017b). Critics of the list have been unable to acknowledge the powerful status they hold as opposed to the younger and less well-connected accusers, claiming that their power is limited and referring to the various struggles they themselves have had to face in institutions, with colleagues and friends (Gopinathan, 2017). The statement produced on the feminist website *Kafila* unwittingly underlined the disparity between Dalits and Savarnas, between professors and students, between ‘established feminists’ and those just finding their bearings. While Savarnas had their own publishing space, the Dalit students had Facebook. While the *Kafila* statement could claim the support of ‘the wider feminist community’ (Menon, 2017a), Sarkar had to behave a certain way to receive it. While Savarna students could theoretically hide behind the anonymity of the list, it was a Dalit who became its proxy and faced its backlash. The resistance to LoSHA can be read as a resistance to its disruption of ‘business as usual’, it attests to LoSHA touching upon a ‘truth’, which radically alters the way the ‘game of truth’ is played.

As has been suggested it is easier to praise Sarkar’s courage and celebrate their agency on an international plane, as it neatly fit into the global celebrations of #metoo. With Foucault, I read the hashtag to have created a global *agora* for this specific event of *parrhesia* to take place (Foucault, 2001; Nayar, 2011). Before the background of an international #metoo movement, the point is that, rather than promoting vigilantism, LoSHA addresses cultures of sexualized violence that are omnipresent even in mundane instances that are easily dismissed. Here, *parrhesia* is the act of speaking the uncomfortable truth – of sexism and misogyny in academia – and the *agora* is the public space in which certain truths come to light. In the case of LoSHA, it is an interconnected digital space that becomes a two-fold *agora*, responding both to the globalization of ‘truth’ on the

pervasiveness of sexual violence, and to the organizational infrastructure of Indian academia and how it is continuing to fail especially its lower caste and marginalized students. Arguably, LoSHA's position is different within each of the spaces, as is the possible outcome of the story – as the Indian intellectual left is in an increasingly precarious position as it is attacked by right wing Hindu-nationalists that make up a large and growing part of the Indian political scene.

Cultures of violence

In an attempt to contextualize the supposed lack of nuance that seemed to be LoSHA's biggest caveat, Sarkar provided a thought-provoking response on their Facebook page, which exemplifies the tension between the international #metoo movement, and local Indian practices:

...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, 2018)

What received predominantly positive responses within a global #metoo moment, was intricately challenged by those holding on to their privilege in the local publics. Here, Sarkar defies the constant inquiries into further details to occurrences that led to names being put on the list, invoking a critique of judicial procedures that often oppose feminist support. In an attempt to regain control of the narrative they stress the necessity of believing the victim, without fetishizing proof and acknowledge the right of victims to have their own scale for the trauma they have had to live through, therefore attesting to cultures of violence rather than singular incidents. In an attempt to change the 'game of truth', LoSHA renounces the constant necessity for women to perform victimhood and the sadistic pleasure that lies in repeating the powerful gaze upon those bodies, reiterating their victim-status and thereby confining their agency to that of performing pain.

LoSHA as infrastructure and *parrhesia* then cannot produce false content, as it merely addresses problematic discursive cultures, and critique of infrastructure would require the provision of better infrastructures for such revelations. In this lies LoSHA's most valuable contribution, that it changes the modalities of speaking about sexual violence. It rejects the onus of leveling patriarchal power structures to be on women* and, in pointing fingers, also points to those that may have failed young intellectuals the most: left-wing intellectual men*, who

give young women* the seductive illusion of importance when they engage in overbearing flirtation under the guise of flat hierarchies. This careless and selfish indulgence in young student's admiration may not be hard sexual harassment, but is nonetheless a violent and painful blow to young intellectuals already stricken by insecurities, and partakes in proliferating cultures of misogyny. This may be considered a lack of nuance, but the last years of feminist labor have constantly shown how everyday sexism and derogatory speech are connected with larger infrastructures, which allow sexual violence and structural misogyny to proliferate (e.g. Bates, 2014).

LoSHA justifies its flawed-ness by pointing towards the eternal flaws in the way that sexual harassment has been dealt with in the past. The regrettable truth LoSHA tells is that due process will never result in justice for all, also because the varying degrees of sexual misconduct do not fall in a simple yes/no dualism of what can be called consent. Rather, as sexual violence happens on a spectrum, LoSHA addresses a possibility of going beyond the judicial and into more transformative discourses that recognize the pervasiveness of unquestioned hierarchies that make such behavior possible. This may mark another turning point, as debates on sexual violence within feminist circles in India often reference precedent law, and hence turn to the past rather to a more open future on sexual violence discourse. Indeed, a number of incidents on LoSHA may not necessarily invoke a guilty plea even in front of a 'feminist' judge, simply because the law does not account for the seductive nature of a relationship with someone hierarchically 'above' you, or judicially non-violent yet patronizing – and hence still violent – acts of belittlement through sexual innuendo.

Speaking truth to power

In the previous section I have read the resistance towards LoSHA as a resistance towards an attempt to change the 'game of truth'. To illustrate and contextualize the reactions to the pitfalls of naming and shaming versus the exposure of a systemic truth, I want to engage with an example from more recognized whistleblowers, the WikiLeaks project. In an eponymous article, Pramod Nayar describes WikiLeaks as 'the new information cultures and digital *parrhesia*' (Nayar, 2010). Expanding on the Foucauldian concept, the digital *parrhesia* focuses on the cultures of truth telling, rather than the individual truth teller. Here, Nayar explores the Abu Ghraib torture scandal and the WikiLeaks archive documenting the torture crimes of the soldiers and commanding officers. He describes the tightrope walk of WikiLeaks activists, constantly open to charges of being unethical, 'especially when their disclosures affect powerful state and corporate interests' (*ibid.*). Notably, Nayar's analysis of the documents does not

produce the soldiers England and Graner as the sole perpetrators of inhumane torture, but shows how WikiLeaks address the infrastructural situation that needs to be critiqued:

...records on/at WL must be seen not as individual instances but as embodiments of institutional politics and power games. In other words, we need to treat the documents in the archive not as illuminating the perversions of one soldier in Iraq or Abu Ghraib: they must be evaluated as synecdochic of a culture where such acts of atrocity were made possible, and even legitimised. (2010: 28-29)

Raya Sarkar's Facebook post quoted above allows for a similar reading of LoSHA. In that *parrhesiastic* sense, the names on the list give testimony to a problem of sexual violence, which is so nuanced and yet so pervasive, that there is no other language for it than that of accusatory 'naming and shaming'. In the small world of Indian left-wing Academia, LoSHA could be speaking to the small-scale equivalent of the powerful state and corporate interests Nayar mentions above. Instead of ranking how guilty the persons named on LoSHA are with regards to sexual harassment; instead of evaluating one act of encroachment as worse than another; the number of entries as well as the names of prominent leftist professors should be seen as pointing towards a culture of sexual violence, which *even they* partake in. It is a culture that feminism has of yet failed to address and think about anew in depth and coherence, especially in light of dominant 'pro-sex' attitudes and performative flat hierarchies often practiced within academic spaces (John, 2018).

LoSHA's act of *parrhesia* then does not predominantly consist of successfully bringing down any of the names on LoSHA – its aim is not to attest to whether or not these names are 'truthfully' there, but lies rather in disclosing complicated and hushed cultures of sexual violence and the belittlement or objectification of women*, the conditions, which make their bodies accessible to men*, and whose complaints are turned into whispers or gossip, just as the perpetrators – unscathed – go on to gain international traction and profit from the accessibility to women's bodies and minds. Indeed, this argument can be taken even further in directly quoting Nayar once more, but replacing the names of whistleblowers Manning and Assange with that of Raya Sarkar and WL (WikiLeaks) with LoSHA. Nayar writes:

...to see Assange or Manning as individual heroes is to miss the point. If the public space has to possess a certain morality – of giving visibility to human rights violations, deprivation, suffering and cruelty (i.e., whistleblowing) and offering the chance for people to voice their dissent and discontent – then it is the rise and dissemination of counter-narratives such as those archived at WL that re-make the space. If public space is the space for different people to tell their stories WL marks the arrival of such a space (2010: 29)

While this may alarm many who are afraid for those wrongfully accused, one should remember that the worry over false accusations is usually something brought forth by men's rights activists (Grether, 2014). The myth of large-scaled false accusations has never been verified in terms of numbers. There may be reason to believe that Google Docs and digital contexts allow for knee-jerk reactions, but it is worth wondering why many seem to believe that these cannot (also) have viable context. It should also be worth remembering that even those who are found guilty of sexual assault, more often than not and especially when in positions of social privilege, walk away with little to no tarnish to their reputations and can go on living their lives and having their careers. The privacy of perpetrators not being shamed therefore does not live up to the lack of privacy for victims, who are not granted the same dignity when judicial need for proof draws out every detail of the act, and personal circumstances are brought forth as evidence against the victim, not the perpetrator.

Reading LoSHA through Foucault's *parresia*, this situation is revealed as a 'game of truth' that has addressed the proliferation of misogyny, which results in a prerogative to deflect that is reserved for the privileged perpetrators. For at the same time, it has led to victims of sexual harassment having to navigate their work environments to avoid their harassers, refusing work opportunities when predators are involved, and sometimes even changing careers altogether. In Christine Fair's article, she added costly therapy sessions and daily emotional distress to the long-term negative career choices that her harassers in different fields of academia had forced her to make, eventually leading to her leaving each field. It has since been reposted with the author's permission (Fair, 2017) and is one of the few voices that deal with the monetary aspect of sexual violence.

How valid is it, pitting 'less than guilty' but well-off academics with institutional backing and the capacity to prove their supposed innocence against the large number of disenfranchised and discouraged students coming into the field of left-wing intellectualism? Precisely *because* right-wing populism is on the rise (in India and elsewhere), these questions should be revised intensely. It is necessary to think about how little willingness there is to understand sexual harassment and consent, and how inadequate the law can be in numerous cases where sexual coercion comes in all forms and is not always something addressable through due process and yes or no. It is also important to remember that LoSHA has not disabled the mechanisms of due process, proven by the fact that investigations have been made into certain persons listed on LoSHA after its appearance, people who have recently been found guilty through these mechanisms (Sanyal, 2018). As Sarkar herself states:

...if nothing else it serves the purpose of generating a discourse against the hypocrisy in the left-liberal-academic circles. It also gives enough strength to survivors to actually file the complaints now that the names are openly available in public domain, which is why a student of AUD [Ambedkar University Delhi] has filed a complaint against two of her professors at the level of the university. (2017, cited in Gupta and Dangwal, 2017)

Arguing with Foucault, *parrhesia* invokes precisely that idea: that certain 'truths' are presented, so as to critique and discuss greater societal infrastructures and reassess questions of privilege. It is upon the individual – not as an imperative of the law, but as a member of society involved in the 'game of truth' – to decide whether one agrees with the truth that the act of *parrhesia* brings forth, and to examine, how one's own resistance to such knowledge is motivated. It is also necessary to take seriously the rage, with which some women* seem to be entering academia as a field that was once understood to be liberating. This rage is indicative of emotional and psychological distress, which *Feminist in India's* Mary E. John (John, 2018) identified in a vast number of young women* entering the field. LoSHA can then also be seen as making do with what one has, or, in Foucault's words:

...the *parrhesiastes* uses the most direct words and forms of expression he [sic] can find. Whereas rhetoric provides the speaker with technical devices to help him [sic] prevail upon the minds of his [sic] audience (regardless of the rhetorician's own opinion concerning what he says), in *parrhesia*, the *parrhesiastes* acts on other people's minds by showing them as directly as possible what he [sic] actually believes. (Foucault, 2001: 12)

Following Foucault, Sarkar's frankness – possibly naïve – points to their urgency. Unlike the accused, the few of which responded were given prominent spaces in mainstream media outlets to do so, Sarkar did not have the safety of institutional backing, which is exactly the point of LoSHA's critique – that the university infrastructure does not provide such safety – or does so only for certain bodies. Sarkar may have shamed, but they have shamed those in power – arguably those who feel no shame, as most of the accused have failed to respond at all. LoSHA was implemented for lack of tools or understanding as to how to do anything else, possibly because a system of shame is already built into the structures of sexual violence itself.

As Steve Kohm argues with regards to the benefits of shame, 'shaming becomes a formal tactic of punishment itself', where, 'building on the apparent practices of indigenous peoples, restorative justice works explicitly on the principle that offenders must be made to feel guilt and remorse for their actions in an effort to build consciousness' (Kohm, 2009: 190). In this vein, Sarkar and other proponents of LoSHA, instead of condoning lynch mobs and pitchforking, have asked for nothing more than acknowledgments of wrongdoing and apologies, a

recontextualization of ‘games of truth’. There is also the question of how much ‘naming and shaming’ has in fact taken place, as very few of those listed have actually taken the time to respond to their name being put on LoSHA. It has been pointed out that this may be due to circumstances that, without concrete allegations, there is no adequate way to respond (Gopinathan, 2017). When understanding LoSHA in an infrastructural way, as Sarkar has suggested in their Facebook post quoted above, there is, however, a plea to investigate one’s own complicity in the maintaining of internalized and infrastructural misogyny, which has little to do with whether or not one was actually named. Just as names on LoSHA are not verdicts of guilt, not being on it does not make one innocent. Can victims of sexualized violence, and those who blow the whistle on the cultures that keep it going, overcome the visceral fetishization of proof and false accusations? These questions point to a larger structural issue, which gratefully accepts male critique of society as whistleblowing, while women’s rage is easily dismissed as uncharted and needs to be reduced to whispers, so as to be politically acceptable. Accepting Raya Sarkar as a whistleblower does not negate the flaws of LoSHA, but accepts the principle that there is an infrastructural problem in hierarchical and gendered relationships.

Framing LoSHA in the way presented here suggests a basis from which all sides might move forward. However, the statements by the few of those named who have taken the time to respond at all have been met with aggression by Sarkar and proponents of LoSHA, conveying sentiments of ‘too little too late’ (cf. Chatterjee and Sarkar, 2017). This leaves the onus once again solely on feminists to facilitate discussions and provide infrastructures for change. While many have read and critiqued Sarkar’s anger, beneath it also lies the wish for reparation in a post-colonial India, which is nonetheless never free of hierarchies and may have taken what feels like a neo-colonial stance towards its marginalized (i.e. avarna) communities (Shlaim and Roy, 2011). This would explain the annexation of LoSHA to #metoo, as the local political (savarna) left is shielding their own before the backdrop of an increasingly Hindu-nationalist government, but lacks to do so for the less established and marginalized communities.

Conclusion

In this article I have situated LoSHA’s agency within a *parrhesiastic* ‘game of truth’, and in that vein reiterated its possibilities of critiquing entire discursive and infrastructural modalities, rather than singular occurrences. Looking at LoSHA through the lens of whistleblowing not only legitimizes LoSHA as *parrhesia*, but allows for an argument on the limits of language and actions to address cultures of pervasive sexual violence. LoSHA then presents a moment of

parrhesia, where the 'game of truth' is modified 'from below', namely a Dalit and subaltern position often missing both within India and the global discussions under the hashtag #metoo. The possibilities of LoSHA remain largely within taking this moment further, beyond individual names, so as to think about and address more environmental and affective structures of sexualized violence. Indeed, this has been happening increasingly, as conversations have become more nuanced again (Kappal, 2017).

Would Sarkar have required an institution such as WikiLeaks to legitimize their claims? The question is, if there would have been any institution available to verify the source material externally without endangering the alleged victims. Instead, LoSHA as *parrhesia* attempts to navigate such new and diverse environments of sexualized violence in an age of flat hierarchies, hypersexualization and rising insecurities. It does so in a space as transnational as the lives and working environments of those who are named. LoSHA is a reminder of the flaws of the justice system, but also of the humans who enforce it and the instability these flaws leave behind – scarring especially those who are already marginalized. Taking LoSHA seriously does not have to mean that it has to be read as a court document or even as a sex offender's registry, as some seem to fear. In fact, the lack of nuance lamented with regard to LoSHA has been contextualized many times by Sarkar and their proponents, in a language that acknowledges their feminist legacies and histories. Understanding it as *parrhesia*, LoSHA becomes the start of a conversation, not the end of it – even if some may feel this conversation to be age-old. It urges those named, but actually all in positions of (relative) power, to re-inspect their attitude towards Dalits and marginalized students. It urges leftist intellectuals to take seriously their own writings and words and produce more equal and safer campuses for women*, in India and elsewhere. Its *parrhesiastic* power lies in the critique of the available discourse on sexual violence. The 'game of truth' that LoSHA plays addresses both the Indian and the globalized context, and while it is arguably successful in the latter, it may in time change the rules of organization for the former.

Even if #metoo is not a project indigenous to India, this may be precisely a case where the marginalized communities of India feel more comfortable in relating to transnational experiences, rather than the indigenous but savarna feminist legacies that have led to individuals refusing to let go of their privilege (Kappal, 2017). This, too, finds its transnational resonance in hashtags such as #solidarityisforwhitewomen and even the initial discussions on #metoo, where the movement was ascribed to Alyssa Milano, instead of crediting non-white activist Tarana Burke, who had created the phrase as a movement to connect non-white and subaltern victims of sexual abuse over a decade before the hashtag (Adetiba and Burke, 2018).

LoSHA's critiques have invoked strategies that whistleblowers other than Sarkar have also had to withstand. They have been called mentally ill, ahistoric and silly, just as LoSHA has been read to be both too serious (in its consequences) and too trivial (in its methods). Within a reading of LoSHA as *parrhesia*, these critiques (willfully or not) miss the point and underline the disparity between the systemic hierarchies that LoSHA's 'game of truth' has set out to alter. Supporting this claim is also the idea that LoSHA was a materialized whisper network, which implied that Sarkar never intended, or could even imagine, taking down these men* in their privilege. However, this circumstance also attests to an infrastructure that allows for men* to make even decontextualized claims, while women*s 'truth games' are reduced to whispers. LoSHA is testimony to the violent and derogatory manner in which women* are treated on a daily basis. More importantly though, it has become an important precursor for the now re-flourishing #metoo movement and simultaneous reworking of the law, just as conversations about sexual health, consent and victimhood are able to emerge with amplified visibility. As such, I read it as a valid example for a networked *parrhesia* that 'speaks truth to power'.

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