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Sexual harassment in academia: victim-survivors speaking out, the politics of naming, and (lack of) institutional accountability

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ABSTRACT

Following movements like #MeToo, #RUReferenceList, and #NiUnaMenos, university students and staff shared their experiences on social media of harassment and abuse within academia. However, despite calls to "break the silence," victim-survivors frequently face institutional retaliation and backlash from people responsible for harm. Naming nevertheless remains an important part of the account-ability and healing processes for some victim-survivors. Additionally, in the absence of larger accountability and victim-survivor-centred reporting processes, some academics and activists have also called for university-handled lists naming people with upheld findings within universities similar to sex offender registries. In this commentary piece based on discussions between Joel Quirk and Judith Levine in a March 2024 webinar, we analyse the politics of naming those respon-sible for sexual and gender-based violence (SGBV), including questions such as who should name, when should naming occur, and what kind of justice do we seek. This piece highlights the complexities of publicly naming those who have engaged in SGBV in universities, particularly through a transformative justice lens, and indicates a lack of institu-tional avenues for justice and accountability.

Introduction

In the aftermath of movements like #MeToo, #RUReferenceList, and #NiUnaMenos, students and staff around the world took to social media to share their experiences of harassment and abuse within academia. However, despite these calls to "break the silence," victim-survivors frequently face institutional retaliation and backlash from people responsible for harm. Even when victim-survivors anonymise their accounts, speaking out about sexual and gender-based violence (SGBV) remains fraught with challenges. These difficulties are part of a broader pattern of silencing, reinforced through non-disclosure agreements (NDAs) and misuse of libel laws. In the absence of larger accountability and victim-survivor-centred reporting processes, some academics and activists have also called for university-handled lists naming people with upheld findings within universities (Joel Quirk and Karmini Pillay 2023) similar to sex offender

registries. These are important questions for the different stakeholders within the feminist media studies discourse. Furthermore, there is also a critical need to explore the politics of naming people with upheld findings following an internal university investigation, and the development of transformative justice approaches within universities, focusing on systemic change rather than purely punitive responses.

To foster discussion around these emergent debates, in March 2024, we conducted a webinar series titled "Silencing Sexual and Gender-Based Violence in Academia and the Politics of Naming." The full report on the webinar series, the first half of which informs this commentary piece, was published in September 2024 (North-South Feminist Dialogue 2024). "Silencing Sexual and Gender-Based Violence in Academia and the Politics of Naming" was conducted as a part of the North-South Feminist Dialogues series. Established by Adrija in 2020, the North-South Feminist Dialogues series creates a decolonial, intersectional, feminist, and safer space for victim-survivors, academics, and activists to collaborate globally. By centring marginalised voices and fostering both North-to-South and South-to-South collaboration, the series aims to disrupt colonial knowledge hierarchies and propose global solutions to SGBV in higher education. The previous two sessions in the series explored online sexual harassment in higher education (North South Feminist Dialogue 2022) and a comparative dialogue between India and the UK on how to address and prevent SGBV in universities (North South Feminist Dialogue 2020).

Existing literature on the implications of naming people on social media who have committed SGBV has not met a consensus on whether this act is punitive or an example of transformative justice. Sujatha Subramanian and Riddhima Sharma (2022) work on the List of Sexual Harassers in Academia (LoSHA) in India[1] posits that, by naming people who have harmed in an accessible online space, LoSHA was a form of anti-caste, transformative justice feminism that centred women of oppressed castes often overlooked by mainstream platforms and feminisms. However, writers and scholars like Kai Cheng Thom (2017) and Alison Phipps (2019) call for collective, non-punitive solutions to SGBV, and frame online lists and naming through media as a means of discarding, isolating, or punishing people who have caused harm. The above interpretations may conflate responses from the criminal justice system with activist and victim-survivor responses, as an individual posting online does not have the power of the state behind them to exact punishment. Other scholars—such as Tiffany Page, Anna Bull and Emma Chapman (2019)—challenge assumptions that speaking out is a punitive act and frame the act of naming individuals, institutions, or structures that have caused harm as a last resort for victim-survivors who have not found justice through existing routes.

Ultimately, since there is insufficient discussion of this debate within the context of higher education and beyond, the webinar aimed to foster transnational dialogue about the politics of naming. What follows is an overview of the main takeaways from the webinar.

Overview of the "naming perpetrators, speaking out" panel

The panellists were:

- Joel Quirk, a Professor of Politics at the University of the Witwatersrand (Wits), researching enslavement and abolition, work and mobility, gender and violence, historical repair, and the history and politics of Africa.
- Judith Levine, a US journalist and feminist activist and co-author with Erica R. Meiners of *The Feminist & The Sex Offender: Confronting Sexual Harm, Ending State Violence*.
- Adrija Day, founder of North-South Feminist Dialogue and Director of International Knowledge Exchange at The 1752 Group.

The key findings from the panel discussed in the report are:

- Victim-survivors, activists, and allies often use naming—especially in public online spaces—to prompt institutions to take accountability. Speaking out tends to be a last resort when institutions fail victim-survivors. We need to examine the bigger picture to understand why people engage in "naming," and what they want to achieve through this.
- Victim-survivors have historically shared information about those who have committed SGBV through whisper networks, lists scrawled in toilet stalls, Google Docs, and email threads, often in attempts to protect others when institutional processes are insufficient. To position naming people who have committed SGBV as a new phenomenon invisibilises these processes that have occurred for years.
- "Speaking out" does not always refer to naming individual people who have caused harm. Victim-survivors may name a discipline, an institution, or an experience. Many people choose not to name individuals responsible for causing harm, yet still want to speak about their own experiences of that harm, or about the institutional response to it.
- Additionally, the webinar discussed the possibility of universities creating lists of names of people found responsible—following an internal university investigation— for SGBV; it is important to note that there is a significant difference between these potential lists and a victim-survivor personally naming someone who has harmed them. In this case, following the model of national, criminal justice sex offender registers is not the solution.
- Naming must be part of a longer transformative justice process as opposed to an end goal in and of itself. We ultimately need more transformative justice solutions, in which naming may be an initial step which leads to structural change.

Below we discuss key themes from the panel.

Calling for universities to name those found responsible for sexual harm

Following his and Alison Phipps ([2023](#)) article, Joel argued that when universities do not provide an authoritative record of names of those who have been found responsible for SGBV following internal university investigations, especially in cases

where they have been fired or expelled, universities are "creating an absence" where further violence can emerge, such as enabling misinformation, speculation, and gossip to spread. This speculation frequently creates a hostile work environment for complainants and witnesses and can push them out of academic spaces. His stance echoes academic studies that state that speaking out about experiences of SGBV and/or naming institutions or individual people who caused harm can be a significant step for victim-survivors in their pursuit of justice and healing. The act of speaking out online can give voice to people who are silenced in mainstream narratives (Adrija Dey 2020) and challenge unequal power dynamics in coverage of SGBV cases (Bellita Banda-Chitsamatanga, Nomthandazo Ntlama and Oliver Tambo Chair 2020). Naming may also minimise the risk of people who cause harm by moving institutions or jobs with no accountability (Quirk and Pillay 2023). Lastly, speaking out can foster collective action, care, and healing, as one person speaking out may inspire others to come forward (Karthik Shankar 2017; Ayesha Vemuri 2018). Hence, after internal university investigations, complainants and witnesses often want to be able to talk about their experiences, yet many do not have a clear understanding of the legalities around such disclosures.

According to Joel, there are several positive implications in universities naming those found responsible for SGBV in internal disciplinary proceedings. Naming may show that the university systems in place for responding to SGBV can work. This is important as academic literature shows that speaking out online indicates larger institutional issues, including a lack of accountability and cultures that normalise SGBV (Page, Bull, and Chapman 2019; Phipps 2019). While naming will not stop institutional abuses of power, he argued that it is still important to tell the university community about harms that have occurred and to make it clear that people were held accountable.

Joel's proposed intervention focused on a formal statement by a university that names someone who has been fired or expelled, and includes an anonymised, careful account of what they have been dismissed for, which would not identify complainants and witnesses. He noted that naming is happening already (e.g., #RUReferenceList, notes slipped under doors, X/Twitter, etc.), so the question is not whether or not to name, but rather who is safest in doing so. For example, when a student names somebody online who has engaged in SGBV, that act might not withstand legal scrutiny, so they become vulnerable to a defamation lawsuit. However, universities— as bodies with legal departments and resources—are better positioned to do this and could take the burden off victim-survivors from having to name on social media without any protections and undergoing immense backlash in the form of trolling, institutional sanctions or litigation. He concluded that naming individual people who engaged in harm is not a total solution; he suggested naming only under specific conditions but argued that, specifically within the South African legal context—which differs from other jurisdictions where there are stronger legal barriers to such naming —there is no legal reason that South African universities cannot create official records of staff and students who have been fired or expelled for committing SGBV. Judith argued that Joel's proposal, while good, is limited and needs to be careful with how such information may be used by the institution for other purposes, especially against people from marginalised backgrounds.

Implications of implementing a sex offender registry in higher education

Here, our panellists discussed the potential effects of implementing institutionally handled, publicly available lists or registers containing names of people who had upheld findings, similar to a sex offender registry. The calls for such lists or registers from victims-survivors and activists underscore a strong desire for a system that proactively seeks to prevent people who harm from acting with impunity, and to limit their ability to move freely through the university sector. To this end, a public record of people known to perpetrate SGBV in HE could act as a deterrent and provide some sense of restitution, while also potentially reducing the risk posed by named individuals. However, it is crucial not to conflate criminal justice sex offender registers with HE responses. These institutionally managed lists and registers would be handled by universities and not the state, therefore offering different consequences to naming within criminal justice processes.

Judith began her discussion by asking the audience to consider how we define justice in cases of SGBV within universities. In determining this definition, she asked whether justice is punishment or accountability and whether we want the person responsible to suffer harm commensurate to the harm they inflicted or to know and understand the harm they have caused, make repairs, and change. She claimed that if this information were publicly available, it would create a "permanent pariahship" since people who have committed SGBV would never escape the label. The main result would be shaming people who have caused harm, not leading to accountability. Within this context, Judith spoke about sex offender registries used by the criminal justice system in the US. Almost one million people in the US are named on easily accessible online sex offender registries, and face restrictions on where they can live, work, or even be in public (Judith Levine and Erica R Meiners 2020). In responding to the idea that registries would show that the university cares and takes the issue of SGBV seriously, Judith said that this is a systemic issue, not just "a few bad guys" and would not result in sustainable changes (also see Phipps 2023). She advocated for ways of achieving gender-equal places of learning without carceral responses such as registries.

Judith also highlighted how a registry system in universities would impact marginalised communities. In US universities, she argued that marginalised students and staff are disproportionately going through disciplinary processes for SGBV. Judith further pointed out that disciplinary panels are comprised of people from the same institution that may have been covering up decades of SGBV, and argued that there is no clean, unbiased institutional body; people in the institution have been committing harm, and others have been protecting them.

Judith and Joel both discussed their views on non-punitive responses to SGBV in universities. Joel described a less severe remedy, such as gender sensitisation training,[2] a ten-week course in which people found responsible for SGBV in an internal investigation have to meet with professional social workers in an attempt to change their views and behaviour. Joel explained that this option does not work as the people attending this training often do not believe they have caused harm and refuse to take accountability. As such, while universities may falsely advertise this remedy as a form of transformative justice, in practice, this is not the case.

Transformative justice is a non-punitive, community-led justice framework that centres the needs of the victim-survivor in holding individuals accountable for

harm, builds intentional community relationships to weather healing and account-ability, and seeks to change the conditions that make harm possible to prevent future harm from occurring (Ann Russo 2019). As a transformative justice practi-tioner, Judith argued that gender sensitisation training is not a form of transfor-mative justice: the training does not centre the person who was harmed, which means they are unable to discuss what would be healing and satisfying for them to move forward. Furthermore, the person who engaged in harm must accept accountability for a process to truly be transformative. Judith's main interest is what we do with people after they have been found responsible for causing harm. This exchange encouraged the audience to question what is and is not transfor-mative in universities, despite how universities themselves may be framing SGBV response processes.

Concluding remarks

Overall, both speakers agreed that we need more imagination and interventions for cultural and structural changes. The main questions that emerged from the panellists and that we continue to reflect upon were: 1) How do we find reconciliation without truth? This makes "naming" people who have caused harm an important step in accountability. 2) What happens after a person with upheld findings is named by the university? 3) What transforma-tive justice mechanisms need to be in place to ensure justice for the victim-survivors, change and re-integration into the community for the people who have caused harm, and larger community accountability and transformation?

In the absence of institutional processes and victim-survivor-centred support structures, we will continue to see victim-survivors go online to name those who harmed them. This naming practice is not limited to individual people who harmed victim-survivors but can also include universities whose processes re-traumatised or otherwise failed them. Victim-survivors will continue to use social media to seek justice, healing, and whatever else institutional due process cannot provide them. To address the current widespread lack of institutional accountability, we suggest creating response options to SGBV in universities that use victim-survivor-centred, trauma-informed, intersectional transformative justice frameworks.

Notes

1. Based on the experiences that victim-survivors shared with them, Raya Sarkar, an academic and activist of Dalit descent, compiled a list of people who had engaged in SGBV in Indian academia and published this on their Facebook page in 2017.
2. Consciousness-raising that aims to make people sensitive to an issue.

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Notes on contributors

Adrija Dey is a Senior Research Fellow at the School of Social Science at the University of Westminster. She is the Principal Investigator on the UKRI-funded research project FemIDEAS: Decolonising Sexual and Gender-Based Violence in Higher Education. She is the author of Nirbhaya: New Media and Digital Gender Activism. She has been a vocal campaigner against sexual misconduct in Higher Education and is currently the Director of the International Knowledge Exchange at the 1752 group. She is also the founder of the North-South Feminist Dialogue platform that aims to foster conversations and solidarity among activists and academics working on SGBV in HE in the Global North and Global South.

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