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Publishing, Precarious Labour Relations and Sexual Violence in Academia

Nikki Godden-Rasul and Tanya Serisier

In 2023, the edited collection *Sexual Misconduct in Academia: Informing an Ethics of Care in the University* was due to be published by Routledge. The collection was the work of two editors and twenty-three authors who wanted to both draw attention to the problem of sexual abuse and harassment in the academy and model a research praxis grounded in an ethics of care for survivors and the academic community generally. Challenging the structural power dynamics of the academy, the authors and editors describe themselves as a 'collective of PhD students, early career researchers, First Generation scholars, Indigenous scholars, and disabled scholars'. However, close to publication, Routledge was threatened with legal action by a senior academic who believed himself to be the (unnamed) subject of Chapter 12, 'The Walls Spoke When No One Else Would: Autoethnographic notes on Sexual-power Gatekeeping within Avant-garde Academia' (Viaene, Laranjeiro and Tom 2023). Routledge refused to publish the chapter, reverting rights to the authors without discussion with the editors. Despite widespread protest¹ against Routledge's stance, and the editors' insistence that the book be published inclusive of chapter 12, as of June 2024 the rights were reverted to all the authors,² and the book now exists in a limbo state. It has not been published, but PDFs circulate online among feminist and other scholars.

As a feminist legal journal, we have a commitment to analysing and understanding sexual violence, as well as the ways in which institutions, including universities and academic publishers, provide what Nicola Gavey (2005) describes as the 'cultural scaffolding' for this

¹ For example, see the open letter signed by the book's authors and academics from the wider scholarly community: <https://www.buala.org/en/mukanda/open-letter-to-routledge-taylor-francis-group>. Accessed 21 August 2024.

² See the statement from Routledge: <https://newsroom.taylorandfrancisgroup.com/statement-on-sexual-misconduct-in-academia/>. Accessed 21 August 2024.

violence. We are also workers and scholars who recognise that academia has a problem with sexual violence, documented in reports that show that women, those who are precariously employed and those who come from more marginalised backgrounds are particularly vulnerable to harassment and abuse (NUS 2018). As an editorial board, we have sought to bring feminist principles to academia through 'wench tactics' (Fletcher et al. 2017), intervening in the conditions of publication and knowledge production (Douglas et al. 2011; Naqvi et al. 2019), and facilitating and encouraging critical academic engagement with sexual violence and the institutions that provide its enabling conditions. Here, we reflect on how precarious and hierarchical labour practices in academia - particularly those connected to publishing - facilitate sexual violence, how individualising responses to the problem create preconditions for it to continue, and why securing academic freedom and facilitating knowledge production by marginalised scholars remain essential feminist tasks in the academy.

The edited collection *Sexual Misconduct in Academia* explores the academic and institutional cultures, structures and norms which enable, dismiss and conceal sexual harassment and abuse, and Chapter 12 focuses on the hierarchical and often violent systems that can congeal around 'star professors'. Commercial academic publishers play a role in the (re)production of these conditions. 'High quality' publications in 'high ranking' journals (that is to say, typically dominant Global North-centred journals with high 'impact factors' housed by large commercial publishers) with relatively high citation counts and downloads contribute to 'star professor' status. The generation of revenue from such scholars' work means that publishers have an interest in maintaining and promoting 'star professors'.

This is part of the ways in which commercial publishers support and benefit from increasingly precarious labour relations in academia. Publishing increasingly higher numbers of journal articles is essential for employment security, recognition and promotion, producing what is frequently described as a 'publish-or-perish' system. However, precarity is now so baked in that Emma Vossen (2017) argues that the current system is more accurately described as one

of ‘publish AND perish’. While publishers reap significant profits³ from academics’ publications, reviews, and editorial work,⁴ academic labour for publishers is rarely directly compensated. Rather, it is fuelled by the knowledge that it is necessary to compete in the highly competitive academic job market, particularly for secure contracts.

As the edited collection explores, this helps to maintain a system that functions through gatekeepers, tacit knowledge, professional networks and guarded institutional access, all of which create conditions of vulnerability and possibilities for abuse. Senior and well-connected scholars comment on draft work, provide opportunities for presenting papers, and offer insight into the unique and sometimes opaque requirements and processes of journal editorial boards. While there are many senior scholars who are deeply committed to mentoring and supporting others, such access and exchanges can often flit between professional and personal, blurring (sexual) boundaries which become easily transgressed (Viaene, Laranjeiro and Tom 2023, 213). In addition, early career researchers are open to intellectual extractivism. Needing to work with and for senior researchers, they are unable to complain if their names are listed as last author or only in acknowledgements in papers for which they did most of the work (Viaene, Laranjeiro and Tom 2023, 212-3). Speaking out or complaining about harassment or abuse risks closing down connections, networks and possibilities for career progression (Ahmed 2021,

³ Profit margins for the publishers which constitute the scholarly publishing oligopoly, including Elsevier, Springer-Nature, and Sage (Shu and Larivière, 2024), are reported in the region of 30-40% (Grossman and Brembs 2021).

⁴ Of course, there are plenty of feminist and other critical scholars – including the editorial collective at Feminist Legal Studies – who seek to disrupt, subvert and ‘create openings in [these] conditions of closure’ (Fletcher et al. 2017). Our point here is not to explore this praxis; rather it is to highlight how academic publishing and publishers are part of the structures and conditions which support and enable sexual violence.

265). So understood, the institutional structures and practices around academic publishing are part of a wider system of precarious and exploitative labour relations which enable and conceal sexual violence and other forms of abuse, particularly against women, racialised and other marginalised people (Page 2022; Viaene, Laranjeiro and Tom 2023, 211, 222; Phipps 2024).

Indeed, there is widespread acknowledgement of the endemic and structural nature of sexual violence, as well as the ways that it contributes to the social and economic marginalisation of women, gender-diverse, queer, racialised and other marginalised people, in what is often described as a post #MeToo era. Yet, at the same time, dominant responses remain framed within individualised and neoliberal conditions of possibility, which see the criminal legal system as the primary avenue for response. Applying individualising logics of risk and responsibility to survivors, they frequently are blamed for their own victimisation whilst seeking to delimit how they can speak about their experiences. As a feminist legal journal, we, along with others, have published countless academic articles on the inability of the criminal legal system to respond adequately to sexual violence, and the ongoing necessity recognised by women internationally to find other avenues to seek reparation and justice.⁵

The inability of the criminal law to redress or even recognise the harms associated with institutional sexual violence is mirrored within academic and corporate institutions, facilitated by professional norms, collegial networks and mutually beneficial relationships among institutional actors. These institutional failures produce the necessity for alternate attempts to achieve justice, whether this consists of social media activism such as #MeToo, or older forms of justice, such as the whisper networks and the anonymous graffiti that provides the title of the chapter, 'The Walls Spoke When No One Else Would'. It is also evident in the work of the authors and editors in the collection itself who seek, like many feminist academics, to further the possibility of

⁵ See, most recently, our special issue *After #MeToo: Law, Justice and Sexual Violence* (2024), edited by Ulrika Andersson, Lena Karlsson, Clare McGlynn and Linnea Wegerstad.

justice by evidencing, documenting and analysing the harms of sexual violence, the cultural scaffold that surrounds it, and the institutional structures that allow it to continue.

Individualist, legal framings do not, however, recognise this as justice seeking. Instead, civil law can work alongside criminal law to limit the possibility of justice. As part of #MeToo and in its wake there has been a significant increase in defamation cases being brought against survivors who speak out, or against media and other publishers, to silence allegations (Robinson and Yoshida 2023; Wegerstad and Andersson 2024). The threat against Routledge is not a one-off. These legal claims force a focus on individual reputation and which person is telling 'the truth' as recognised by law (Harradine 2022), diverting attention from critiques of the social and institutional structures, networks and cultures which enable and conceal sexual violence. Indeed, as Wendy Brown highlights, through law, social and political issues are necessarily translated into isolated disputes, leaving systemic injustices and the conditions for abuse undisturbed (Brown 1995, 124). In the case of sexual violence specifically, they operate within what Kathryn Higgins and Sarah Banet-Weiser (2023) describe as an 'economy of believability' which is weighted towards those with social and institutional power.

In Routledge's response we see the intersections between legal individualism and neoliberal corporate logic, as well as all-too-familiar conflict between academic work which seeks to further a substantive, structural vision of justice and its containment within institutional structures, both the university and the publishers, which come to operate as forces for institutional silence.⁶ Given the structural imperatives for academics to publish, publishers can simply refuse work which carries any risk of liability, thereby becoming part of the nexus of institutional harm and injustice that surrounds sexual violence. Ironically, the desperate need to understand and contest this nexus is what makes collections like *Sexual Misconduct in Academia* so necessary.

⁶ Similar themes and issues are explored in a 2011 special issue of *Feminist Legal Studies* 'Liabilities of Queer Anti-Racist Critique', edited by Stacy Douglas, Suhraiya Jivraj and Sarah Lamble.

The retraction of the chapter exists within a wider epistemic economy that casts the knowledge of survivors, even academic survivors, as illegitimate, as part of the wider frame of epistemic (in)justice that is intrinsic to academia. Universities and scholarly publishers form part of the social, cultural, and economic structures which (re)produce hierarchies of knowledge along the lines of gender, race, coloniality and other social relations, through the commodification, monetisation and marketing of (certain) knowledge. As such, the everyday normal functioning of the academic system is itself a barrier to academic freedom, as we see in the example of this collection, but also the numerous scholars who have faced sanctions for speaking and writing about Palestine.

Within this context, '[k]nowledge problems collect around sexual violence' (Doyle 2019, 170). As considerable feminist scholarship has shown, sexual violence survivors are typically denied the status of a knower (Alcoff 2018), their testimonies read as unreliable. Part of the significance of #MeToo has been its intervention in this schema, even if it privileges particular - usually white, cis-hetero - survivors' voices over others, and even though the silencing and denials of survivors' experiences continues (Serisier 2018; Onwuachi-Willig 2018). Routledge's retraction can be read as part of a wider reassertion of these epistemic hierarchies in the aftermath of #MeToo, where attempts to assert the knowledge of survivors become what Higgins and Banet-Weiser (2023) describe as a 'labour of futility' within the dominant epistemic economy.

The dismissal of feminist forms of knowledge is of particular concern to FLS. We continually reflect on the relationships between feminism, legality and knowledge (Fletcher 2015), considering how we can disrupt the validation and disavowal of certain types, forms, methods and modes of knowledge and knowledge production (Fricker 2007). We recognise the inextricable connections between experience and knowledge, and the essential feminist methods of writing about our lives (for an example in FLS, see Raj 2023), at the same time as being open to different and conflicting experiences of the world and ways of knowing (Naqvi et

al. 2019). Ongoing effort is needed to ensure such work is recognised as valid. We are committed to opening up the conditions of possibility for scholarship, and who is able to write and be seen as experts, even as publishers and dynamics in the academy more broadly operate to maintain 'conditions of closure' (Fletcher et al. 2017). This, for us, is an essential component of meaningful academic freedom, and why we feel compelled to write this editorial. We stand in full solidarity with the authors of the chapter, Lieselotte Viaene, Catarina Laranjeiro, and Miye Nadya Tom, the editors of the book, Erin Pritchard and Delyth Edwards, and all the contributors to the collection.

Thank You Messages from the Editorial Board

The Feminist Legal Studies editorial board would like to thank all members who have left this year for all their hard work, generosity and care. In March 2024, Katie Cruz stepped down after 10 years on the board, with three years as co-ordinating editor (2017-2020) and a year as Editor-in-Chief (2023-2024). In the latter role she paid particular attention to the labour of editorial work and our feminist praxis of care. Creating a new production manager role and working closely with Kay Lalor who took this on, she focused on more evenly distributing the work of the journal, welcomed a larger editorial board membership, and expanded the group of co-ordinating editors. Her contributions to the journal have made a lasting impact for which all current and future editorial board members are grateful.

We would also like to thank: Ruth Fletcher, who was Academic Editor for five years (2014-2019; see Russell 2019); Nadine El-Enany and Sheelagh McGuinness who have both been on the board since 2013; and Kathryn McNeilly who was a book review editor since she joined in 2018. While there are formal roles of sorts on the editorial board, we run FLS as a collective (see for example, Fletcher et al. 2017), meaning that every board member gives significant time, labour and care to FLS. We cannot thank enough every single board member who helps to make the journal what it is.

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