

# Exchanges

The Interdisciplinary Research Journal

Volume 8, Issue 3 (Spring, 2021)



## Issue Highlights:

- #MeToo, Body, Desire & Society
- A.I. and the Legal Dimension
- Hip Hop and Gandhi
- Gamestop, Reddit & Hedge Funds
- Profiteering from Publication Error, Fraud & Misconduct

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# Exchanges: The Interdisciplinary Research Journal

Volume 8, Issue 3 (Spring 2021)

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*Exchanges* is a scholar-led, peer-reviewed, diamond open access, interdisciplinary, online-only journal dedicated to the publication of high-quality work by researchers in all disciplines for a broad scholarly audience. No author fees or subscription charges are levied, and contributors retain their author rights. Since 2013, the title has attracted innovative research articles, critical essays and interviews from emerging domain experts and early career researchers globally. The title also publishes scholarly work by practitioner authors and independent scholars.

A Managing Editor-in-Chief based at the University of Warwick oversees development, policy and production, while an international Editorial Board comprised of early career researchers provide advice and practically contribute to editorial work. Associate editors are recruited to participate in producing specific special themed issues. *Exchanges* usually publishes two issues annually, although additional special themed issues are periodically commissioned in collaboration with other scholars.

*Exchanges'* twin missions are to encourage intellectual exchange and debate across disparate research communities, along with developing academic authorial and editorial expertise. These are achieved through providing a quality assured platform for disseminating research publications for and by explicitly cross-disciplinary audience, alongside ensuring a supportive editorial environment helping authors and editors develop superior academic writing and publishing skills. Achieving enhanced contributor esteem, visibility and recognition within these broader scholarly communities is a further goal.

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# Getting There from Here in a Timely and Effective Manner: Editorial, Volume 8, Part 3

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*'I love deadlines. I love the whooshing noise they make as they go by.'*  
(Adams, quoted in Simpson, 2003)

## Introduction

Welcome to the eighteenth edition of *Exchanges: The Interdisciplinary Research Journal*, and our first regular issue of the year. If this is your first issue of *Exchanges*, then welcome, it is always lovely to have new readers. Conversely, if you are one of our growing number of regular readers, then you are equally welcome back with us once again!

## Heeding Good Advice

Back in the final months of that inauspicious year, 2020, I co-hosted an 'ask me anything' session about *Exchanges*. More recently in March this year, I enjoyed the pleasure of chairing a panel discussion bringing together a number of speakers to talk about their own routes to success in publication. Both of these engagements formed part of my regular contribution to our much-respected local early career researcher training programme, *Accolade*, here at Warwick. Moreover, I also spoke very recently at a pair of conferences about *Exchanges'* activities, but specifically our contributor developmental mission (**Johnson, 2021a&b**). During all of these events I fielded a variety of interesting and occasionally unexpected questions, which were concerned perhaps less about the journal, but more about the whole art of publishing, especially from the perspective of early career authors who have not had the opportunity to publish as of yet. Consequently, alongside with the conversations I continue to enjoy with various authors as part of *The Exchanges Discourse* podcast series, means the inspiration for this issue's editorial arrived rather more fully formed than I usually expect. Hence, I think the time might be ripe to editorialise a little more this issue about some of the good practices we advocate to those authors considering submitting *Exchanges* and other journals for the first time. If you are an experienced author, you

may wish to move along to the articles making up this issue. Although, given I always love to chew over authors' publishing experiences with a podcast host's microphone in hand, I would welcome your thoughts as well for future episodes of the series.

### *To Begin at the Beginning*

I will commence by considering what is perhaps an obvious first step, but surprisingly one which I hear time and again of neophyte authors failing to heed. When considering a potential journal for your publication, read the *about* pages and *author guidance* sections with extreme care. Here you will find clearly spelled out the journal's expectations from authors in terms of article scope, length and formatting. Ignore this guidance at your peril of being summarily rejected on submission for failing to follow their contributor rules! Alongside this scrutiny, take the time to at least browse through the other articles in recent issues and ask yourself carefully if your proposed work would resonate or compliment these. If so, all is good, but if it looks like your intended article would be a poor match at any point, it is likely time to consider another journal. Nevertheless, a brief clarification email to the editor if you are at all unsure may help alleviate any remaining uncertainty.

A related point here is to consider within your article both the audience you want to reach and what you want to say to them. Your ideal audience will commonly guide your choice of journal from the outset, but never be afraid of breaking out of the disciplinary tramlines and seeking to address your work to new readers. Undoubtedly academic research increasingly benefits from being exposed in different scholarly domains, and hence reaching out to a new audience can be a crucial step towards greater personal and professional recognition. Just take care to ensure you write in a clear style which can be engaged with by scholars from across your broader audience target: a common critique of authors during peer-review of manuscripts submitted to *Exchanges*. Again, glancing at articles in your journal of choice and even the author guidance will help shape your language and terminology appropriately.

In terms of knowing what you want to say, the best advice my own doctoral supervisor used to give me, repeatedly I must confess, was to stress or guide the reader to the most exciting and salient elements of my research in my writing. 'Celebrate these' he insisted, 'make them plain and the reader is more likely to continue with your work'. Today when writing for publication I always look back over it and ask myself 'Have I signposted the key elements clearly enough?' and 'Is this going to engage the reader's interest sufficiently to keep them reading?' Certainly, these are questions all authors need to keep asking themselves when writing for publication.



*Talk is Cheap, but Good*

Another element of advice which comes through loud and clear on a regular basis is that of informal communications with the journal's editor ahead of submission. It can be a valuable step in terms of evaluating if your work might be suitable for publication in any particular journal. Editors are, for the most part in my experience, human, approachable and keen to hear from scholars with an interest to publish with them. Hence, any trepidation you might have about approaching them can normally be disregarded. However, from personal experience, if you do approach an editor with questions about the suitability of your work for publication, remember they would often rather receive your abstract or outline thoughts on an article, rather than the full manuscripts. Their time is limited, and you will more often get a swift, and hopefully positive, response if you keep your communications with them brief, to the point and not too lengthy. Incidentally, don't submit your C.V. or résumé along with your question or abstract, it won't be read and generally adds little to this kind of interaction.

A related piece of advice concerning the quality and suitability of your work for publication, ahead of submission, is to speak with a trusted fellow scholar about your publication plans. A critical friend or two is worth more than their weight in gold in terms of pointing out errors or confusions in your writing, elements which may see it summarily rejected by journals before even reaching review. Some critical friends may even be willing to read through your work in depth and provide advice in terms of improvements to clarity, narrative flow or syntax. Here, a past supervisor or collaborator, for example, makes for an excellent choice. Naturally they may well ask for a return of the favour in reading and commenting on their own work at a future point, so be prepared to return the favour when the time comes. As an anglophone journal it perhaps saddens me to note some of the papers we receive from non-native English-speaking authors may have benefitted from having been read pre-submission by someone with a native comprehension of the language. Not all, by far, but certainly some, and worth considering if English is not your native language.

One work of caution about sharing your work, academia can be a competitive environment, and there have been sadly some instances of unscrupulous scholars making use of their early access to a pre-publication work to beat an unsuspecting author to the punch. Hence, take care to ensure your critical friends are indeed people you know to be ethical and trustworthy before sharing your work with them.

*Writing is Rewriting*

I could probably fill the rest of the journal or my next monograph discussing peer-review feedback, but I am sure our readership would rather I kept it brief. Hence, I will stress how feedback from peer-reviewers and editors is always something that's worth dealing with in a timely manner. Remember, try to perceive reviewer comments as being intended to provide impartial advice on how you can improve the clarity, impact and coherence of your writing, rather than an *ad hominem* attack on your professional ego! That is not to acknowledge the existence of the occasional caustic reviewer you are, regrettably, bound to encounter along the way. Just remember they are an outlier as most scholars are sincerely dedicated to helping improve the research communication in their field by acting as reviewers. Hence, even when feedback is somewhat extensive, do not be dismayed, but rather treat it as a rich opportunity to form a plan of action to revisit and revise your work to your personal benefit.

I would also advise not leaving feedback to fester for weeks untouched. Partly, because it will become a bigger and more dauntingly oppressive 'task' to deal with the longer you leave it. Moreover, it is worth tackling sooner rather than later, as journal editors will become frustrated to the point of dropping your manuscript from consideration if you can't revise your work to a reasonable timescale. While here at *Exchanges* we try to be sensitive to the myriad of challenges our authors face, at the same time, we are in the 'business' of trying to compile a journal. Hence, when an author shows signs of diminished engagement, our natural proclivity to move our attentions along to those more willing to work with us to progress their piece to publication.

Finally, it is important to remember publication is a journey and not a destination. By this I mean, to be rejected for publication by a journal is not a calamitous end of days for the piece. Rather, you should view it as only another milestone along the road towards its eventual appearance in the public eye. Study any comments from the journal's editors carefully, take on board any suggested improvements and then consider afresh which journal might be a suitable home for it. Many more specialised and niche journals have reputations for rejected papers which are, essentially, excellent and well-crafted, but simply fall beyond the title's disciplinary scope. Thankfully, with *Exchanges* and other multi and interdisciplinary titles, this is less likely to be the case, but do ask yourself for every declined paper the simple question: 'Was I trying to simply publish with the wrong title?'

Which brings us full circle, to our author once again reading another journal's submission criteria closely and considering making that efficacious approach to its editor. Anyway, enough advice from me for one issue, and while I shall continue to look forward to speaking with potential authors over the coming months about their own insights and experience with publication, it is now time to move on to the main body of this issue.

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## Corrections

Before we do, a slight apology to our readers. Periodically, despite our efforts, errors slip through to publication. For the article by Matteo Leta (2020), the author notified us of a number of minor concerns. As such, a brief errata to this issue has been appended to the article (**Exchanges, 2021a**), to which we wish to draw readers' attentions. Our thanks to Matteo for alerting us to this, and their patience while we arranged for the supplementary documentation.

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## Papers

Now it really is time to introduce this issue's articles. We begin with a musical theme, as Elloit Cardozo brings us a piece entitled *'The Sagacity of Words': Gandhi and 21st Century Hip Hop*. The article explores the parallels existing between Gandhi's ideas and Hip Hop culture. Beginning with establishing the cultural links present between these two areas, the author then moves to consider intersectionalities of knowledge perception and significance which can also be exposed here. The article concludes with a discussion of how Gandhi is referenced and represented within modern Hip Hop music (1).

Our second article is a lengthy discourse provided by Saswat S. Das and Ananya Roy Pratihar. Entitled *Beyond the Carceral #MeToo*, the paper begins by offering a radical critique of the #MeToo movement but continues on to explore its related societal impacts. Interpreting the movement as a form of 'nomadological flow' the authors consider how #MeToo related activism has darker potentialities and may in fact have malign impacts on the 'relational dynamics of the genders'. The article continues in this vein to explore the metamorphosis of activism linked to the #MeToo movement, exploring some of the specific ways in which it may enable less socially desirable consequences. The paper concludes with an examination of the movement within a 'schizo-aesthetic' framing of body and desire (13).

### **Critical Reflections**

Moving to our selection of critical reflective pieces, M Onat Topal and colleagues share with us a piece which excitingly was produced in response to our call for works relating to artificial intelligence. In their timely paper, *Use of Artificial Intelligence in Legal Technologies*, Topal and colleagues consider the functionality and potential impacts of artificial and machine intelligences in the legal domain. Beginning with some valuable clarification and explanation of the field itself, they continue by exploring the pertinence and relevance of current discourse in this field. The paper continues by scrutinising the current applications of these A.I. technologies in this realm, before continuing to review how they can and will likely impact on future legal decision-making processes and practice (35).

Continuing our technological theme Sven Van Kerckhoven and Sean O'Dubhghaill provide us with a timely paper entitled *Gamestop: How online 'degenerates' took on hedge funds*. As highlighted in the news earlier this year, this piece explores the novel efforts of amateur investors to take on hedge funds' algorithmic domination of the financial markets. The authors highlight how the actions of the community of Reddit amateurs' investors raise new questions of regulation and investment within high finance. Moreover, the article concludes by providing some practical guidance to individuals who, as a result of the Redditors actions, might now be tempted to test the waters of the stock market for themselves (45).

Finally, Jaime A. Teixeira da Silva and Quan-Hoang Vuong tackle a topic close to my own heart by postulating the question: *Do Legitimate Publishers Benefit or Profit from Error, Misconduct or Fraud?* In part resonating with an article in a previous issue of *Exchanges*, this paper argues that journal publishers benefit financially and in terms of metricised esteem capital from the publication of articles which are later retracted. Consequently, the authors stress publishers have a moral responsibility to diminish their claims of 'peer-review excellence' in promoting their titles as author publication destinations. It closes with calling for academic scholars to be more proactive within the 'publishing ecosystem', in terms of drawing attention to errors in the literature and the organs within which they are published (55).

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## **Open Calls for Paper:**

If all these papers have whetted your appetite to consider contributing to *Exchanges* then you will be pleased to know that the journal welcomes submissions throughout the year on any subject, with no deadline. Articles which are accepted for publication will be subsequently published in the next available issue of the journal.

### *Peer-Reviewed Articles*

We are especially happy to consider research focussed or review articles which will undergo peer-review addressing any topic, ideally incorporating some element of interdisciplinary methods, methodology or thinking. Alternatively, we are delighted to receive pieces which are written to address their topic to a wide and general academic audience, written from within a disciplinary domain.

### *Critical Reflections & Conversations*

We especially welcome submissions of interviews with key scholars or critical reflections on important scholarly events, conferences or crucial new texts, which undergo internal (editorial review) scrutiny only. Along with their briefer wordcounts this permits the submission of timely pieces which usually see a more rapid progression to publication. As can be seen in this issue, they are a very popular type of article for authors old and new, and often have particularly high readership, due to their innate wider accessibility.

### *Deadlines*

There are no deadlines for these submissions, which may be on any topic, theme or discipline of prospective interest to our readership (see below for more guidance). Note that the periodic thematic calls for special issues or themed sections of the journal produced normally will include a deadline within their outline information. A new themed call for contributions will appear in the Autumn 2021 issue of the journal.

### *Advice for Prospective Authors*

As an interdisciplinary journal with a wide scholarly readership, authors should seek to write their manuscripts to be suitable for a general academic audience. Wherever possible, consideration should be given to unpack, delineate and expand on any potentially 'disciplinary niche' language, terms or acronyms used. Ideally, authors should seek to incorporate some element of interdisciplinary thinking or perspectives, or outline the broader scholarly relevance of their work, within the manuscript.

*Exchanges* has an expressly multidisciplinary, global and largely academic readership, and as such, have strong interests in work which encompasses or straddles disciplinary boundaries. Manuscripts providing an introduction, overview or useful entry point to key disciplinary trends, discovery and discourse are often among the most frequently accessed publications in the journal. Therefore, prospective authors are strongly encouraged to consider tailoring their manuscripts, narrative, thought and analysis in a mode which addresses this broad audience. For interviews and critical reflections, authors are especially advised to highlight the importance of disciplinary discourse or interviewees' scholarly contributions to the global academy, society and the public at large.

The Editor-in-Chief welcomes approaches from authors via email, or video-call, to discuss prospective submissions. However, abstract submission or editorial discussions ahead of a submission are not a requirement, and authors are welcome to formally submit their full manuscript without prior communication. Wherever possible, authors should include a note to editor indicating the kind of article they are submitting.

As *Exchanges* has a mission to support the development and dissemination of research by early career and post-graduate researchers, we are especially pleased to receive manuscripts from emerging scholars or first-time authors. All submitted manuscripts will undergo editorial review, with those seeking publication as research articles additionally undergoing formal peer-review by external assessors. Editorial decisions on manuscript acceptance are final, although unsuccessful authors are normally encouraged to consider revising their work for reconsideration at a later date.

More information on article formats, wordcounts and other submission requirements are detailed in our author guidelines ([Exchanges, 2020](#)). All manuscript submissions must be made by their lead author via our online submission portal. *Exchanges* is a diamond open access (**Fuchs & Sandoval, 2013**), scholar-led journal, meaning there are no author fees or reader subscription charges. Authors retain copyright over their work but grant the journal first publication rights as a submission requirement.

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## **Forthcoming Issues**

The next issue of *Exchanges*, currently expected to see publication during late summer, will be our next special issue (*vol 8.4*). This edition of the journal will focus on work by, about and inspired by the history and student experience relating to the arts faculty at the University of Warwick. It has been developed in collaboration with the *Then and Now: Arts at Warwick* research project and exhibition (**Warwick, 2020**), and I am pleased to report preparations are well advanced on bringing the submitted manuscripts to publication.

Beyond this, we are looking towards our regular Autumn issue (*vol 9.1*) and our next anticipated special issue, for the time being, focusing on papers relating to cultural representations of nerds. If you had the opportunity to attend the workshop in mid-March (**Exchanges, 2021b**) you will have enjoyed the opportunity to preview many of a themes and discussions which will comprise this issue. If not, do not worry, as the manuscripts for this issue are approaching their submission deadline, and we hope to bring you this next issue towards the end of this year or the beginning of 2022. We will also be beginning work on our latest commissioned special issue relating to theme's concerning the anthropocene, for which we will be hosting a tie in publishing workshop. More about that project will be appearing on the *Exchanges* blog in the near future.

Consequently, as you can see 2021 continues to be *Exchanges* busiest year to date, with plenty of interesting and varied discourse coming your way for at least the next 18 months or so.

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## **Acknowledgements**

As always, my thanks to our authors and reviewers for their vital intellectual labour contributions towards creating this issue. Without you, producing a quality-assured, peer-reviewed, scholar-led publication would quite simply not be possible. Thanks also to our reader community, who play a key role in developing the debates and insights raised in each issue. I hope you find this issue as informative as usual.

My continued thanks to the members of our Editorial Board community, especially in recent months for their insights on matters of publishing policy and ethics. Naturally, also a big thanks to them for their operational editorial labour on behalf of the journal and ongoing interaction with authors and reviewers alike. A special tip of the editorial hat here for Monash University based longstanding Board member **Dr Roy Rozario**, who has very recently passed his doctoral examinations.

My gratitude as well to **Rob Talbot** and **Dr Julie Robinson** at the Warwick University Library, and **Fiona O'Brien** of the *Reinvention* journal for their continued insights, technical support and conversations. My thanks as well to the IAS' **Dr John Burden** for his role as an invaluable source of positivity and moral support, along with effective line management and pragmatism too.

Finally, my grateful thanks to our publisher, the [Institute of Advanced Study](#) at the University of Warwick for their ongoing financial and strategic backing for *Exchanges* and our related activities.

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## Continuing the Conversation

*Exchanges* has a range of routes for keeping abreast of our latest news, developments and calls for papers. In-between issues you may wish to listen to our growing range of podcasts or read our regular blog posts, to continue the interdisciplinary exchange of experience underlying our operations. Please do contribute to the conversation whenever and wherever you can, as we always value hearing the thoughts of our author and readership communities.

Editorial Blog: [blogs.warwick.ac.uk/exchangesias/](https://blogs.warwick.ac.uk/exchangesias/)

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As Editor-in-Chief I am also pleased to discuss potential publications, collaborative opportunities or invites to talk further about *Exchanges* and our activities. Contact me via the email or via the social media platforms if you would like to arrange a video-consultation.

### *The Exchanges Discourse*

Since our last issue, three more episodes of the companion podcast series to the journal, *The Exchanges Discourse*, have been published. Two episodes are conversations with past authors (**Exchanges, 2021c & d**), and the other a lengthier discussion with a number of our associate editors about their experiences working on the journal (**Exchanges 2021e**). We heartily encourage all readers of the journal, and especially first time authors, to seek out these episodes – available on all major podcast platforms, and specifically the Anchor.fm site.

Podcast: [anchor.fm/exchangesias](https://anchor.fm/exchangesias)

Gareth has been the Editor-in-Chief of *Exchanges* for three years. Along with holding a doctorate in cultural academic publishing practices (Nottingham Trent), he also possesses various other degrees in biomedical technology (Sheffield Hallam), information management (Sheffield) and research practice (NTU). His varied career includes extensive experience in academic libraries, project management and applied research roles. Currently, he is also the Chief Operating Officer of the Mercian Collaboration academic library consortium, and a Fellow of the Higher Education Academy. His professional and research interests focus on power-relationships within and evolution of scholarly academic publication practice, viewed from within social theory and political economic frameworks. He is an outspoken proponent for greater academic agency through scholar-led publishing, and an expert in distributed team management and effective communication practices. He is also the creator and host of a number of podcasts, including *The Exchanges Discourse*.



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# 'The Sagacity of Words': Gandhi and 21<sup>st</sup> Century Hip Hop

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**Peer review:** This article has been subject to a double-blind peer review process



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## Abstract

*Best known for his ideas of ahimsa and satyagraha, Mohandas Karamchand Gandhi was a prominent figure in the Indian freedom movement. Even today, he is highly revered for his philosophy of non-violence which was also an integral part of India's freedom struggle. Gandhi was responsible for making non-violent protests an important part of the movement. Now famous as a global expressive culture including forms of dance and music, Hip Hop, too, was conceived as a reaction to the violence that pervaded the gang culture of the late-1960s to early-1970s in The Bronx, New York City. Drawing from this thread of similarity, this article fleshes out parallels between the ideas of Gandhi and Hip Hop culture. Divided into three sections, it begins by establishing the cultural linkages between Gandhi, the Gandhian foundations of Hip Hop, and marking out the rationale of the study. The following section goes on to discuss the intertwining strings between Gandhi's perceptions of knowledge and the significance of knowledge in Hip Hop culture. Finally, the third section discusses references to and representations of Gandhi in selected works of 21<sup>st</sup> century Hip Hop. In doing so, the article posits that Gandhism and Hip Hop culture belong to a similar lineage of ideas, if not the same one.*

**Keywords:** Gandhi; Hip Hop; knowledge; non-violence; protest.

## **Setting the Scene: Cultural Linkages between Gandhi and Hip Hop**

Mohandas Karamchand Gandhi (1869-1948), or Mahatma Gandhi, as he is fondly known, is a globally renowned historical figure who played a crucial role in the Indian freedom movement. He is best known, worldwide, for his ideas of *ahimsa* and *satyagraha*. While *ahimsa* could quite literally be translated to non-violence, Gandhi himself explained *satyagraha* as ‘Truth (Satya) implies love, and firmness (*agraha*) engenders and therefore serves as a synonym for force. I thus began to call the Indian movement “*Satyagraha*,” that is to say, the Force which is born of Truth and Love or non-violence’ (1928: 72). One could argue that that the ideas he propagated still stand relevant in this day and age, more than a hundred and fifty years after his birth.

Hip Hop is believed to have begun as a movement somewhere around the late 1960s and the early 1970s in The Bronx, New York City, and over the years it has grown immensely as a culture to the extent that today ‘[e]very populated continent (and most countries) have thousands of local hip-hop scenes shaped by artistic and cultural practices that are produced, defined, and sustained primarily by youth in their own neighbourhoods and communities’ (Morgan & Bennett, 2011: 180). It is a well-known fact that in its foundational years, as well as today, Hip Hop has functioned as a medium of protest through the means of art. It is believed that ‘Gandhi was the first in human history to extend the principle of nonviolence from the individual to social and political plane’ (Radhakrishnan, 2013: 7). While this is not to claim the presence of any sort of direct inspiration, it is undeniable that non-violent protest forms an indispensable element in our understanding of both, Gandhi as well as Hip Hop culture.

The Universal Zulu Nation has always maintained that Hip Hop was created with the aim to promote ‘peace, unity, love, happiness and fun’ (Afrika Bambaataa – Universal Zulu Nation, n.d.). That being said, Gandhi’s thoughts on peace, unity and love require little introduction:

*I regard myself as a soldier, though a soldier of peace. (Gandhi as cited in Chappell, 2013: 326)*

*I believe in the essential unity of man and for that matter of all that lives. (Gandhi, 1924: 421)*

*To see the universal and all-pervading Spirit of Truth face to face one must be able to love the meanest of creation as oneself. (Gandhi, 2001: 269)*

While this is not, in any way, to imply that Hip Hop culture is directly influenced by the ideas of Gandhi, the similarities between the thinking of Gandhi and some of the most influential driving forces in Hip Hop are clearly there to be seen. This makes it pretty evident that the two ideologies share close cultural linkages. With this in mind, this article attempts to flesh out a few parallels between the ideas of Gandhi, and Hip Hop as a culture.

This article is driven by the underlying belief that the ideas of Gandhi, even 150 years after his birth, are still relevant in this day and age. In choosing Hip Hop as a point of conjuncture, the attempt is to point out how these ideas and values are still intrinsically linked to a culture that is widely associated with the youth. It is also worth pointing out here that in selecting examples for discussion the most obvious ones with extremely explicit parallels and references were chosen. For instance, this article does not delve into exclusive discussions about the role and significance of Gandhi's ideas in the fields of education or social activism at large. Those are, in fact, questions that merit being addressed separately in and of themselves. Neither does it, for example, analyze relatively minor or self-explanatory references to Gandhi in the lyrics of Hip Hop music such as 'Slim be the combination of an actual Kamikaze and Gandhi' (2018) in Eminem's 'Venom' (2018), or the numerous times Indian rappers use Gandhi as a reference to money such as in Veer Karan's 'Gandhi Ji' (2014) and Divine's 'Gandhi Money' (2019): simply because there is an overabundance of such references.

### **Gandhi, Knowledge, and The Fifth Element**

While it might seem like a far stretch to posit that there are any considerable parallels between the ideas of Gandhi and Hip Hop as a culture, a panel discussion on 'The Influence of Gandhi and King on Hip Hop Culture', held on 13 January 2015 at The Menil Collection Museum in Houston, Texas, proves otherwise. During the discussion, a panel consisting of Anthony Pinn (Professor of Religion at Rice University), Monica Miller (Assistant Professor of Religion and Africana Studies at Lehigh University), Josef Helfenstein (Director of the Menil Collection), Bernard 'Bun B' Freeman (American Rapper), and Talib Kweli Greene (American Rapper and Activist) spoke at length about the connections between the ideas of Gandhi, Martin Luther King Jr, and Hip Hop culture. This panel discussion provides a few noteworthy observations on how Gandhi and his ideas have had a deeply significant influence on Hip Hop. For the sake of this article, the first relevant one of these is Talib Kweli Greene's proposition that the messages of social disobedience, peace, and unity which both Afrika Bambaataa's Universal Zulu Nation, as well as Hip Hop as a global culture try to spread around the world, come directly from



Gandhi (Pinn, et al., 2015). The second is Monica Miller's comparison between remix and sampling within Hip Hop culture, and how human ideas are formed by 'sampling' other ideas. In this way she claims that Gandhi sampled Thoreau, and King sampled Gandhi before a large number of Hip Hop artists who address issues of race finally sample King. Miller, thus, establishes a lineage between the ideas of Gandhi and Hip Hop (*Ibid*). The third and most noteworthy idea, in the context of this article, came through Anthony Pinn's conclusion that 'what we can gather from Gandhi, and from King, and from Hip Hop culture, is awareness, lucidity, a greater understanding and perspective on what confronts us' (*Ibid*). These discussions add further credence to the argument that the ideas of Gandhi have definitely had an impact on Hip Hop culture down the years, at least indirectly if not directly.

As a form of artistic and cultural expression, Hip Hop is largely said to consist of four core elements: MCing or rapping which forms the oral element; DJing or spinning which forms the aural element; break-dancing or b-boying/b-girling which forms the physical element; and graffiti or graf writing which forms the visual element. Travis L. Gosa, in discussing Afrika Bambaataa's conception for the fifth element of Hip Hop, points out that "knowledge of self" refers to the Afro-diasporic mix of spiritual and political consciousness designed to empower members of oppressed groups'. He further points out that knowledge of self 'can be derived from the critical and self-reflective study of anything in the universe, as long as knowledge is deployed toward peace, unity, love, and having fun' (Gosa, 2015: 69, 75). Within Hip Hop culture thus, there is the belief that the fifth element, i.e. knowledge, ties the other four artistic elements together. Knowledge occupies an extremely crucial role within Hip Hop culture as authenticity is continually linked with a performance that positions 'the artist as experienced knower' (Motley & Henderson, 2008: 250-251). As a result of this, artists are imbued with a certain 'subcultural capital' (Maira, 2000: 337). This is to say that Hip Hop artists are encouraged to try and use their art in a way that is highly self-aware and self-informed while simultaneously spreading awareness and knowledge. Seeing this in light of Anthony Pinn's aforementioned statement at the Menil Panel and keeping in mind that for Gandhi, 'knowledge without character' (1982: 135) is one of seven social sins, it becomes evident that there are more connections than initially apparent.

Hip Hop Pedagogy has been defined as 'a way of authentically and practically incorporating the creative elements of hip-hop into teaching, and inviting students to have a connection with the content while meeting them on their cultural turf by teaching to, and through their realities and experiences' (Adjapong & Emdin, 2015: 67). This ties very naturally into both, knowledge as the fifth element of Hip Hop as well as Gandhi's idea

of using knowledge for the betterment of society, as discussed. The best and most explicit examples of Hip Hop pedagogy and how it parallels Gandhi's ideas can be seen in how it has been used to teach students about the life and legacy of Gandhi. The first example here is that of Flocabulary, a Brooklyn-based education company, whose website houses a module on postcolonialism containing an animated rap video that discusses, amongst other things, how 'Mahatma Gandhi became a symbol of independence and peace' (**Postcolonialism, n.d.**). The video shows the students a back-and-forth between an English man and an Indian woman engaging in a rap battle about Gandhi and his role in the Indian freedom movement. This serves as a perfect example of Hip Hop being used in the classroom teaching material. The next example is that of a Lesson plan by Adam Sussman, a teacher at Methacton School District. In a PowerPoint presentation called '*Gandhi Raps: Co-operative Learning: India- Freedom and Partition*' (**Sussman, n.d.**), he gives detailed instructions for the students to write and perform rap songs based on a five-page chapter about the life of Gandhi, as a classroom activity. With extensively drawn out instructions on both, evaluation and assessment such as '[e]ach rap, rhyme, or song parody must completely describe the assigned event' (**Ibid**), he leaves no stone unturned in ensuring that the students utilize the practice of Hip Hop art in order to learn history. This example goes on to show that not only has Hip Hop been employed as teaching material but also been practiced and ended up disseminating knowledge in and of itself, in formal educational setups, that too in specific relation to the life and ideas of Gandhi.

In speaking of Hip Hop, knowledge, and the betterment of the society, it is imperative to point out that, down the years, Hip Hop has extensively played a role in addressing social issues as well as bringing about a proactive change through awareness campaigns and the use of Hip Hop therapy amongst others. There are however, a few significant examples with the first of these being Music4Peace's Hip Hop Summit in 2010. An initiative with the aim to 'educate, empower, and improve the world beginning with the universal language of music' (**Swagmedia, 2010**), Music4Peace was a collaboration between numerous charities including Hip Hop Summit/Action Network, Tribes of the World, Music4Peace Foundation and The Gandhi Tour (which is run by Arun Gandhi, the grandson of M.K. Gandhi). Their Tour in 2010 included a Hip Hop Summit which would see them go to various locations around the world in an attempt to use Hip Hop to 'promote peace throughout the world' (**Ibid**). The second-most noteworthy example is a Hip Hop concert that was organized at the M.K. Gandhi Institute for Non-violence, in Rochester. Germinating from the idea that Hip Hop was born as an alternative to violence, the concert looked to provide people with 'opportunities to

express themselves in a positive, nonviolent way' (Upadhye, 2015). The third and probably the most notable of such examples was a Hip Hop event that took place at the Gandhi Ashram Sabarmati, in Ahmedabad, India. This is especially significant given that the Ashram 'was home to Mohandas Gandhi from 1917 until 1930 and served as one of the main centres of the Indian freedom struggle' (History, n.d.). The Ashram now hosts children and teaches them arts and crafts besides providing basic education and meals to them. The event in question saw two emcees: Poetik Justis and Dee MC, beat producer HHB and beatboxer Beatraw, from the Bombay Hip Hop scene conduct a workshop with the children. The workshop, in which around 100 children participated, included sessions on rapping, beatboxing and music production using a workstation and saw the artists 'stressing on the importance of knowledge as an element of Hip Hop. They focused on the value of education above all else' (Poetik Justis, 2018). These events serve as clear examples of how in using Hip Hop as a vehicle for social activism, one inherently ends up adhering to Gandhi's idea of knowledge as a virtue while also putting into practice the fifth element of Hip Hop culture in a meaningful way.

### **'The sagacity of words': Gandhi in/and 21<sup>st</sup> Century Hip Hop**

Perhaps one of the best ways to understand just how much of an influence the life and ideas of Gandhi have had on Hip Hop is to take a look at some of the different ways he has been either referred to, or made the entire subject of Hip Hop art in the 21<sup>st</sup> century. This section does just that in discussing some of the instances in which Gandhi has been, in some way or the other, part of Hip Hop music performances, since the turn of the 21<sup>st</sup> century.

The first and perhaps the most apparent example is MC Yogi's *'Be the Change'* (2012). In this song, MC Yogi chronicles the life and legacy of Gandhi and talks about how he was a common man. The music video switches between visuals of various important events that led to the making of Gandhi, with MC Yogi appearing on the screen intermittently with the hook of the song insisting that 'you gotta be the change that you want to see/ in the world, just like Gandhi' (Ibid). The next example in a similar vein is BlaaZe's *'2Pac Meets Gandhi'* (2017). In this song that samples selected excerpts of Gandhi's and Tupac's voices, the Indian rapper imagines a situation where Tupac would meet Gandhi. He goes on to rap about how, despite their drastically different approaches, both Tupac and Gandhi were 'both on the same mission with separate identities' (Ibid). This is not the only occasion BlaaZe spoke about Gandhi in a rap song either: multiple references and songs about Gandhi featured on his debut album titled *Time for Gandhi* (BlaaZe, 2011), which is famous for being India's first Hip Hop protest album. On being asked what inspired

the album, he responded '[t]he Mahatma...the chaos around, and the need to express myself in a truly global Indian way meant, literally, it was time for Gandhi' (BlaaZe, 2017).

A slightly different example of a track where Gandhi is the subject, is a video by a YouTube Channel named *ERB* (Epic Rap Battles of History). Titled '*Gandhi vs Martin Luther King Jr. Epic Rap Battles of History*' (ERB, 2013), the video is a parody, with two of the creators cosplaying as Gandhi and Martin Luther King Jr respectively, as they trade verses back-and-forth in a rap battle. The video puts a humorously competitive spin on the legacies of the two historic figures, while simultaneously managing to convey the importance of their achievements: 'You want to battle wits, see who's the better pacifist/ I broke the caste system, but you still cannot touch this' (ibid). Within a week, they followed this up by uploading a video titled '*Gandhi vs Martin Luther King Jr. Epic Dance Battles of History*', a break-dance battle between Gandhi and Martin Luther King Jr with actors again cosplaying both, on their sister channel *ERB 2*. These videos are examples of parody rap, with Gandhi forming a central figure.

While in these examples Gandhi's presence in the songs can be justified by the fact that they are in one way or the other about Gandhi, there are also other examples where he is explicitly referenced despite not being the focal point of the song. Babu Haabi's '*Bobocanta*' (2016a) is mostly (in)famous for its animated video of Gandhi break-dancing to the foreground of a burning Indian Parliament. While Gandhi is not the central subject of the song, the references to him are quite explicit and prominent with Babu Haabi at one point rapping:

*Kehte hai majboori ka naam hota hai Mahatma Gandhi,<sup>ii</sup>  
Ladta raha mai akela, badhti rahi yeh aandhi.  
Satyagraha se kuch na mila, jhooth ka jhanda lehraya,  
Kuch na hote hue bhi ameer maine khudko paaya...*

*[They say helplessness' name is Mahatma Gandhi,  
I kept fighting alone, this windstorm kept getting bigger.  
Gained nothing from Satyagraha so I waved the flag of lies,  
Despite having nothing I found myself rich...]* (Babu Haabi, 2016a)

Speaking of why he referenced Gandhi the way he did in his song, Babu Haabi said that it was his interpretation of how Gandhi would react if he saw the dire state of affairs in the country he gave his life for, going on to call it Gandhi's present-day '*tandav*'<sup>iii</sup> (2016b). '*Bobocanta*', hence, serves as a unique example which uses the ideas of Gandhi to offer a perspective on the current state of affairs in India. With a reference to Gandhi in the title as well as the hook line: 'Slow down Gandhi, you're killing 'em' (Sage Francis, 2004); American rapper Sage Francis' '*Slow Down Gandhi*' (2004)

is another prime example of Gandhi being referred to in a rap song, despite not being one of the central subjects of the track itself. Sage Francis stated that the song was meant to be a scathing attack on ‘fly-by-night activists who get caught up in political fervor every election year and then they fall by the wayside when the party is over’ (Sage Francis, 2009). The hook of the song, hence, can be understood as a sarcastic hit at these activists. In addition to these, there have also been works which have made just titular references to Gandhi. One such example would be American underground Hip Hop group Jedi Mind Tricks’ *Visions of Gandhi* (2003). In commenting on why they chose to title their album that, rapper Vinnie Paz remarked that ‘this is a time right now that the world and society need someone like Gandhi’ (2006). The title of their album, hence, can be seen as their tribute to Gandhi. The final example, for this article, is that of a Belgian rapper who goes by the stage name Gandhi. It has been pointed out that: ‘Using the pseudonym Gandhi, he does not claim to possess the sagacity of the spiritual leader. Rather, for him, it symbolises ‘the sagacity of words’ (Gandhi - Dour Festival 2010, n.d.). Hence, given that several artists have rapped about, made references to, or paid tributes to Gandhi in their work, it is amply clear that he has inspired a lot of work within the Hip Hop culture.

## **Conclusion**

As pointed out by Belgian rapper Gandhi, both Gandhi and Hip Hop culture have been keen proponents of the power of words and ideas. Both of them, in various capacities, speak of knowledge as an empowering tool to bring about social change. Gandhi’s insistence on non-violence as the way forward and the legacy of Hip Hop as a reaction to violence, certainly seem to tie the two together. Given Gandhi’s conception of *satyagraha* as a non-violent form of resistance and Hip Hop’s foundational roots as an art form largely associated with non-violent protest that still pervade it, one cannot help but acknowledge that the two belong to a similar lineage of thought, if not the same. Furthermore, given Hip Hop culture’s proactive engagement in combating social issues worldwide through means of non-violent artistic expression, one can conclude that it is inextricably linked with some of the ideas propagated by Mohandas Karamchand Gandhi:

*The non-violence of my conception is a more active and more real fighting against wickedness than retaliation whose very nature is to increase wickedness... I seek entirely to blunt the edge of the tyrant's sword, not by putting up against it a sharper-edged weapon, but by disappointing his expectation that I would be offering physical resistance. (Gandhi, 1996: 162)*



This article, hence, seeks to have fleshed out the relevance of the ideas of Gandhi in this day and age, using Hip Hop, a predominantly youth culture, as a pivot. This could be seen as an indication of the longevity of the legacy of Gandhi, in that it is so inextricably linked with a culture that only seems to be expanding its reach with the passage of time. As previously pointed out, this article has not dealt at length with the relevance of Gandhi's ideas and philosophy in the domains of education and social activism. Neither has it exhaustively looked at references to Gandhi in Hip Hop music, with several relatively minor and self-explanatory references skipped altogether. A more detailed inquiry into either of these, hence, represents the prospective scope of future study.

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### **Acknowledgments and Dedication**

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Elloit is also a coordinator for Show & Prove Mumbai, an upcoming collaborative conference with the University of California Riverside, set to be the first ever conference on Hip Hop Studies in India.

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**Endnotes**

<sup>i</sup> a global Hip-Hop awareness group "dedicated to knowledge, non-violence, and healthy living" (Gosa, 2015: 70)

<sup>ii</sup> a Hindi equivalent for the English idiom "desperate times call for desperate measures"

<sup>iii</sup> first danced by, and mostly associated with the god Shiva, it "covers all dance which expresses actions and feelings with strength and vigour" (Massey, 2014: 32)

# Beyond the Carceral #MeToo: Mapping the schizo-aesthetics of body and desire

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## Abstract

*In this article, we attempt a radical critique of the #MeToo movement. We do not aim to display #MeToo phenomenon as a molarity anchored to the nobility of its supposed historical origin. Rather we showcase it as a nomadological flow. This is a flow that, on the one hand, resonates with and folds the productive intensities of its supposed historical origin. But, on the other hand, it turns into a dangerous mad line of flight with a potential to stultify the relational dynamics of genders. Secondly, we will argue that what lies behind the metamorphosis of 'Me Too' activism into a dangerous line of flight, inclined to devilishly restructure the socius, is its precarious connection with the elusive media images. Thirdly we shall show how as a dangerous line of flight #MeToo activism ends up becoming an ally of neo-liberal carceral feminism and governmental schemes of incarceration and surveillance. And finally, we will focus on explaining the positionality of #MeToo in the light of schizo-aesthetics of body and desire.*

**Keywords:** #MeToo; Zombie; carceral feminism; neo-liberalism; post-truth; becoming women

## **Genealogy and the Social Displacement of #MeToo**

*It is no longer possible to think in our day other than in the void left by man's disappearance. For this void does not create a deficiency; it doesn't constitute a lacuna that must be filled. It is nothing more, and nothing less, than the unfolding of a space in which it is once more possible to think (Foucault, 1994: 373)*

October 10, 2019, online edition of *Economic Times*, India, viewed '#MeToo' as ushering in a time of tumult and hope (Indulekha, 2019). However, a radical *Schizoanalysis* of this view may expose it as bearing proximal concomitance with populist thinking rather than being transgressively creative, inclined towards subverting the 'normative' or generating the new.<sup>i</sup> However, the question is what structural aspect of populist thinking such views represent? It may be argued that when such views are rendered spatially they betray a kind of analogy with what is viewed as the triangulation of a dialectical field.<sup>ii</sup> At one end of this field lies affectual antagonism in the form of tumult while the other end stands pregnant with glimpses of hope and desire for a reconstructive change. However, it is not because such views are generative of a dialectical field, indicative of a rigid abstract schizophrenic oscillation between affects—otherwise sensed or experientially encountered as existing in a state of dense intertwinement—that one needs to think beyond it. Rather, this is because #MeToo for many attempting to delink it from the trajectory of populist thinking may generate little of what we view as the reconcilable dialectics of tumult and hope, even less of what a beginner in postcolonial studies may put down as a kind of fertile 'in-between'.<sup>iii</sup> Rather it could lead one into the speculative territoriality of dystopia awaiting round the corner to be grounded, given that in the self-referential circularity or rotundity of the 'globed' condition in which we live there are only actualisables or tangibles. In this sense, the disjunctive spectral territoriality of dystopia which #MeToo activism lays down no longer indicates an intangible virtual real, but one in the process of becoming our actual existential ground. This is a ground that holds within its spectral pleats and folds surreal visions. These are visions of social normativization or even worse normalization of what appears as a state of self-imposed isolation, incarceration, social ostracism, and routinized production of inoperative bare life (Agamben, 1998).

But then, isn't there any truth in such views that needs to be preserved for the emergent futurity wedded to what we call the post-truth? And then don't we need such views even in the juridico-legal sense of the term to consolidate the position of the 'official minorities' in the social tapestry, given that exploitation and harassment of these minorities can be empirically validated?



However, an unproblematic alliance with the problematics of Spivak's disclosive observation that *subaltern cannot speak* while addressing issues plaguing institutional minorities—women in this case—could be as hopeless as making these minorities speak at all cost (Spivak, 1988). This is because thinking through Spivak's disclosure (Sharpe & Spivak 2003) while approaching minorities may not only entail totalizing a vibrating pulsating heterogeneity but may also lead one to equate Spivak's conceptualization of subaltern with that of the institutional minorities. And then not all minorities interpellated by the panopticon<sup>iv</sup> institutional gaze can be called the subalterns or the least empowered, differing 'desiring machines' (Buchanan, 2008) as each one of us happens to be willy-nilly.

But then the legality and the truthfulness of what we call the democratic freedom can be measured only when the minorities are given the democratic freedom to speak from their unique positions and in a language they consider to be the house of their individuated beings.<sup>v</sup> And in this sense it ought to be the majority who must stoop down to comprehend the nuances of the minorities' position and their languages rather than asking them to account for what they consider to be rightfully theirs. But at the same time, it is the slide from an institutionally inscribed minoritarian position to majoritarian one that each one of us experience and unconsciously express every moment that needs to be kept in mind while registering the vocal trajectories of the so-called minorities. This is because it is the very immanence of this slide that constitutes one's ontology and its commitments and in the very process schizophrenizes them, bringing about an uncanny intermeshing or a perpliation<sup>vi</sup> of — as Clayton Crockett in his book *Deleuze Beyond Badiou* (2013) puts it — the foundational constituents of one's identity in relation to others (Crockett, 2013:46).

However, it is this sense of *perpliation* of the abstracted singularity of selves and others that we fail to encounter in the resolution that has gained popularity among the populist feminist brigade looking forward to actualizing a rhizomatic universalization of the #MeToo movement.<sup>vii</sup> The resolution that ambivalence of sexual assault of women can be resolved if the man isolates himself and become indifferent towards women at his workplace is ridiculous, to say the least. And what is even worse is that it ironically or better tragically attempts to naturalize the social conditions of an outbreak or an epidemic, a condition in which social isolationism is promoted by the institutional bio-political apparatuses as prescriptive norms of existence. Even if the practitioners of the so-called militant brand of feminism<sup>viii</sup> disagree—though we are yet to see whether something of this kind will just be an aggressive repetition of the established patterns of patriarchal violence or yield something

productive—and insist that it is the vicious animality of man that makes him as deadly as a dangerous virus posing a threat to the whole of women-kind it needs to be stressed that whenever bio-political machineries have turned their policies of social isolationism into praxis it has led to unredeemable chaos. The notion of ontology as a pure multiple may seem to be a detached splinter group of a kind of elitist intimidating theorization, as far as the robustly grounded militant feminists are concerned. But it must be stressed that ontology is relational and societies since time immemorial are constituted by inter-subjective and intra-subjective dialogic encounters. Further, it needs to be pointed out that women with their role as homemakers happen to be the creative forces laying the foundation of dialogue making in the public sphere. Moreover, the functionality of the workplaces and public spheres, replete with gendered entities, largely depends on the process of dynamic interaction between these entities. This happens to be an interaction that reflects what Habermas called 'communicative ethics'.<sup>ix</sup> To debunk this knee jerk resolution may not demand much of what we call critical acumen, but what deserves attention or demands critical engagement is the intellectual genealogy of this movement and its social displacement that resulted in its being notoriously manipulated.

Before metamorphosing into its current avatar 'Me Too' happened to be a movement initiated by Tarana Burke, a civil rights activist in 2006, to support the sexually abused survivors and raise awareness of sexual harassment and assault especially among young women of colour (**Gracia, 2017**). Although the movement called out men in power as the perpetrators of sexual abuse in organisations, for Burke women's exploitation or sexual harassment as 'a thing in itself' or what Kant called *noumena*,<sup>x</sup> stood as an oblique exponent of the continual interplay between patriarchy and capitalism which allowed men to exercise power over women (**Burke, 2017**). Burke's observation could be critiqued and women can be shown as being complicit with the patriarchal domain of capitalist exchange and transaction, exploiting the aura of blissful cohesive domesticity, 'the inner sanctum', as one may say, to necessitate such exchanges. But the spotlight at this moment needs to be put on the extraordinary nuances of #MeToo genealogical origins.

Burke's observation exposed an existent connective synthesis between despotic signifying regime of patriarchy, modern Oedipality<sup>xi</sup> - indicative of a triangular or trilinear familial structure with a phallic male as the authoritative figure dwarfing the women and the child—and capitalism wedded to industries of profit making and little concerned with doing away with anything that contributed to the principles of excess production even if it demanded a routinized or ritualised masculinization of financial markets. According to Burke, it was necessary to disconnect from the

structures of power and hegemony and the stultifying indifference that the capitalist economy displayed towards these structures as it had the nefarious potency to manipulate them into becoming instruments of profit making. So 'Me Too', for Burke, was meant to eradicate the patriarchal codification of socius and replace it with a kind of loosely configured network, with men and women as interrelational coordinates, caught in a frequent dialogical interplay. But the social displacement of #MeToo was ludicrous, to say the least. It slid from contesting the formation of power blocs to engineering an antagonizing *volte-face* or an ironic binaric reversal triggering off a process of women hegemony and victimization of men.

As one may say, the social displacement of Me Too happened to be an exercise in grand ironic betrayal. Instead of foregrounding a complex interplay between capitalism and patriarchy and attempting to restructure the world in terms of assemblages,<sup>xii</sup> Me Too, as Prakriti Renjen remarks, devilishly 'transmuted the shared dynamics of the man-women relationship forever' (Renjen, 2019a) And as it went on to periodically betray the purposive nobility of its genealogical impetuses it portrayed men not only as 'ashamed of their lustful animality' (Renjen, 2019b) but a victim of their own biological urges. So, regardless of its well-intentioned beginning and the sheer grandiosity of what it desired to actualize #MeToo propelled out of its territorial pathways and became a dangerous 'line of flight'.<sup>xiii</sup> This was a flight that ended up traumatizing the professional and personal space and reawakening the demons of class consciousness as it failed to connect with other significant issues of women exploitation.

#### *Me Too, Radical Feminist Agency and Fear of 'Media' Rhizomes*

From the vantage point of epistemology, it may seem more like a cliché nowadays to dwell on the instability, precarity, performativity, and inconsistency of the real and to expose the truth as being contextual, situational, and contingent. And it will not be dramatic at all to claim that the non-interpellative character of the reality and truth is what we get to experience in pre-symbolic terms in our life world, dispersed across differential territorialities in which we live, though we almost always fail in finding a language to communicate our experience. But at the same time, it is not also very uncommon in academia to put forward this argument—least in the form of an explosive disclosure—that what lies behind the discovery and proliferation of the uncertainty of the real and consistency of our encounter with the contingency of truth is the paranoid search of what we intuitively sense as truth and the real. As we get aggressively intense in our search only to make our existence a parody of detective fiction the more we get closer to realizing the fictional nature of truth and reality. Needless to say, but it is our encounter with, and situatedness in, the media that express this process best. And it is our frantic and obsessed

search for truth in every media image that auto-propels us into an era of post-truth. This happens to be an era that suffers from the absence of reality principle or exults in the performative aesthetics of the hyper-real. But it is primarily this era's exultation in and unabashed celebration of the hyper-real that opens up a post-truth condition everywhere. Whatever is positioned as 'true' in the media stands as ambivalently configured or doubly articulated: 'So real, yet not real'?

So, when #MeToo turns to social media, polishing the divide between having and have-nots—or between those who have access to media even while lacking the capacity to understand the workings of it and those who do can't afford such access—it leads to very dangerous ends: 'lives are destroyed, careers are devastated' as social media images and narratives demand that they be repeatedly reconstructed and deconstructed instead of converging into and resonating with some sort of digestible or an assimilable singular sense. As these images both work for and dis (re) place the truth instead of being true, our search for truth intensifies as we encounter these images. Moreover, it is our search for truth that demands that we display a kind fetishistic allegiance with these images. This is an allegiance that necessitates the production of a rhizomatic network of relations and combinations while creating patterns of transforming them into an unrecognizable immanent fold (**Bryant, 2008**).

It must be stressed that according to Deleuze and Guattari a rhizome being non-linear, anarchic, and nomadic in its very unfolding stands as an alternative to anthropomorphic arborescence: 'unlike trees or their roots, the rhizome connects any point to any other point; and its traits are not necessarily linked to the traits of the same nature; it brings into play very different regimes of signs, and even non-sign states (**Deleuze and Guattari, 1988: 21-22**). So, it is true that social media or even the print media may not be exactly what Deleuze meant by rhizomes, but they play a catalytic role in functioning as cross points where women from different types of organisations, social movements, and struggles can come together and display their solidarity. However, it may be argued that what prompts #MeToo activists to treat social media as an ally of the dialectical resistance that they offer to the regular sexual exploitation of women by males is, to put it reductively, the *Hollywoodish* poetic justice it delivers at the end. For these activists, this is a kind of justice that not only exposes and altogether devastates the accused that they consider to be a villainous male, inclined upon exploiting a gullible or an innocent woman but also turns the latter into a lasting symbol of women's heroic struggle against their sexual exploitation by males.

It also could be argued that the #MeToo movement's use of social media as the most effective instrument against male sexual exploitation of women mirrors women's desire in general to receive quick justice it facilitates. When the state and the federal laws and the court system fail to deliver justice for the exploited women, it is the social media that works as a justice providing machine. Moreover while providing justice social media bolsters the populist conviction that is most often used to highlight the delayed functionality of our courts: 'justice delayed is justice denied'. The media continuously pushes the sexual harassment stories to the foreground and by doing so acts as the proverbial conscience keeper of the socius. Women Media Centre's 2018 report on #MeToo shows that after *New York Times* and the *New Yorker* came up with a slew of sexual assault and sexual misconduct allegations against Hollywood producer Harvey Weinstein, more than 15,000 headlines, bylines, and articles in worlds' most widely circulated newspapers covered it feverishly (Steinem, 2018a). Gloria Steinem, co-founder of the Women's Media Centre said in this context 'Naming sexualized violence makes it visible and subject to prosecution,' she added, 'In the past, what happened to men was political, but what happened to women was cultural' (Steinem, 2018b). The first was public and could be changed and the second was private, off-limits, even sacred. By making clear that sexualized violence is political and public social media cuts into the borderline between the public and the private that the perpetrators of sexual crimes rely upon.

However, one wonders whether by turning to social media #MeToo activists make way for justice in the juridical sense of the term or basically consider justice provided by the law court as some kind of futile deduction based on a wide gamut of empirical evidence available? Secondly, is the justice that the #MeToo enthusiasts finally capture through social media happens to be what we sense as justice in absolute terms or a kind of perspectival justice or more disturbingly a kind of justice driven by one's interest or ideology? Isn't it true that our condition is stultifyingly paralogical and entails an irresolvable dialectical conflict between differing perspectives depending upon and drawing their legitimacy from their contextual positionings? It is evident that #MeToo enthusiasts take the so-called victimological perspective or the perspective of the accused, but in the process, don't they work by the populist conviction that usually an accused has no story to tell? All these soul-searching questions may have been already hurled at the #MeToo activists but reiterating them is to generate a critique of the populist conviction and work towards framing a potently perverse rejoinder to it if needed. As one may say, *justice is delivered in the real sense only when it is delayed* because the time spent on delivering justice is the time that the law courts usually dedicate to deliberating and debating a specific accusation, positioning it in multiple

nuanced contexts, and treating both the accuser and accused as entities with political rights.

Moreover, allegations made by the accuser may not ever pass the legal litmus test when it is subjected to one, but the circulation of accusers' names and details in social media ensures that his reputation gets marred even before he is proved guilty by juridical means. It is true that rhizomatic circulation of the details of the accused ensures that it is eventually transformed into something unrecognizably ambiguous because this kind of circulation makes way for such details to enter into various discursive combinations and relations, debates, and deliberation and stand subjected to a dense deconstructive perspectival play. It may even be argued that this is a play that may even end up proving that the accused has been framed up or is blameless. But, positioning of such accusations in social media invites the world to engage with them repeatedly and in the process give these accusations all the unwanted prominence that they may not even deserve.

#### *Me Too, Populism and Carceral Feminism*

Me too activism, as we have argued above, produces a rhizomatic network by playing a catalytic role in functioning as cross points where women from different types of organisations, social movements, and struggles can come together and display their solidarity. So, it will not be altogether irrelevant to imagine—imagination is potentially perverse though—that this activism has a kind of proximal association with what Deleuze and Guattari call desiring machines.

However, it may be argued that social media-driven Me Too activism doesn't at all resemble what Deleuze and Guattari called a desiring machine meant to enable a productive entropy of assemblages but works more like dysfunctional or defective desiring machine intent upon producing horrors of rigid taxonomical divides and static molar aggregates (Merriman, 2018). Unlike Deleuze and Guattari's notion of desiring machine which yields fluid subject positions resisting their subsumption in contexts or categorical imperatives the atrophied desiring machine that social media activism at best mimics folds up the line of flights or sews up the perversely cracking up molarities so they can be contained and manipulated by the biopolitical apparatus. As one may say the so-called de-territorializing *abject*<sup>xiv</sup> is forced into clinics and asylums and in the process sadistically tied to the dictatorial regimen of the governing machine. Further, many may consider the act of binding the dispersive molecular flow of ontology into a visual extensity or tight-knit *organized* subjectivity as the only way to acquire and benefit from political rights, but what we often position as subjective extensities are always in a state of being subjected to matter's very own immanent micro-politics.



It must be stressed that it is the inherent fluidity of subjects to stand at the brink of being deterritorialized into an infinite series of relations and combinations that lays the ground for the transformation of social codes and laws. The desire to make laws always stands intertwined with a complementary desire to transform them and make them correspond to the innate transformability, supple segmentarity or the vibrational dynamism of every context, given that the veridicality of a context lies in demanding a constant renewal of laws and codes brought to bear on it. In this sense #MeToo social media activism doesn't produce or stand concerned with vibrant contingent subjects entrenched in the dynamism or performative entropy of contexts or caught in a dialogic encounter with the renewal of laws and codes these contexts necessitate. On the contrary, what this social media activism produces are fixed and frozen subjects, subjects tied to their religio-mythical destiny and evolving according to a linear arborescent schema, gradually inching towards what they predetermine as their goals. This is precisely how this activism plays into the hands of or becomes an ally of the totalitarian biopolitics and the economy of neoliberalism. On the one hand, this activism produces subjects who are happy in their subjection to governmental interpellation aimed at controlling, governing, classifying, documenting, and taming these subjects. On the other hand, these subjects reflect an abstract non-negotiable fixity of character, bearing proximal concomitance with recyclable commodities. And the transgressive potential that these subjects occasionally reflect happens to be one engineered by the biopolitical apparatus, one that this apparatus goes on to check and manipulate.

Moreover, the recent form of feminism as displayed by #MeToo is not for emancipating women, but to draw a carceral set up for men. It has turned into the mechanization of militarised humanism rather than bringing equality in the socius. It needs to be noted that Carceral Feminism refers to a system that encourages policing, prosecution, and imprisonment of that gendered transgressive agency that creates sexual violence. It was Elizabeth Bernstein, a professor of women's studies and sociology at Barnard who was the first to use the phrase 'carceral feminism' in her 2007 article *The Sexual Politics of the 'New Abolitionism'*. In her article, she argues that carceral feminism does not address the underlying economic conditions that are more hazardous than gendered violence. It fails to accommodate the undermined voices that continuously struggle to exist in the imperial, white supremacist, capitalist, and patriarchal foundations of the nation. Instead of pushing for the preconditions necessary for feminist liberation, this populist feminism gives the movement a 'carceral turn' restricting feminist horizons to become individualistic and punitive rather than collective and redistributive (Bernstein, 2007).

*De-territorializing #MeToo: The inclusivist terror of the 'Feminism for the 99%'*

The authors of the book *Feminism for the 99%: A Manifesto* Cinzia Arruzza, Tithi Bhattacharya, and Nancy Fraser (2019) may have treated #MeToo movement as integral to what they attempt work out in their book, a new configuration of feminism, and frozen #MeToo activism, in this process, as a symbol of a gender-specific struggle against the overarching presence of patriarchy. It may also seem that these authors end up distinguishing me too from the so-called carceral and corporate feminism. But then #MeToo activism not only makes way for these feminisms, but it stands as a devilish offspring of neoliberalism.

The question why these authors blur the distinction between Me Too feminism and their version of radical feminism? It may be argued that in their book *Feminism for the 99%: A Manifesto* (Ibid) the authors make an innovative attempt to resuscitate a moribund feminist theory: a theory weary of combating in epistemic terms the interminable cyclic patterns of patriarchal hegemony and teasing out the nuances of women exploitation across space, time, and bordered hermeticism of geopolitical territories and cultures. It is quite common in the emergent epistemes nowadays to stress the heterogeneity of existential patterns, indicate the vibrating and pulsating diversity as constitutive of transnational globality, undermine the cartographical geopolitical stratifications, including the very notion of the concentric globe, and lastly schizophrenize the singularity of ontology, so much so, that it altogether remains elusive to binary formulations and persist as a pure multiple.<sup>xv</sup> And it is equally common in this scenario to encounter plural or differential feminisms, feminisms that address the plurality of women issues in multiple contexts and make us realize the impossibility of creating universal feminism governed by a singular agenda. However, seeking to keenly establish the relevance of the traditional left or put forward its project as an unfinished one, authors of *Feminism for 99%*, invent a kind of revolutionary feminism. This is a feminism that while working from the traditional left perspective seeks to make way for its continued relevance.

These authors, willy-nilly, carry out an exercise in Deleuzian genealogy while diligently constructing a singular, unified, universally valid feministic agenda, though they cut out from this agenda which they fashion in organic and *orgiastic* terms<sup>xvi</sup> the 1% they choose to call the corporate feminists. It will not be altogether inaccurate to claim that thinking from a traditional leftist ideological bloc these authors blend their appropriated geneticism with their passionate attempt at restructuring the world in the lines of a typically Marxist base-superstructure model. The authors of the *Feminism for the 99%* make it evident in their book—contrary to prevailing

opinion from the likes of Negri and Hardt that the global world is an *Empire* riddled with networks, connections, and linkages and with an invisible and intangible centre of power—that this is pretty much a structured world despite being riddled with a mind-boggling diversity, and its structurality rests on its perpetuation of binary, centred, hierarchical ways of existing and thinking. Their indifference towards plural feministic formations and especially towards third world feminisms that they do not even allude to in their footnotes shows that they consider the plurality of feminisms meant to address the issues of what Negri and Hardt call the *Empire* as being a cop-out exercise by the proverbial Empire builders or the corporate capitalists (Hardt & Negri, 2006).

Interestingly, the authors of the *Feminism for the 99%* offer a very creative resistance to the postmodern ethics of Univocity<sup>xvii</sup> because, as many might argue, in their book they provide an exercise in reconstructing what the architects of the postmodernism made inoperative, the grand narratives. Instead of stressing heterogeneity of circumstances, positionalities, contexts, contingencies demanding an oceanic proliferation of micro-mini narratives they foreground corporate capitalism or neo-liberalism as the visible common enemy meant to be vanquished. It is true that one gets to view multiple shades of corporate capitalism at work everywhere, conspiring to corporatize the public and the private spaces, flooding them with commodities so they look like differential versions of storehouses, and even turning the entire rhizomatic machinery of thinking, its multiple lines of flights or its dialectical opposed poles, as the traditional leftists may say, into a cartography of profit making. Yet there are parts of the world with no clue or desire to go global. For example, India still has the highest absolute number of child brides in the world nearing a figure of 15,509,000 (UNICEF India, 2017) and UNICEF records ‘27% of girls in India are married before their 18th birthday and 7% are married before the age of 15’ (Ibid). These are the socio-cultural, religious, and cultural complexities or nuances that take ironic pride in staying local, just local, and even indifferent to the spontaneous process of ‘local becoming global’. As one may say, *shibboleths* hardly make their way into departmental stores.

Further, one wonders how desirable it is for these authors to view #MeToo as being complementary to their project of constructing a conspicuous left-leaning, singular, unified feminist agenda against the neoliberal capitalist governing apparatus that stands responsible for the persistence of patriarchy. Isn’t this gesture of providing epistemic credibility to #MeToo in the current times when it has ceased to be a line of flight disseminating affects and intents of its genealogical origin and has instead gone on to betray its seizure and manipulation by a section of elites for causes extremely narrow and personal flawed? While Burke’s intellectual

disclosure that it was the synthesis of patriarchy and capitalism that opened up sites of patriarchal hegemony and exploitation of women was the key constituent of #MeToo in its current avatar this movement looks like a viable or an 'affordable' hitting below the belt mechanism.

It is understandable that since the very idea of '#MeToo' stands concomitant with the process of taxonomical genders' especially women's resistance to the unwanted sexual advances by males, keen on colonizing the *organized* exteriority of former's bodies, it stands as integral to a project meant to defeat neoliberalism and the condition it creates for the perpetuation of patriarchal hegemony and women exploitation. However, when it comes to saying 'No' to unwanted male sexual advances—since that is what repelling the unwanted sexual advances begins with—it must be stressed that this kind of phonocentric or semiotic resistance cannot always be empirically quantified or measured. But on contrary, the utterance of the word 'No' releases an affect that gets displaced as it leaves its sender and penetrates the symbolic territorial space of its receiver. Moreover, this kind of resistance demands heterogeneity of contextual and situational interpretations. As one may say, 'No' is an affectual state, caught in a state of intertwinement with a range of proximal affects in a state of co-becoming. And this is the reason perhaps that when it travels from one to the other it slips, slides, and glides over the territorial body space of the receiver without penetrating it and demands contextual hermeneutic enclosures. The differential potential line of flights that the utterance of the word 'No' releases may need to be creatively mapped before one folds them into making an incontrovertible singular sense.

Further, with #MeToo one encounters the unfolding dimension of retributive politics rather than any determined effort to subvert the neo-liberal policies that produce conditions for the perpetuation of patriarchy benefitting the so-called educated, upwardly mobile, and elite feminists. And the irony is where the exploitation and the harassment are real, palpably oppressive and concretely visible, and even almost beastly, for instance in the case of those we call the minorities or subalterns, #MeToo has made a very little difference. It would be fair to argue that instead of laying new grounds for the minorities to speak up it prevails as the handmaiden of capitalocenes.<sup>xviii</sup> This is the reason why most of the cases we come across happen to be controversial ones with gaps and silences that invites a kind of exercise in-depth hermeneutics. This happens to be a hermeneutics that leads to the production of a connective rhizome rather than functioning as a ground for empirical anthropological exercises leading to the discovery of truth which is imagined as being structurally analogues to the *natal* seed planted under the layers of soil. It seems in their urgency to include a slice of populist perception of #MeToo or show

that they stand affected and inspired by the populist prevalence of this movement the authors of *Feminism for the 99%* have not taken cognizance of the fact that it doesn't stand as a form of agency for the have-nots, the minorities or the so-called subalterns. And while trying to stultify the hierarchal top-down exercise of power that leads to harassment of genders they display a kind of highbrowish detachment from those theoretical disclosures that views the *bio* in terms of the play of hierarchical forces.<sup>xix</sup> This is a play that even manifests in the relational dynamics of the so-called minorities and shows the politics of the governed to be a tragic mimicry of institutional politics.

### *Me Too, Control and Surveillance*

It is obvious that the patriarchal exploitation of women is rampant, regular, routinized, oppressive, and ubiquitous, but at the same time, it may not even be altogether unjustified to claim that #MeToo activism tries to construct a virtualistic moral universe inimical to the revisionary or re-inventive understanding of the concept of the ethical.

Striking an effective distinction between old yet insistent morality and a typically Spinozian and equally revisionary understanding of the concept of the ethical Brent Adkins in his book *Deleuze and Guattari's A Thousand Plateaus: A Critical Introduction and Guide* argues:

*A morality functions according to principle while an ethics functions according to experimentation. A morality presupposes a discontinuity between principle and action while ethics presupposes continuity of action and character. A morality tells one what one ought to do while ethics asks what one might do. (Adkins, 2015:96).*

In fact, it becomes obvious with the observation of Brent Adkins in the backdrop that the moral universe #MeToo activism constructs lead to a kind of stultified gender performativity. While a universe operating with Spinozian ethics<sup>xx</sup> will not position genders in an evolutionary schema reflecting a patterned, hierarchical and arboreal progression emanating from and expressing what we could view as the embedded centrality of roots, but will equate genders with their becoming the so-called #MeToo activists' moral universe operates otherwise. It judges the action of genders in accordance with the moral principles it lays down in Platonic terms (Gilliam, 2017), positioning what it considers to be a signification of conformational gender performativity as superior to what it considers to be perverse. In other words, such activism lays down moral paradigms and models for slavish imitation and assigns values to different gender performative acts according to their proximity to this paradigm. The gender performance it considers superior are the ones that consolidate this paradigm rather than subverting it. Thus, willy-nilly, it sets up a

dictatorial regimen of rights and wrongs where it positions certain acts with the potential to transgress the constructed logic of right and wrong as evil. Further, it may be argued that in the gendered binary moralistic universe of Me Too activism entities are not merely hermetically gendered, but understood only as Organic entities or molarities to be empirically weighed, penetrated, enslaved, captured, colonized, contained, and incarcerated, rather than being seen as expressions of matter.

It needs to be stressed that bodies seen as dynamic matter are primarily heteronormative or are always in the process of becoming what Deleuze calls 'Body without Organs'<sup>xxi</sup> indicative of matter's immanent potential to enter into infinite combinations and relations. This is a potential made up of a line of flights that severely problematize the generic understanding of the body in terms of its unified organic structuration or rigidly stratified appearance that makes us sense them as being resistant to change. However, Me too activism operates with a kind of organicist understanding of bodies. So even a single culpable action of any particular gender is understood by these activists as indicative of his whole character or ontology and his other actions are not meant to be understood in terms of their differential contexts, but are meant to be viewed in the light of that action as if it were some sort of readymade yardstick to judge the aberrant movement of his being. The popular axiom that one may refer to here to show the limits of such understanding is this: *once a thief always a thief*. So, the interplay of action that constitutes the very being of the one accused of harassment cannot be sovereign and autonomous. Rather the fate of the accused is tied to allegations made against him. It is this understanding that me too activism expresses triumphantly in social media as it publicly exposes someone to be a harasser without giving him any scope at all to tell his side of the story.

Further, it is this organic understanding of body these activists nurture that makes them consolidate, and be an ally of, governmental policies of incarceration. On the one hand, by incarcerating the transgressing individualities or desiring bodies, as one may say, the bio-political government expresses its alliance with the unproblematic populist understanding of governance. And on the other #MeToo activism consciously ends up being an ally of these governmental schemas as it limits itself to labelling individualities. These schemas not only invest the socius with affectualities of fear and paranoia and devastates the very constitution of ontologies based on relating to others, but creates a gated community where discipline is followed by control.



Further, while #MeToo activists are not only guided by what they see as the unified clarity of the presumed hermetic bodies of genders, they express it too in their very eyes or gazes no less than what we often view as the voyeuristic male gaze. If what we get to learn about the gazes from the encounters we stage with our surroundings is that the former works less towards registering the external appearance of the body and more towards destabilizing or creating a schizophrenic split in the object it encounters, the operational eye of these activists always attempts to yield formulated ontologies in binary terms. So, a woman, for these activists, is not merely understood in terms of her bodily features or the erotic sensations that she excites according to a populist fantasy, but in terms of her constructed identity. And this makes women a reactive force, weaker, helpless, either at the point of fizzling out or being devoured by the muscular intrusive male agency. As a matter of fact, it will not be wrong to claim that for the so-called #MeToo activists a scenario of harassment needs to be explained in terms of a partisan binary arrangement of Nietzschean world view: 'Male is the bird of prey and women is the helpless lamb' (**Nietzsche, 1887**). Thus, the kind of explanation that needs to be given in the cases of sexual harassment must be of a kind that restores male his vital, lusty, and lumpen masculinity and women her established feminine virtues. But if it is the binaries that the Me too activists seek to secure by applying some kind of deductive logic to the Nietzschean world view while analysing a sexual harassment scenario in that case these activists may also be required to note that it is the not stronger, but—tongue in the cheek—the weaker reactive force that stands as the cornucopia of manipulative agency in the Nietzschean universe.xxii

According to Foucault power lies in resistance which appears more as a kind of 'reactive strategy' rather than bringing transformation (**Foucault, 2000**). Rather than understanding Feminism as an act of resistance by simply defeating, overturning, or suddenly altering the disciplinary power, it has to be comprehended as a mode of transformation. However, it must be understood that violence against women cannot be dealt with exclusively from the perspective of body politics. Reducing the feminist movement to a minor issue of protecting only the women's body is a way of flattening and emptying the political complexity as well as that of life. The #MeToo activist agency is not only protectionist in the sense of understanding man women relational dynamics in terms of unitary formation of their bodies, but it also fails to connect with the molecular dynamism of the matter that constitutes them. And we get to sense this failure of the activists in their very approach to desire which for them happens to be a subject centred agency. Moreover, for these activists, desire not only happens to be gendered but is almost always equated with a violent inner need or urge to possess, capture and seize, something that

according to the moralistic universe ought to be checked if one wishes to embrace the transcendental divine.

However, desire is immanent, self-referential, or auto-poetic,<sup>xxiii</sup> which opens up a multiplicity of subject positions or enables their co-becoming. As far as the populist conception of it goes, desire narrowly revolves around the notion of bodily pleasure. And the whole of what we see as bodily pleasures, notwithstanding the lust for organized bodies that sexual harassment or exploitation of women effectively mirrors, is perceived as perverse and de-humanizing by the religious Institutions and the socio-moral codes deduced from a very narrow and slavish understanding of religion. So, to be ignorant about and indifferent to the broader understanding of desire and rest on the narrow understanding of it as the #MeToo activists and feminists express expose their interest to be on the safer side and conform to an institutional, religious, codified understanding of it.

Question arises, how moral is it for those people who nurture in them an aggressive desire to possess others in bodily terms, but restrain themselves from producing overt manifestation of it in the public spaces to accuse those who due to neoliberal media-generated sexual excitations—or the hierarchical play of forces within the unconscious as a Nietzschean may say—are provoked to overtly display them? To argue that as long as people do not publicly manifest such desires it is all right is willy-nilly hypocritical. And, on the other hand, to say that activists judging others are incarnations of the moral universe they represent—hence lie beyond the sphere of judgment—is to make them abstractions? The continuous slide from one position to another, from the so-called majoritarian positionality of harasser to that of the harassed, from that of a victim to an aggressor, is natural and indicative of our very being caught in the process of ‘becoming.’<sup>xxiv</sup> And it is this becoming that desire mirrors while connecting with possibilities and disjuncting from them to create newer possibilities.

The broader understanding of desire is that is an eternal process of synthesis yielding multiple subject positions or an intense becoming, an understanding that the feminists and activists will never even desire to know about since their purpose is to keep their activities confined to the sphere of populism. So, when the #MeToo activists wear a specific lens and label a case as one of harassment or exploitation of women by a man they are seized by a populist urgency to make way for the incarceration of the latter. But if they see such a case as just one instance in the process of infinite becomings of a categorical gender they will surely make a lot of difference even in the populist sense of the term. The same goes for the so-called harassed women.

One might view her harassment simply as an instant in her slide towards a dominant authoritative position, given that while one is becoming a victim of harassment one is seized by an outward schizoidical desire, a desire to slide and metamorphose into a harasser.<sup>xxv</sup> In other words, the victim and harasser are caught in a continual interplay affecting each other beyond recognition. This new form of address or approach is achievable if a woman offers herself a scope for not being the opposite of man but as the very becoming of man's other. Such a change of approach, as Colebrooke remarks, will open 'a new way of thinking movements or becoming: no longer a movement *owned* by identities, but a movement of desires, bodies, flows, and style' (Colebrook, 2000a). Further Colebrook explains Feminist movement must hold the notion of becoming not as 'the *becoming* of women, but a becoming that exceeds the dual identities of man and woman...' (Colebrook, 2000b). This concept of feminism will bring new ways of thinking that will lead to encounters beyond the notion of identity, essentialism, emancipation, and representations. And we must remember when the symbolic regime creates fixed rigid binaries, nature delivers us from those fixities by setting in motion a process of infinite becomings and simultaneously positing us in that process. When it is often stressed by the #MeToo activists that it is difficult to be a woman in a male-dominated world it must be pointed out that it is even more difficult in this world to become a fixed gender. Therefore, as far as the #MeToo activists are concerned, it will be fair enough to say that they must import into their activism a fine slice of intellect. And as #MeToo activists happen to be profoundly literate such a stance will surely provoke them to look at gendered communities as schizoidical live men and women rather than neurotic Zombies.

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Das, S.S., & Pratihar, A.R., 2021. Beyond the Carceral #MeToo: Mapping the schizo-aesthetics of body and desire. *Exchanges: The Interdisciplinary Research Journal*, 8(3), 13-34. Available at: <https://doi.org/10.31273/eirj.v8i3.632>.

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## Endnotes

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<sup>i</sup> Schizoanalysis is a concept produced by philosopher Gilles Deleuze and psychoanalyst Félix Guattari and was first illustrated in their book *Anti-Oedipus* (1972). Read Stivale, C. (1980). Gilles Deleuze & Félix Guattari: Schizoanalysis & Literary Discourse. *Substance*, 9(4), 46-57. doi:10.2307/3684040. The new' refers to Deleuze's creation of the thought which has the potential of 'becoming new'.

<sup>ii</sup> Refers to the strict Oedipal structure that Deleuze and Guattari remarks, as the formula of the Oedipus is 3 + 1, the one of the transcendent phallus without which the terms considered would not form a triangle (Deleuze & Guattari, 1972/2009, USA: Penguin Classics. pp. 52/101.)

<sup>iii</sup> See Bhabha, Homi K. 1994. *The Location of Culture*. New York and London: Routledge; for better understanding read Meredith, Paul, 1998. 'Hybridity in the Third Space: Rethinking Bi-Cultural Politics in Aotearoa/New Zealand', pp.2.

<sup>iv</sup> For understanding the concept of 'panopticon' read *Postscript on the Societies of Control* by Gilles Deleuze. October, Vol. 59. (Winter, 1992), pp. 3-7. Available at: <https://www.jstor.org/stable/778828?seq=1>

<sup>v</sup> The expression 'house of their beings' refers to a quote from Martin Heidegger's 'Letter on Humanism' where he conveys the idea that that human beings live in their own language. Refer to Martin Heidegger: 'The Letter on Humanism' A series of lectures by Paul Livingston, Villanova University, March 2, 2005, available at: <http://www2.hawaii.edu/~freeman/courses/phil360/17.%20Livingston%20on%20Heidegger's%20Letter.pdf>.

<sup>vi</sup> 'perplication' refers to Deleuze's concept of multiple dimension of an uncentred folding movement. See Clayton Crockett's book *Deleuze Beyond Badiou* (2013).

<sup>vii</sup> 'rhizomatic' is a way of thinking about learning based on ideas described by Gilles Deleuze and Felix Guattari in a thousand plateaus. A rhizome, sometimes called a creeping rootstalk, is a stem of a plant that sends out roots and shoots as it spreads. See Deleuze, Gilles and Félix Guattari. 1980. *A Thousand Plateaus*. Trans. Brian Massumi. London and New York: Continuum, 2004. Vol. 2 of *Capitalism and Schizophrenia*. 2 vols. 1972-1980. Trans. of *Mille Plateaux*. Paris: Les Editions de Minuit. ISBN 0-8264-7694-5.

<sup>viii</sup> Militant feminism as a form of radical feminism that believes militant action or violence can be justified to keep up the feminist value.

<sup>ix</sup> Habermas situates the moral point of view within the communication framework of a community of selves. He moves Kant's categorical imperative beyond its 'monological' reflection by demanding that we emphatically take into consideration the viewpoints of all who would be affected by the adoption of a certain moral action or normative claim. In a similar vein, he 'lifts' Rawls' veil of ignorance and demands that we participate in a discourse where all are fully aware of the other's perspectives and interpretations.

<sup>x</sup> According to Kant, noumena are the (presumed) things themselves, which constitute reality.

<sup>xi</sup> 'oedipality' is generally understood as the individual's journey through eroticized attachments with those performing maternal and paternal functions.

<sup>xii</sup> 'assemblages' refer to the multiplicity which is made up of heterogeneous terms and which establishes liaisons, relations between them, across ages, sexes and reigns – different natures.

<sup>xiii</sup> 'line of flight' refers to a line of escape, a concept developed by Gilles Deleuze and Félix Guattari in their work *Capitalism and Schizophrenia*. To know more, refer this link: <https://philosophyforchange.wordpress.com/2013/06/18/lines-of-flight-deleuze-and-nomadic-creativity/>

<sup>xiv</sup> '*abject*' refers to the sense located in the unconscious which is othered within the self as the 'unassimilated, unrepresentable, unrepresented, and even the unthinkable.' See Braidotti, R., 2011. *Nomadic Theory: The Portable Rosi Braidotti*. New York: Columbia University Press.

<sup>xv</sup> 'pure multiple' refers to forming a multiplicity that is changing in multiple ways according to the syntheses of time. See James William's *Gilles Deleuze's Philosophy of Time: A Critical Introduction and Guide* published by Edinburgh University Press, 2011, 205pp., \$32.00 (pbk), ISBN 9780748638543.

<sup>xvi</sup> 'organistic' refers to the machinic functioning of the organ and orgiastic means the functioning that involves wild, uncontrolled behaviour and feelings of great pleasure and excitement.

<sup>xvii</sup> To understand 'Univocity' please refer to Widder, Nathan (2009). 'John Duns Scotus', *In: Jones, Graham and Jon Roffe., ed., Deleuze's Philosophical Lineage*, ed. by Edingburgh: Edinburgh University Press. pp. 27–43.

<sup>xviii</sup> The concept of the Capitalocene refers to a 'world-ecology of capital, power, and nature' read Moore, Jason W., 2016. Introduction. *In: Jason Moore, Oakland., ed., Anthropocene or Capitalocene? Nature, History, and the Crisis of Capitalism*, PM Press, pp. 1-11.

<sup>xix</sup> According to Nietzsche's 'hierarchy of forces,' are the two forces active forces are those of domination and form-giving; while reactive ones are those of obedience and form-receiving. Refer to Nietzsche, Friedrich W, Walter Kaufmann, and R J. Hollingdale., 1968., *The Will to Power*. New York: Vintage Books.

<sup>xx</sup> Baruch 'Spinoza's philosophy does not contribute to a specific characterization or nature of sex or sexuality. Sex, like other human activities, rather it is an 'idiosyncratic expression of an individual's striving for perfection'. So, according to Spinoza men and women are not classified by their roles in sexual reproduction and thus his philosophy undermines the sex/gender dichotomy as he undermines the mind/body dichotomy. Refer to Gatens, Moira., ed., 2009. *Feminist Interpretations of Benedict Spinoza*, Penn State UP.

<sup>xxi</sup> Concept used by Gilles Deleuze, 'Body without organs' refers to the potentiality to draw out the potentialities of a body. Refer to Adkins, Brent., 2015. *Deleuze and Guattari's A Thousand Plateaus: A Critical Introduction and Guide*. United Kingdom: Edinburg University Press. pp.98-100.

<sup>xxii</sup> Nietzsche imagined a universe with no end and no beginning, caught in a circle of an eternal recurrence. Refer to Deleuze, Gilles. 1983. *Nietzsche and Philosophy*. New York: Columbia University Press

<sup>xxiii</sup> The term refers to the ability of reproducing and maintaining itself.

<sup>xxiv</sup> Refers to the creation of new concepts, new thinking , new line of flight for going beyond the possibilities and producing new. See Lundy, Craig., 2012. *History and Becoming: Deleuze's Philosophy of Creativity*. Edinburgh: Edinburgh University Press.

<sup>xxv</sup> According to Deleuze and Guattari 'schizoanalytical desire' is a call for the affirmation of desire as open and creative that need more differentiation, a rejection of binaries, and a refusal to separate subjectivities out into multiplicities. See Buchanan, Ian., 2013. 'Schizoanalysis: An Incomplete Project', *In: B. Dillet, I. Mackenzie & R. Porter eds., The Edinburgh Companion to Poststructuralism*. Edinburgh: Edinburgh University Press. pp. 163-185.

# Use of Artificial Intelligence in Legal Technologies: A critical reflection

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## Abstract

*The use of artificial intelligence in the legal sector flourished in recent years. This development is often met with excitement and unease. In this critical reflection, we analyse how artificial intelligence functions in modern legal technologies, and what its future implications are for the legal sector and critical legal thinking. We firstly discuss how machine learning and 'Narrow AI' are pertinent in this discussion, and how misleading the 'hype' on robot lawyers is. We then show how legal technologies are currently utilized, and the potential ways to map the modern legal technology landscape. Finally, we examine the potential effects of AI and legal technologies on legal decision-making, as complex algorithms open up the potential to disarrange or obscure critical analysis.*

**Keywords:** Legal technologies; law; artificial intelligence; machine learning; lawtech

## **Artificial Intelligence in Legal Technologies**

We ought to firstly discuss what artificial intelligence means within legal technologies. The first and crucial term is ‘machine learning’. Modern machine learning is a data-driven, learning based system that works on a large collection of data. It attempts to detect a pattern or procedure to explain current data or to predict future data. This modern concept is different from an older, rule-based approach to AI. With previous software, programmers would first try to learn the rules and criteria which should govern a program’s decision-making process. These criteria would subsequently be translated to software code. Instead of simply emulating the rules dictated by humans, modern machine learning uses computational methods to find a decision procedure that is sufficiently practical (**NTSC, 2016**).

Modern legal technologies utilize this feature of machine learning extensively. This sort of artificial intelligence that legal technologies are based on is ‘Narrow AI’, as machine learning is applied to ‘narrow’ or specific operations, varying from automatic contract analysis and self-driving vehicles to language translation. Commercial applications of this breakthrough are highly consequential; Deloitte estimates that within the next 20 years, 114,000 legal jobs will be automated (**Deloitte LLP, 2017**). In the short run, legal technologies using Narrow AI will likely transform organizational structures in law firms and the way these firms undertake legal business. However, it is difficult to say that these developments in Narrow AI will cause the displacement of human lawyers anytime soon. Narrow AI is the focus of modern legal technologies, but it is not what ‘robot lawyers’, which will ostensibly replace humans, are built from.

For a comprehensive AI lawyer to emerge, technological breakthroughs to create General AI would need to proliferate. General AI refers to the idea of an AI system that can manifest human-like intelligent behaviour across multiple cognitive tasks (**EOPNSTCCT, 2016**). But the history of AI is ridden with excessive optimism when it comes to the pace of progress. For example, AI pioneer Herb Simon predicted that computers would outplay humans in chess within the next decade — but he assumed this in 1957. This took almost 40 years to occur (**Ibid**). It is proven that technology forecasts beyond a 10-year horizon are rarely better than coinflips (**Mullins, 2012**), so we ought to refrain from speculating when legal technologies will be comprehensive enough to exhibit General AI that can revolutionize the entire legal system.

It is important to restrict the discussion of artificial intelligence in modern legal technologies to Narrow AI. The excitement about robot lawyers was criticized by a few industry players for being hyperbolic and doing a ‘disservice’ to the legal technologies discussion (**LexisNexis, 2017**). This is

despite compelling headlines like ‘The Robot Lawyers Are Here – and They’re Winning’ (**Cellan-Jones, 2017**) that are written when AI outperforms humans in legal competitions. Such hype was blamed for creating a certain level of excitement and expectation for legal technology customers which existing products and organizations in the market are not ready to match (**LexisNexis, 2017**). While this claim itself may be somewhat exaggerated, it does nonetheless convey the problem of defining artificial intelligence poorly in the legal technologies and AI debate. For now, AI remains effective in specific tasks it is trained to do.

### **Uses of Legal Technologies and Mapping the Legal Technology Landscape**

Artificial intelligence and legal technologies are already impacting legal practice. The advantage of machine learning in legal technologies is its ability to automate laborious tasks and solve problems that are expensive, inefficient or too data-heavy. In 2018, investments for legal technologies reached 1 billion USD for the first time (**Ambrogi, 2018**), while corporate law departments started to spend 1.5 billion USD annually on legal software in 2016 (**Friedmann, 2016**). In LexisNexis’s survey, 57% of General Counsels mentioned that investments in technology already increased their efficiency, and 60% of General Counsels acknowledged that technology will help improve the accuracy of their legal work over the next three to five years (**Gould, 2018**).

The burgeoning use of artificial intelligence in legal technologies can help firms run more efficiently and meet that demand (**Thomson Reuters, 2018**). In reports conducted specifically for legal technology and the banking sector, improving efficiency in legal tasks was unanimously mentioned as the key driver of technology adoption. Technology in cases like these are applied at opposite ends of the legal spectrum: from automating high frequency and low value tasks to supporting large scale due diligence and document review exercises (**Pinsent Masons, 2018**). These developments have a pervasive effect. Practitioners have begun using fledgling legal technologies in different areas of practice, and they are now in a good position to assess their benefits.

As AI-based legal technology products flourish, we need to categorize legal technologies according to their capabilities and aims. Currently, there is no widely accepted classification of legal technologies. In their paper on ‘Legal Technology for Law Firms: Determining Roadmaps for Innovation’, Kerikmäe (**et al., 2018**) called for a categorization system, since a system like that would clarify the current state of the burgeoning industry. Unlike more established portmanteaus like ‘fintech’ for financial technologies, it is uncertain that there is even a definite abbreviation for legal

technologies. Various names are sporadically used, such as lawtech, legaltech and regtech.

This and the lack of an established classification might reflect the nascent nature of the industry. Kerikmäe et al. (**ibid**) mention that some scholars, such as Praduroux et al. (**2016**), propose up to eight categories as they came up with classification ideas, which include operations as diverse as lawyer-to-lawyer networks and predictive data mining. Likewise, they mention that Rackwitz and Corveleyn (**2017**) took a unique approach and drafted a matrix in which legal technologies can be evaluated as Platform, Network, Software and Know-How, rather than rigid classes or categories (**Kerikmäe et al., 2018**).

Nevertheless, Boston Consulting Group's (BCG) report with Bucerius Law School on legal technologies perhaps provides the most practical and succinct categorization of the current legal technologies landscape (**BCG, 2016**). This approach essentially proposes three categories to classify legal technologies: enablers, support processes solutions and substantive law solutions. The first category is more unspecific and focuses on digitizing conveniently. Cybersecurity and cloud storage products are examples of these; they can be developed by non-legal tech vendors and are pertinent to industries other than law as well. Enabler technologies are quickly becoming essential for all law firms, but especially larger ones, since clients are becoming more conscious of the way their data is used and safeguarded. The second category, support-process solutions, improve law firms' back-office duties and organizational needs such as case-management. Human resources, work-flow management and client relationship management may be considered examples of these (**ibid**).

The final category, substantive law solutions, is where the products which are meant to support —and then ostensibly replace— legal professionals in substantive legal work belong. Basic support solution products, which facilitate legal tasks that require less experience such as drafting standard contracts, might be considered examples of these. Advanced support solutions belong in this category as well. These would include products which could help legal professionals in areas that need more legal insight, such as extracting and analysing case law or autonomously conducting due diligence (**BCG, 2016**).

Despite all these developments in legal technologies, we are still in the early stages of adoption and development. The pace and demand for legal technologies and automated legal tasks are steadily growing, but there have been no breakthroughs comparable to those from other industries, as it has happened in other sectors like retail, sales, and communications. The main reason behind this is most likely that the technologies which generate artificial intelligence have only recently been widely available.



Entrepreneurial and organizational cultures necessary to build and distribute legal AI products are developing gradually, and law firms are gradually adjusting the traditional ways they conduct business.

Some scholars speculated on other reasons why there have not been comparable breakthroughs. For example, Kerikmäe et al. (2018) mention McGinnis and Pearce's (2014) three potential reasons for this: Firstly, McGinnis and Pearce argue that AI is not advanced enough to act as an oral advocate, which gives lawyers a 'lucrative niche'. They also believe that machines are better suited for routine tasks, and lawyers working in specialized legal areas, like the application of the Dodd-Frank Act, are insulated from disruption. Finally, they believe that counsellors can create the empathetic and emotional relationships with their clients, which will be important to convince the client to do something they do not wish to do — this helps them prevail over machines.

It is still important to note that assumptions like these are problematic because of possible extrapolations behind their reasonings. They do not take the stupendously rapid developments in artificial intelligence enough into consideration. We should not, as mentioned, be unrealistically anticipative about developments in AI. But we also should not underestimate how far Narrow AI has come in such a short period of time, and the impact it is having on legal practice. An overall AI lawyer may not be imminent, but exponential improvements in natural language processing, the adaptability of machine learning, and clients' pragmatic interests for efficiency and cost reduction over the nebulous concept of 'emotional bonds' are major opportunities for legal technologies to thrive and eventually accomplish considerable breakthroughs of its own in the next decades.

### **Potential Effects on Legal Thinking**

The two most notable ways legal technology will impact legal business in the short term are the way it will transform legal business and how it will influence legal thinking. The first transformation is relatively easy to envisage. The so-called 'more-for-less challenge' is one of the main drivers that fuels the growth of legal technologies, since it provides economic advantage (Hondao et al., 2019). Law firms serve clients that demand efficient and cheaper comprehensive legal service, and legal technologies can support law firms to face this task and become more competitive in the market. Legal technologies and the artificial intelligence mechanisms will increasingly automate routine works done in law firms and make them more accessible. This may significantly impact traditional structures of law firms and ultimately affect how law firms compete and meet client demands.

The impact legal technologies have on legal thinking, however, is more elusive. The idea that legal technologies will challenge the monopoly of lawyers in the legal market is hasty. But legal technologies have started to impact legal thinking and decision-making, and this warrants urgent scrutiny and analysis. Pervasive use of face recognition software is already causing law enforcement problems, as Amazon's Rekognition wrongly identified mugshots with pictures of twenty-eight members of congress (**Snow, 2018**), and African Americans get wrongfully arrested because the software becomes more error-prone with people of colour (**Burton-Harris and Mayor, 2020**). Furthermore, a defendant in the US was sentenced to life in prison without parole in 2018, and the prosecutors used a law enforcement tool that ran a sophisticated algorithm (**GSU, 2018**). Yet, the defendant's attorneys could not analyse the source code of the program, in order to see if it had any errors or biases. The prosecutors argued that the algorithm is a trade secret, and they succeeded (**GSU, 2018**). Early cases like these are significant. The transformative nature of legal technologies and the complexity of modern machine learning algorithms may obscure or distort critical legal thinking. Software cognition is not capable of overtaking critical legal thinking yet. However, the progress in deep learning techniques and natural language processing is continuing steadily. The impact legal technologies will have on legal thinking is only set to increase, and this is becoming more of an urgent issue.

Due to this concern, there are copious questions on how to integrate legal technologies into legitimate legal thinking. In an essay on transformative legal technology and the rule of law, Paul Gowder distinguished two 'models' of legal technology: cheaper lawyers and transformative artificial legal cognition (**Gowder, 2018**). Cheaper lawyers simply do what lawyers do, but quicker and for cheaper. Meanwhile, transformative artificial legal cognition delves into work inaccessible to lawyers, such as computational contracts. While Gowder focuses on how the latter can advance the rule of law, both models of 'legal cognition' impact legal thinking and can influence access to justice, as early examples show. As these technologies develop, will it be enough to merely have developers who are only responsible for making sure their program runs as intended? Will it be better to always have a human lawyer or legal scholar who works to steer AI into something more equitable, as nebulous that may sometimes seem?

These issues will most likely result in a balancing act. Software will always be susceptible to bias and errors, but it will be more efficient at data-heavy analysis than people. It will also likely be imperative to be able to understand how algorithms work, as transparently as possible, while the use of machine learning and big data proliferate in the legal field (**Bennet Moses and Chan, 2014**). As legal technologies increasingly impact legal thinking, legal professionals may have to regulate legal technologies, and

at the same time accept that they ought to take its analyses into consideration. As Kasparov wrote when discussing how the best chess games can be played, man and machine together may be better than either alone (**Kasparov, 2008**). This important issue of how to integrate legal technologies into legal thinking requires more debate and analysis.

## **Conclusion**

Artificial intelligence and legal technologies have begun to impact the legal profession. They are transforming how routine legal tasks are carried out and how legal professionals from diverse areas of practice undertake their business. The effects of AI on legal practice are only set to surge, but it is important to restrict the debate of AI and law to machine learning. Legal technology is a nascent industry and does not have a conventional classification, but it requires one as the industry grows. Similarly, more research needs to be done on what impact legal technologies will soon have on legal thinking. Decision-making on legal issues has belonged exclusively to humans, but AI has begun to influence our decisions. AI can bolster and improve legal practice and rule of law. But it needs to be directed and utilized deliberately, and with careful knowledge of what renders it simultaneously helpful and hazardous to legal decision-making.

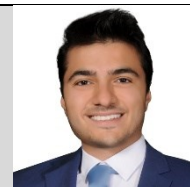
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## **Acknowledgements**

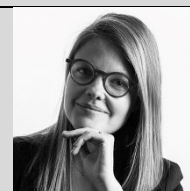
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# Gamestop: How online ‘degenerates’ took on hedge funds

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## Abstract

*The spread of COVID-19 has forced many people around the world to adjust the manner in which they relate to and participate in the goings-on of the outside world. This article examines a seemingly novel attempt by a few amateur investors to take on the might of hedge funds’ cutting-edge algorithms. Our analysis includes an examination of short-selling, online investment communities and the problem of collective action they face. This piece examines how Wall Street betters on Reddit, with little or no experience, brought a new series of questions about regulation and speculative investing to the fore. We close by reflecting on the kinds of questions that people who are interested in the stock market (no matter their ability) might ask themselves in the very near future.*

**Keywords:** Gamestop; finance; short squeeze; collective action; wallstreetbets

## **Introduction**

COVID-19's arrival seriously impacted everyone's daily lives globally, creating a seismic shock that pushed everyone further and further away from business as usual. As a result, a significant proportion of the world's population started to work from home, and could no longer enjoy shared social activities. This turn inward facilitated a climate in which people looked for new ways to spend their leisure time, new trends to chase and new ventures in which to participate.

As COVID-19 spread around the world, the various lockdowns and quarantine measures imposed by national governments spurred strong interest in investment and stock markets. Increased market volatility, a wide variety of stocks trading at historical low prices, and the prospect of a quick recovery attracted a large group of novice traders to the stock market, often for the very first time. The existence of commission-free trading applications, such as Robin Hood, allowed easy access to a large number of first-time traders, mostly in their 20s and 30s, to the stock markets.

Compared to traditional stock market investors, these novice traders proved to be much less risk-averse and more active, possibly as a side-effect of being housebound (**Popper, 2020; Eaton et al., 2021**). Some of these novice traders joined internet forums and message boards, allowing them to interact with, and to receive advice from, more seasoned traders. The staggering volume of online venues and advice portals meant that some neophytes focussed more on interaction and fun, rather than acting on the basis of solid financial advice; to that end, this venture had the feeling of a pastime. This casual interest notwithstanding, one forum in particular, the Reddit forum r/Wallstreetbets, had been growing significantly since the start of the pandemic.

High frequency trading was on the rise since 2006, the year when high frequency trading first exploded into the mainstream. However, the daily trading volume had been declining since 2008. The overall trading volume was not substantially affected with the arrival of these new traders. To that end, their presence was not viewed as a kind of threatening presence. This all changed drastically in January 2021, as demonstrated in Figure 1:

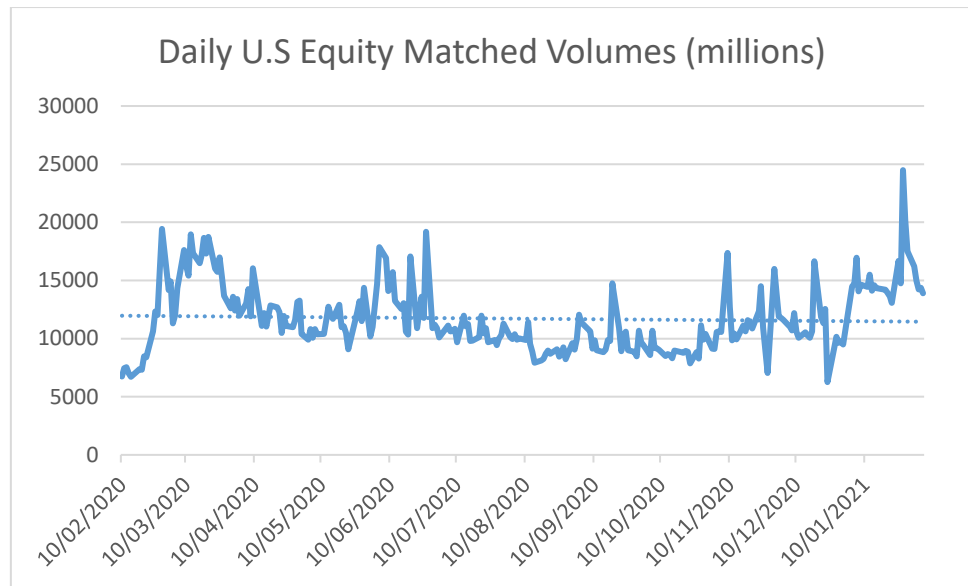


Figure 1: Daily U.S Equity Matched Volumes (in millions)  
(source: <https://www.nyse.com/markets/us-equity-volumes>)

Figure 1 gives us an indication of the recent rise in trades, a rise that picked up a head of steam in the days surrounding the Gamestop short squeeze.

#### *Gamestop Short Squeeze*

The spike in trades in January 2021 can be assigned to the aforementioned sub-reddit Wallstreetbets. Individuals often discuss trading strategies in this online forum and they often self-identify as ‘monkeys’, ‘apes’, or ‘degenerates’, given that they are not financial experts. This canny awareness of their lack of expertise is reinforced by the feeling that posters often engage in interactions focused on ‘memes’ and fun, rather than on in-depth financial discussions. This element is further underscored with the idea that there is a significant ‘betting’ element too.

However, and all of a sudden, these amateurs became a force to be reckoned with during January 2021. One user noticed that hedge funds (mostly Melvin Capital) had shorted the stock of brick-and-mortar game shop Gamestop and the idea was launched to push up that same company’s share price. Individuals active in this sub-reddit started to increasingly buy Gamestop’s stock with the idea to hold onto the shares until the short positions of hedge funds expired. As shown in Figure 2, this call to action proved successful.

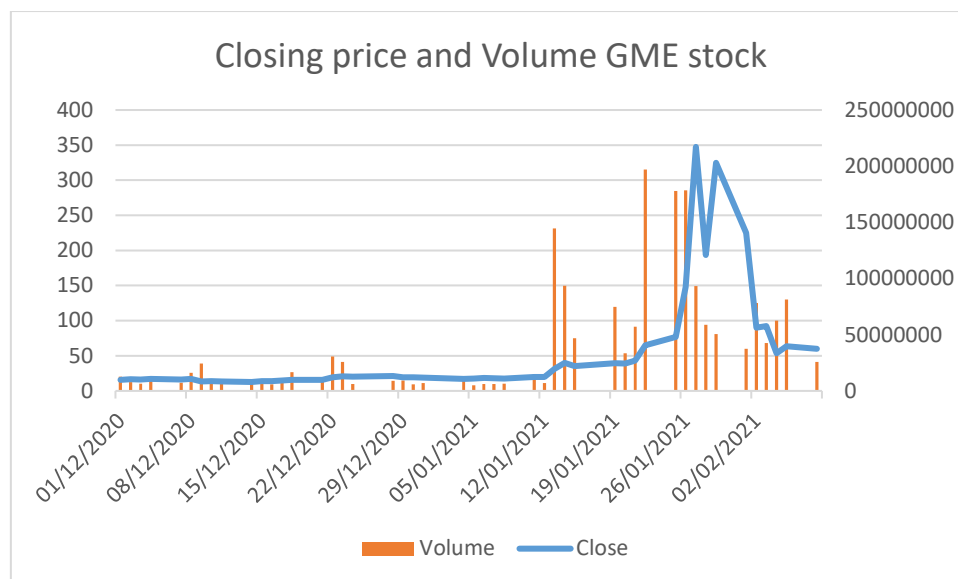


Figure 2: Closing prices and daily volume of Gamestop (GME) stock

This would necessitate hedge funds to buy back their shortened stock at a significant loss.

Several investors participating in this forum were already discussing that Gamestop might be undervalued and that the negative sentiment in the market was unreasonable. With 140% of Gamestop stock being shorted, the idea of pushing a short squeeze gathered more traction as reddit investors felt that this would push the price up. If their efforts succeeded hedge funds and short sellers would incur significant losses. The resentment towards Wall Street that brought these small investors together was best explained in the highly discussed and rather post: ‘GME Squeeze and the demise of Melvin Capital,’ whereby the short squeeze plan was introduced in detail, as was the aim of bringing down Melvin capital, a hedge fund. Some users even spoke about class warfare.

What was fascinating too was that these Redditors did this on the basis not of saving a company from a vulture hedge fund looking to capitalise on its closure. After all, Gamestop had made headlines on the basis of a series of anti-consumer practices that engendered a great deal of antipathy in the last two quarters of 2020. This negative press might have gone some way to compounding the depressed share price. Gamestop’s scandals included but were not limited to: arranging contests in which successful applicants got to work longer hours without remuneration (**Gach, 2020**) and mishandling the release of the coveted PlayStation 5, selling machines to bots instead of customers meaning that eager consumers had to wait up to 6 months (**Fischer, 2020**). Footage of a disgruntled customer also went viral in November 2018 when a Gamestop employee refused to return a copy of a game purchased there, leading to the enraged man destroying shelves and promotional displays (**Vincent,**

2018). However, GameStop does create some nostalgia in these online communities, many of whose participants might have enjoyed videogames in the past.

In a House Committee on Financial Services meeting, entitled: 'Game Stopped? Who wins and loses when short sellers, social media and retail investors collides?' Keith Gill, aka roaringkitty and DeepFuckingValue, spoke eloquently about the events leading up to the squeeze. This footage has gone viral, with a video published by Forbes, somewhat confusingly entitled: 'Gamestop investor Keith Gill's opening statement goes VIRAL', garnering over 1.3 million views at time of writing, only six days after being uploaded.

Gill spoke eloquently about the serendipitous difficulty of looking for a job in 2009, the year he graduated, and the exact time around which a financial crisis was taking place, a crisis caused in large part by short-selling. Indeed, the financial crisis already indicated before how shortsellers can create havoc on financial and global markets, and that the current architecture to address their potential detrimental impact is limited (**Wouters & Van Kerckhoven, 2011**). Moreover, he emphasised that he believed the stock was undervalued and had a concomitant belief that Gamestop would recover. He also drew a distinction between the informal quality of reddit exchanges, as akin to pub-talk, as opposed to the slick teams of experts that hedge funds can draw upon. In closing, Gill mentioned that he supported the view that individuals should be free to send a message through how they invest, and so the question of whether or not this kind of collective action would be witnessed again and when looms large.

#### *Collective Action Problem*

This move was the first time that so many individual traders joined ranks. Normally, a collective action problem would arise on the basis of this lack of precedent (**Olson, 1965**). Indeed, in order for the short squeeze to be successful, traders would need to secure the ability to buy into the stock, and to hold onto it as its price rises. However, a rising stock price provides individual traders with an incentive to reassess their position and to capitalize on the gain. Forfeiting short term gains in order to force hedge funds to acquire their shorted stock at a higher price is particularly difficult when the underlying stock has increased twentyfold in selling price. This was also possible with the Gamestop stock due to its relatively low number of outstanding shares (46.89 million of shares in free float). Several other stocks mentioned on the reddit forum also shortly went up around the end of January, but their gains were significantly smaller and even more short-lived. For example, AMC has a free float of 136.29 million shares, Blackberry 508.11 million shares, and Nokia has more than 5 billion. These

other shares were also not shorted to the same extent, hence rendering the initial ambition of forcing hedge funds to reacquire their shorts void in these cases. This has also led to a genuine move to anticipate what commodity redditors might 'Gamestop' next. In February 2021, Bloomberg and Forbes attributed the 8-year high value of silver to Reddit investors (**Farchy et al., 2021; Hart, 2021**), a claim unfounded as per most Redditors comments. It is also interesting to note how the collective action is characterised in these works in which Redditors are referred to as an 'army'.

Other than the incentive to deflect for a quick profit, individual investors also faced an uncertain and short time horizon. When hedge funds clear their short positions, and decide to not engage in shorting the stock again, then there comes a natural point at which the higher stock price will be just that: a higher stock price. Free riding does not provide any benefits as such, given that only traders of the stock benefit from higher stock prices, unless one views hedge funds making losses as a 'public good'. However, all Gamestop buyers face more of a game of chicken situation, given that there exists a natural point at which the short squeeze's original aim is fulfilled (**Rapaport and Chammah, 1966**), except that yielding in this instance is not met with the perception of being a 'chicken', since most traders do not publicly disclose their holdings.

Moreover, participants faced a David vs Goliath situation. In general, individual small investors find it difficult to move stock prices significantly. The efficient market hypothesis means that when stocks do move beyond their expected value, then other stockholders would sell their positions. However, in this specific case, these adjustments did not kick in immediately, most probably because stockholders, those active on the aforementioned forum in particular, decided to hold onto their stocks. In that case, additional demand with locked-in supply would mean that stock prices could move far past what the efficient market hypothesis would suggest.

Building on these concepts, it is clear to see that divergence is very likely. How can an online forum in which users employ aliases 'enforce' adherence?

The collective action problem that typically arises in these cases was mitigated through the usage of 'memes'. These pictures or short snapshots of videos with funny captions encouraged holders of the stock to hold, and spurred community members to either increase or hold the stock. This seemed to work rather well, until trades in the 'meme' stocks were halted or limited by major online brokers, such as Robin Hood. This action clearly killed the momentum of these stocks and was one of the reasons for the stock price's sharp decline in the days following the substantial upwards



movement of these stocks. Longevity for these online communities seems to be a challenge, as interest may quickly cool down, but they do hold potential for unanticipated shocks.

The whole upwards and downwards movement of these stocks, and of Gamestop in particular, has led to instigations related to market manipulation against both the reddit traders, as well as against the brokers who limited trades. Most importantly, it has also spurred interest from policy- and law- makers, leading to the aforementioned Congressional hearing in the US. Several experts and high-level politicians also have commented on the short squeeze with proposals to refine the workings of the stock market, as well as the governance of online brokers. For once, even people working on Wall Street have joined them in requesting greater legislation, a very interesting position to take after years of fervently fending off any attempt at regulating trades (Graffeo, 2021).

## **Conclusion**

Online communities have enabled people to engage in social interactions during lockdowns and quarantines. Their significant growth was one of the most substantial impacts of COVID-19. However, their role as change-makers has yet to be investigated in many respects. In the specific example employed in this paper, an online forum proved capable to shake up the stock market, and the actions taken by its members initiated a debate on the reform of financial markets and the governance of online brokers. The investors gathering in a sub-reddit, called r/wallstreetbets, have been able to overcome the collective action problem with regards to Gamestop, and in so doing, have created havoc for traders shorting the stock, notably hedge funds.

A market that have traditionally been known for being dominated by investors and funds with deep pockets and a swathe of experience and sophisticated algorithms and technology, now witnessed the rise of a new type of market power: small investors who were able to build up momentum and holdings without any formal structures or communication lines, apart from Reddit. It is uncertain whether the Gamestop short squeeze could democratize the stockmarket,<sup>i</sup> but it has at least pushed discussions about the governance of stock market and of brokers into the public imagination. When shorting a stock in the future, hedge funds will have to conduct more research, at the very least. These questions might include: is there a feeling of nostalgia that might generate support from a fragmented group of investors? Would small investors risk taking a bet on getting rich, or at least would they think it might be a fun way to pass the time during a global pandemic?

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## Endnotes

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<sup>i</sup> Anthony Scaramucci (former White House Director of Communications) posted on his twitter on 27 January 2021: 'We are witnessing the French revolution of Finance'. These claims seem to be unfounded at the moment, but do point to the importance of the events unfolding from the actions taken by an online forum. <https://twitter.com/Scaramucci/status/1354445427836416003>

# Do Legitimate Publishers Benefit or Profit from Error, Misconduct or Fraud?

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## Abstract

*One of the aspects of post-publication peer review that is difficult for reputable journals or publishers to accept is that it may reveal flaws in their oft-claimed resilient peer review and efficient editorial management. Prospective authors are frequently sold a brand-associated image of a fail-safe process, rigorous editorial handling, and stringent peer review. Yet, in reality, a sector of the published literature that has passed through claimed rigorous screening may still be flawed and contain errors, while some of the peer-reviewed literature is the product of fraud or misconduct. Even top-ranked journals, in terms of journal-based metrics such as the Clarivate Analytics' journal impact factor, or those that are indexed or hosted on platforms like PubMed, Scopus or Web of Science, have published papers with associated errata or retractions. In such journals, it is possible that erroneous literature has yet to be detected. This paper argues that publishers draw benefit in the form of metrics-based recognition, such as citations to erroneous or retracted papers, or financial reward, either as subscription fees or in the form of article processing charges, neither of which is refunded when a peer-reviewed academic paper is retracted. Knowing that peer review and editorial decisions can be imperfect, publishers have a moral responsibility of toning down claims of the excellence or perfection of peer review when advertising their journals, or they should conduct a full-scale post-publication peer review of their journals' entire collection to prove it. In turn, academics need to be more proactive in the publishing ecosystem, seeking to correct the literature when errors are found, and not be afraid to call out editors or publishers that defy their claimed academic or ethical excellence.*

**Keywords:** article processing charge; APC; confidentiality; funding; instructions for authors; library; open access; post-publication peer review; predatory publishing

## Introduction

In June 2020, two prestigious medical journals, *The Lancet* and *The New England Journal of Medicine (NEJM)*, decided to retract two major papers related to the treatment of COVID-19 upon detection of fraudulent data (Piller & Servick, 2020). That case brought greater attention to the fact that flawed research could pass, and did pass, through the claimed rigorous screening of even the most reputable journals. The implication is alarming: there exists inaccurate and/or fabricated research in the scientific literature that is yet to be detected and retracted, even among the most highly ranked journals. As scientific output increases across disciplines, the number of retracted articles is also rising, threatening the health of the scientific enterprise (Hesselmann et al., 2017; Vuong, 2020). Setting flawed but as yet undetected papers aside, it takes an average of three years to retract an inaccurate or fraudulent paper (Abritis, Marcus, & Oransky, 2021). The presence of low-quality scientific articles in the literature is compounded by continued citations, even post-retraction citations, to articles that were already withdrawn (Bar-Ilan & Halevi, 2017). There are multiple reasons why retracted papers continue to be cited, and citations to such literature may either be critical or supportive (Teixeira da Silva, 2020a).

What is little discussed is how, even in the cases of retractions for academic misconduct, publishers and journals continue to draw benefits, whether in the form of citations to erroneous/retracted papers, the non-refundable article processing charges (APCs), or journal subscription fees. For academic publishing to rid itself of unethical practices and outcomes, it is thus important to re-examine the nature of academic fraud and the responsibilities of those involved, especially researchers, editors, and publishers.

## Academic Fraud is Multi-Faceted

A recent paper by Wilson (2020) published in *Exchanges* assumes a critical stance with regards to the issue of academic fraud, emphasizing how it can threaten academic integrity and thus, by association, impact society. Wilson offered an overview of the forms of academic fraud and misconduct, broadly characterizing them as being (1) internal, i.e., researcher-driven, either through fabrication, falsification, or plagiarism, or (2) external, i.e., publisher- or organization-driven through predatory practices, hoaxes and forgeries. The binary categorization by Wilson falls short of capturing the complicated procedures underlying many cases of academic misconduct. In reality, unethical behaviours in research are rarely limited to mere researchers or publishers but can also be found among editors and peer reviewers.



First, while there are researchers who are overly ambitious and have committed academic dishonesty, the matter is not exclusively researcher-driven. Peer reviewers or editors may abuse their position, for example, requesting authors to cite their work or journal in a bid to boost their metrics, even if such actions are inappropriate (**Teixeira da Silva, 2017**). Indeed, reviewer misconduct is far from rare, but this issue is frequently – or perhaps conveniently, given how reliant the publishing industry is on them – overlooked. Many studies have surveyed and documented the phenomenon of authors being asked or encouraged to revise their papers, including rounding off a *p*-value, selectively reporting a hypothesis, excluding certain findings, and even modifying the results against the authors' better judgment (**Bergh, Sharp, Aguinis, & Li, 2017; Frey, 2003; Shibayama & Baba, 2015**). Researchers, fuelled by increased competition for grant funding, tenure position, and promotion at work, are under pressure to comply with referees' requests so that their revised manuscripts are able to pass another round of screening. What is clear is that not all cases of academic dishonesty, especially when fabrication happens, lead to retractions.

On the contrary, dishonest conformity in peer review has often gone undetected, giving the publication of an article the appearance of business as usual (**Shibayama & Baba, 2015**). Similarly, under-discussed is editorial misconduct, which differs case by case but generally includes negligent peer review, lack of guidelines for authors, publications of articles outside the journal's scope and mission, deliberate omission of conflicts of interest (**Teixeira da Silva, Dobránszki, Bhar, & Mehlman, 2019; Teixeira da Silva, 2021a**), abuses of advertisements, and incomplete or disingenuous retraction notices (**Shelomi, 2014**). Journal editors are often hesitant in responding to a retraction request because of the amount of work that would involve, such as launching an investigation to confirm the errors or misconduct in the requested paper (**Vuong, 2020**). Moreover, they and their journal would be directly implicated in quality oversight during peer review, so there is an active lack of incentives to correct the literature. These behaviours are not necessarily predatory in nature and may easily escape scrutiny due to the lack of independent oversight.

Second, hoaxes and forgeries, including sting operations, are not exclusively driven by publishers or organizations and can be driven by individuals who establish fake identities. One of the well-known sting operations was carried out by John Bohannon, who used a number of fake names to submit different versions of a fabricated 'scientific' paper to hundreds of open access (OA) journals, finding that many – including legitimate, peer-reviewed and indexed journals – were willing to accept the paper (**Bohannon, 2013**). However, using dishonest and/or fraudulent practices to detect dishonesty and/or fraud is itself a dishonest and/or

fraudulent tactic, not to mention unscholarly and unethical, so there are no deontological, moral or ethical arguments to offer support for the use of such operations in academic publishing (**Teixeira da Silva, 2021b**).

Wilson (**2020**) provides a wider and more in-depth discussion about the issue of fraud in academic publishing.

### **Academic Publishing is More Than a Binary Classification**

To submit a manuscript to an academic or scholarly journal, authors have to follow established ethical guidelines and offer assurances such as data originality, non-duplicate submission, and a host of other requests and ethical guarantees. The demanding and stringent submission requirements understandably serve to ensure the scientific and ethical quality of a manuscript, but they are making academic publishing increasingly challenging and strenuous (**Teixeira da Silva, 2016**). The time-consuming nature of the publishing process entails an unavoidable delay in the dissemination of scientific findings. Thus, the current academic publishing model is frequently criticized for being outdated, slow, costly, and counterproductive for science (**Stern & O'Shea, 2019; Vuong, 2018**). However, an inefficient journal, even with incompetent editors, is not necessarily a predatory or unscholarly one, although many scholars may be easily tempted to confound these categories of journals.

In his article, Wilson (**2020**) alluded briefly to the exploitative nature of predatory entities. Still, he did not indicate that *a priori*, it might be difficult to differentiate the predatory nature of a journal simply from its submission or ethical requirements. Moreover, except for extreme cases, there is no crisp distinction between legitimate and predatory entities, and a wide zone of grey quality, predation, and exploitation exists (**Teixeira da Silva, 2020b**). It seems insufficient to merely classifying journals into a binary choice (either predatory or not), for the act by default equates poor quality with misconduct, but that is not necessarily the case (**Eriksson & Helgesson, 2018**). Consequently, stated ethical requirements by a journal, legitimate or predatory, are not in themselves a guarantee that peer review or editorial handling will be valid, resulting in error-free publication, or suffice to detect fraudulent aspects.

## **In the Pursuit of Indexing, Ranking, Branding, and Profitability**

The business of academic publishing retains many practices that, for a large part, serve the publishers and journals themselves. This section casts doubt on a number of these practices by taking into account both the conventional publishing model as well as recent changes, such as the emergence of OA journals and the post-publication peer-review process.

### *Conventional Publishing Practices*

In the world of commercial academic publishing, it is not just the expectation that journals be indexed and ranked by certain measures and in certain platforms; it is also the norm. Journals, especially those that unverifiably claim to be peer-reviewed and carry a prestige-associated journal-based metric such as a Clarivate Analytics' journal impact factor (JIF), often use these aspects to 'sell' their image. The overemphasis on such branding creates the sometimes false or misleading impression that submission to such journal(s), although not a guarantee of publication, would guarantee, if accepted, rigorous peer review-based quality control, editorial scrutiny, and thus a 'safe' (i.e., that has undergone strict quality control) paper. Branding does not end there. Sadly, far too many academics are caught up in the glamor and vanity world of journal indexes and ranking, striving to be seen and read in higher-ranked journals, failing to appreciate or perhaps intentionally ignoring the marketing gimmicks that underlie many aspects of the for-profit academic publishing industry. Gamed metrics carry no academic, scholarly or educational value (**Oravec, 2020**).

With the common denominator being Clarivate Analytics, journals with a JIF are essential to the Web of Science, which is considered one of the three most popular and/or reputable indexes or platforms, alongside Elsevier's Scopus and NCBI's PubMed. To be indexed in such databases carries an added image of 'prestige'. In many (if not most) of these cases, the journals would advertise their compliance to strict ethical rules, such as those by the Committee on Publication Ethics (COPE), in the form of ethics branding. As one example, Chambers, Michener, and Falcone (**2019**) noted that of the 176 PubMed-indexed retractions of papers in the obstetrics and gynecology literature, plagiarism and data falsification accounted for almost 45% of the total. Campos-Varela et al. (**2020**) indicated that retractions were made from over 600 PubMed-indexed journals, suggesting that there are integrity problems not only with journals indexed in PubMed but with PubMed management itself (**Teixeira da Silva, 2021c**). Despite this, those journals continue to be indexed in PubMed, and those that carry a JIF continue to benefit from this metric despite these cases of academic misconduct. Here, journals and publishers

that publish erroneous or even fraudulent research continue to derive 'benefit' in the form of sustained indexing and unaltered metrics.

The financial or reputation rewards are not limited to editors but may also be bestowed on peer reviewers, who may receive an APC discount voucher for submission to a journal of the same publisher (**Epstein, Wiseman, Salaria, & Mounier-Jack, 2017**) or be recognized on peer rewards platforms such as Publons (**Van Noorden, 2014; Teixeira da Silva & Katavić, 2016**). While there are legitimate reviewers who give genuine feedback and help the authors improve their manuscripts, there are also reviewers with questionable profiles and incentives. In such cases, should recognition be conferred to those whose peer reports cannot be openly and independently scrutinized? Should reviewers who have peer-reviewed papers in predatory journals merit praise or those that approved erroneous work for a publication that is later retracted due to misconduct or fabrication – undetected by peers and editors – deserve peer review credits, such as on Publons (**Teixeira da Silva, 2020c**)?

Based on these 'quality'-based guarantees, publishers or stand-alone journals then sell their 'product', a claimed peer-reviewed journal, to clients, such as institutional libraries. Journal subscriptions are either single stand-alone journal annual or multi-year subscriptions, or packages or 'bundles', i.e., access to print and/or online access to several journal titles (**Bergstrom, Courant, McAfee, & Williams, 2014**). However, within 'bundles', there may be journals with flawed academic content mixed with strictly validated content. In such cases, is the knowledgeable sale of erroneous literature taking place? Considering that library funds generally cover such costs (**Willinsky & Rusk, 2019**), the role of librarians, or other staff tasked with the purchase of academic journals, faces further scrutiny. One may ask whether it is the responsibility of librarians to carefully screen the academic legitimacy of journals (or their content) within subscriptions before they use university funds, sometimes very sizeable, to purchase journals. Suppose librarians are responsible for such a task. Are they required to possess a certain level of academic literacy (**Braddlee & VanScoy, 2019**) because they are entrusted with using private or public funding to purchase literature that may be predatory, erroneous or the product of misconduct? More importantly, how should universities assess the quality or veracity of knowledge before a financial investment such as the costly years-long journal subscription?

#### *Emerging Publishing Practices*

In the evolving OA publishing market, revenue, especially for global market leaders, is drawn from APCs. Select publishers are making billions of US dollars in annual profit (**Johnson, Watkinson, & Mabe, 2018; Larivière, Haustein, & Mongeon, 2015**), with APCs averaging thousands of US\$ (Asai,

2020). Whereas low APCs are not necessarily related to predatory publishing, high APCs may, to a certain extent, reflect financially exploitative publishing (Teixeira da Silva, Dobránszki, Tsigaris, & Al-Khatib, 2019). The survival of OA publishing, especially of for-profit publishers, hinges increasingly on journal APCs (Budzinski, Grebel, Wolling, & Zhang, 2020; Morrison, 2018; Piwowar et al., 2018). In his analysis, Wilson (2020) drew readers' attention to the issue of predatory OA publishing but seemed to be oblivious to the fact that predatory behaviour is not restricted exclusively to OA journals or publishers. As discussed above, journal blacklists are deeply flawed because it is becoming increasingly difficult to distinguish between predatory and non-predatory journals.

In post-publication peer review (PPPR), scrutiny of peer-reviewed papers may reveal that peer review has failed to some extent (Shashok & Matarese, 2018; Teixeira da Silva, 2017; Teixeira da Silva & Dobránszki, 2014; Tennant, 2018). Despite this, publishers continue to make sales from flawed research, containing either errors, misconduct, or fraud. Even though such studies are being retracted (Brainard & You, 2018), which so far have accounted for less than 1% of the total literature published, publishers continue to sell subscriptions to journals with tainted content, including some indexed on PubMed (Teixeira da Silva, 2021c). Refunds are not paid to subscribers, nor are APCs refunded to authors or funders. Is there an ethical component to financial reward (sales or profit) made from the sale of flawed brands or products, even if that quality is not known, *a priori* to PPPR? This issue needs to be discussed by COPE since papers in journals published by many COPE members are being retracted. That conversation also needs to encompass some of the main players in literary content databases, such as Clarivate Analytics' Web of Science, Elsevier's Scopus, and NCBI's PubMed, since these platforms also benefit reputationally from the inclusion of literature that might not be properly academically scrutinized, a topic of future expansion. Sales of, or profit from, research that is erroneous or fraudulent may further undermine the credibility of COPE (Teixeira da Silva, 2019), the public trust (Vuong, 2018), and the 'brand' value of its members.

### **What Measures Should be Put in Place Going Forward?**

In cases where a flawed scholarly product is sold, what consequences should there be to editors who were rewarded, but who failed – to some extent – their mission to ensure the publisher's guarantees of peer-reviewed academic scrutiny and quality (Resnik & Elmore, 2016; Teixeira da Silva & Dobránszki, 2018)? An answer likely lies in the level of error and in the spirit of transparency (Tennant, 2018) with which corrections are made. Consequently, editors who oversee content through PPPR, shown

to be highly flawed, should be removed from their positions, as they may be perceived, like the quality control of the literature they oversaw, to be unreliable. Such removals could reinstate trust. By contrast, editors who have, in response to PPPR, used transparent measures to correct flawed literature deserve praise, thereby avoiding negative branding and stigmatization associated with retractions (**Teixeira da Silva & Al-Khatib, 2021**), and to clearly distinguish valid, honest and trustworthy peer reviewers and editors from predatory ones. Addressing the responsibilities of peer reviewers who have overseen the quality of erroneous, flawed and/or fraudulent work is more difficult. While it is clear that unreliable and/or predatory peers should be banned or blacklisted from serving the academic community, the question remains as to how to implement this when the peer-review process takes place largely behind closed doors.

The questions of journal and publisher responsibilities loom larger when we consider their financial gains in the face of, and even despite, flawed or irreproducible research articles (**França & Monserrat, 2019**). Ioannidis (**2005**) previously ran simulations on research designs and settings and found that the likelihood of a research claim being false is higher than true. If this theoretical postulation is considered true, then is a portion of the annual multi-billion-dollar profits of the global publishing market being derived from the sale of flawed research, i.e., research tainted with error, misconduct or fraud? To derive income, sales and/or profit or reputational benefits from flawed products defend the trade of those products is unethical. Yet, this mode of commercial academic publishing remains impenetrable. To accommodate this under-discussed ethical vs. capitalistic component (**Khoo, 2019**), many practices would need to evolve, one of which includes requiring the APC market to improve transparency, equality, and accessibility (**Teixeira da Silva, 2020d**).

In short, it is not exclusively illegitimate (i.e., 'predatory') journals or publishers that may display unscholarly publishing practices. As this paper has argued, unscholarly or unethical practices such as earning reputational and/or financial benefits from erroneous or fraudulent scientific work can be found in even legitimate journals and publishers. These include journals and publishers indexed in PubMed, Scopus, or Web of Science, which have more than 12,000 erroneous medical papers (**Atanasov et al., 2020**) and carry a branded metric like the JIF. Even those that claim to follow strict ethical (e.g., COPE) guidelines and rigorous peer reviews may also be drawing benefits from the system as a whole.

How can the benefit, actual or perceived, of publishers be moderated or proportionally reduced? This would likely involve multiple complex approaches, such as recognizing peer review as imperfect, fortifying transparency and heightening community engagement in PPPR (**Tennant,**



2018). The metrics (e.g., JIF) of journals whose retracted literature is cited need to be corrected or adjusted downwards (**Dobránszki & Teixeira da Silva, 2019**). Finally, researchers should take a more active stance in the publishing ecosystem (**Vuong, 2020**). Upholding academic integrity involves doing hard work, i.e., acknowledging one's shortcomings and errors, correcting the literature when errors are found, and calling out editors or publishers that defy their claimed academic or ethical excellence.

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