

Without Fear?

Exploring online civic space participation by marginalised women in India

By Ayesha Minhaz and Srujana Bej



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About The Bachchao Project

The Bachchao Project is a techno-feminist collective that undertakes community-centric efforts to develop and support open-source technologies and technical frameworks with the goals of mitigating gender-based violence and working towards equal rights for women, LGBTQIA people, and gender non-conforming groups. We conduct research and advocacy in all the above areas and guide communities in determining appropriate technological interventions for themselves.

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Abstract

The deterioration of democratic and constitutional values in India in the recent past has significantly impacted social movements and organising. A regime change, the country's shift towards right-wing, hypermasculine and jingoistic politics, casteism, Islamophobia, and a largely stagnant redressal mechanism on online platforms have raised risks and barriers for online civic space participation, particularly for marginalised women. In this context, studying marginalised women's participation in the digital civic spaces — a site of resistance — holds significance. We examined the extent of censorship and its forms; the vulnerabilities, abuse, violence, and the mental toll of being online; and the impact on personal and professional lives, by interviewing 12 women from communities facing persecution and who have different experiences of marginalisation. The findings point toward the erosion of freedoms and rights, a continuous cycle of online abuse, various degrees of self-censorship, the constant fear of state persecution, an endless mental toll, and power inequities in organising online.

Keywords: India, democracy, freedoms, digital civic spaces, marginalised women

Chapter 1

Introduction

The constitutional democracy in India has ‘backslid’ in the recent past.¹ The misuse of laws against dissenting individuals,² state-led intimidation and delegitimisation of dissenters,³ censorship of free speech on social media,⁴ the organised and coordinated manipulation of digital platforms to amplify right-wing propaganda,⁵ restrictions on press freedoms,⁶ arrests of human rights defenders, normalised surveillance and internet shutdowns⁷ have all contributed to the shrinking of civic spaces.

¹ *The Global State of Democracy 2021: Building Resilience in a pandemic era*, INTERNATIONAL INSTITUTE FOR DEMOCRACY AND ELECTORAL ASSISTANCE (2021). Available at:

https://www.idea.int/gsod/sites/default/files/2021-11/the-global-state-of-democracy-2021_1.pdf.

² In 2018, ten scholars, activists and lawyers were arbitrarily arrested—the case is known as Bhima Koregaon. Reportedly, malware was used to plant incriminating evidence on one of the arrested activist's devices. Criminal cases were also instituted against citizens protesting environmental injustice in 2018 and thousands of farmers in 2020 who opposed the now-repealed farm laws. See Prateek Goyal, *Bhima Koregaon case: Three years of legal and rights violations*, NEWSLAUNDRY (2 January, 2021), <https://www.newslandry.com/2021/01/02/bhima-koregaon-case-three-years-of-legal-and-rights-violations>; Niha Masih & Joanna Slater, *Further evidence in case against accused of terrorism was planted, new report says*, WASHINGTON POST (20 April, 2021), <https://www.washingtonpost.com/world/2021/04/20/india-bhima-koregaon-activists-report/>; *Farm law cancelled but fate of cases filed against thousands of protesters unclear*, NEWS18.COM (19 November, 2021),

<https://www.news18.com/news/india/3-farm-laws-cancelled-but-fate-of-scores-of-cases-filed-against-thousands-of-protesters-remains-unclear-4462052.html>; Balakrishna Ganeshan, *In Thoothukudi, anti-sterlite protesters hope to be relieved of 'foisted cases'*, NEWSLAUNDRY (31 March, 2021),

<https://www.thenewsminute.com/article/thoothukudi-anti-sterlite-protesters-hope-be-relieved-foisted-cases-146253>.

³ Shruti Menon & Flora Carmichael, *Farm laws: Sikhs being targeted by fake social media profiles*, BBC (24 November, 2021), <https://www.bbc.com/news/world-asia-india-59338245>; Michael Safi, *India's ruling party ordered online abuse of opponents, claims book*, THE GUARDIAN (27 December, 2016),

<https://www.theguardian.com/world/2016/dec/27/india-bjp-party-ordering-online-abuse-opponents-actors-modi-claims-book>.

⁴ *Supra* note 1.

⁵ Ayushman Kaul & Devesh Kumar, *Tek Fog: An App With BJP Footprints for Cyber Troops to Automate Hate, Manipulate Trends*, THE WIRE (6 January, 2022), <https://thewire.in/tekfog/en/1.html>; *Twitter bots tweaking pre-election trends in India: US Experts*, THE HINDU BUSINESS LINE (9 April, 2019),

<https://www.thehindubusinessline.com/info-tech/social-media/twitter-bots-tweaking-pre-election-trends-in-india-us-experts/article26781408.ece>.

⁶ Between 2010-2020, 154 cases were lodged against journalists, 67 in 2020 alone. Consequently, self-censorship has been increasing in India's newsrooms. See Geeta Seshu, *Behind Bars: Arrest and detention of journalists in India 2010-2020*, FREE SPEECH COLLECTIVE,

<https://freespeechcollectivedotin.files.wordpress.com/2020/12/behind-bars-arrests-of-journalists-in-india-2010-20.pdf>; Sevanti Ninan, *How India's news media have changed since 2014: Greater self-censorship, dogged digital resistance*, SCROLL.IN (5 July 2019),

<https://scroll.in/article/929461/greater-self-censorship-dogged-digital-resistance-how-indias-news-media-have-changed-since-2014>; Vignesh Radhakrishnan & Sumant Sen, *Data | Five journalists arrested in January 2021, the highest in any year since 1992*, THE HINDU (13 February, 2021),

<https://www.thehindu.com/data/data-five-journalists-arrested-in-january-2021-the-highest-in-any-year-since-1992/article33830579.ece>.

⁷ India accounted for the highest number of internet shutdowns in the recent past, with a reported 109 shutdowns in 2020. See Ankita Chakravarti, *India saw highest number of internet shutdowns in the world*, INDIATODAY (4 March, 2021), <https://www.indiatoday.in/technology/news/story/india-saw-highest-number-of-internet-shutdowns-in-the-world-in-2020-1775608-2021-03-04>.

The targeting of politically active individuals from religious minorities⁸ and marginalised caste groups⁹ has increased too.

With the restrictions on political articulations imposed by the state, non-state actors and digital media platforms, the digital civic spaces are under an onslaught. While this is not a new phenomenon, it has heightened in the recent past, following the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 as well as exponential content takedown orders (over 19,000 between 2019 and mid-2021).¹⁰

The participative environment of the online civic spaces in India has also been shaped by myriad factors, including a regime change, the shift towards the right-wing, hypermasculine, casteist, Islamophobic and jingoistic nature of politics,¹¹

⁸ See Vijayta Lalwani, 'I kept feeling it was a nightmare': Safoora Zargar on Surviving 38 days in solitary confinement, SCROLL.IN (8 March, 2021),

<https://scroll.in/article/988844/i-kept-feeling-it-was-a-nightmare-safoora-zargar-on-surviving-38-days-in-solitary-confinement>;

'Delhi riots witness accounts fabricated, prosecution should be ashamed': Umar Khalid, THE WIRE (10 December, 2021),

<https://thewire.in/law/delhi-riots-witness-accounts-fabricated-prosecution-should-be-ashamed-umar-khalid>;

Debashish Roy Chowdhury, *Is India headed for an anti-Muslim Genocide?*, TIME (4 October, 2021),

<https://time.com/6103284/india-hindu-supremacy-extremism-genocide-bjp-modi/>.

⁹ See *Bhim Army chief, arrested in Daryaganj violence case, moves court seeking medical treatment*, THE INDIAN EXPRESS (6 January, 2020),

<https://indianexpress.com/article/india/bhim-army-chief-arrested-in-daryaganj-violence-case-moves-court-seeking-medical-treatment-6202788/>; Sukanya Shantha, *When process is punishment: Hidme Markam's activism and the sketchy cases against her*,

THE WIRE (5 April, 2021), <https://thewire.in/rights/hidme-markam-chhattisgarh-arrest-advansi-rights>;

India: Prominent Indigenous activist violently arrested during International Women's Day event, SURVIVOR INTERNATIONAL (16 March, 2021),

<https://www.survivalinternational.org/news/12544>; Sunil Kashyap, *Arrest of anti-caste leader in Gorakhpur a strong indicator of UP's Thakur dominance*, THE CARAVAN (1 October, 2020),

<https://caravanmagazine.in/caste/arrest-of-anti-caste-purvanchal-senas-leader-a-strong-indicator-of-ups-thakur-dominance>.

¹⁰ In February 2021, India drafted the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules

2021 to push social media platforms to censor content and provide law enforcement with speedy access to user data. Twitter

blocked 500 accounts on government orders and reversed the decision upon realising that users were journalists, opposition

leaders, and activists. See Lauren Frayer & Shannon Bond, *India and tech companies clash over censorship, privacy and 'digital*

colonialism', NPR (10 June, 2021),

<https://www.npr.org/2021/06/10/1004387255/india-and-tech-companies-clash-over-censorship-privacy-and-digital-colonialism>

What to do if your social media account is blocked?, INTERNET FREEDOM FOUNDATION (2021). Available at:

<https://internetfreedom.in/what-to-do-if-your-social-media-account-is-blocked/>.

¹¹ Sarah Repucci & Amy Slipowitz, *Freedom in the World 2021*, FREEDOM HOUSE, available at:

<https://freedomhouse.org/report/freedom-world/2021/democracy-under-siege>;

Genocide Emergency: India, GENOCIDE WATCH (August 2021), available at: https://www.genocidewatch.com/_files/ugd/e15208_b7a527210da04616986081c6c2605a9c.pdf;

Sandeep Bhushan, *The power of social media: Emboldened Right-wing trolls who are attempting an internet purge*, THE

CARAVAN (28 September, 2015), <https://caravanmagazine.in/vantage/power-social-media-emboldened-right-wing-trolls>;

Raj Shekhar Sen, *How the Hindu man's crisis of masculinity feels Hindutva*, NEWSLAUNDRY (14 January, 2020),

<https://www.newslaundry.com/2020/01/14/upper-caste-hindu-masculinity-hindutva-modi-gujarat-riots-rss>;

Ramachandra Guha on rise of Hindutva and four reasons behind 'jingoism', THE QUINT (19 December, 2019),

<https://www.thequint.com/news/india/ramachandra-guha-on-the-rise-of-hindutva-and-4-reasons-behind-indias-jingoism#read-more>;

Christophe Jaffrelot, *Rise of Hindutva has enabled a counter-revolution against Mandal's gains*, INDIAN EXPRESS (10

February, 2021),

<https://indianexpress.com/article/opinion/columns/hindu-nationalism-mandal-commission-upper-caste-politics-modi-govt-7181746/>.

largely stagnant redressal mechanism on online platforms¹² and the integration of a considerable population into the digital sphere.¹³ The lack of disaggregated data prevents capturing the caste, class, religious, and gender composition of internet usage in India beyond small-scale studies. However, the dominance of upper castes on social media¹⁴ is recognised and established, at least in some scholarly literature and studies.

Along with increased access to the internet and social media in the past decade, feminist organisations worldwide became more prominent in online civic spaces. Women vocal online about human rights, politics, social justice, democracy, and governance issues face scrutiny from the state and direct harassment, abuse, and censorship. While this spares no one, women from marginalised and persecuted communities face heightened abuse and identity-based delegitimisation.

In this context, we look at how the shrinking of online civic spaces has constrained the rights of marginalised women organisers in India. We examined what feminist organising means to these women, their interactions with the state and experiences of endless harassment and hate from non-state actors, how platforms responded to abuse, and how identity shapes experiences online. This exploratory research also investigated how marginalised women are navigating the online civic space, claiming new spaces, and reclaiming the shrinking ones.

¹² Mariya Salim, *Online trolling of Indian women is only an extension of the everyday harassment they face*, THE WIRE (8 July, 2018), <https://thewire.in/women/online-trolling-of-indian-women-is-only-an-extension-of-the-everyday-harassment-they-face>.

¹³ In August 2013, India had nearly 74 million internet users. In 2020, the number of internet users in India was at 622 million. See *India is now world's third largest internet user after U.S., China*, THE HINDU (24 August, 2013), <https://www.thehindu.com/sci-tech/technology/internet/india-is-now-worlds-third-largest-internet-user-after-us-china/article5053115.ece>; *India will have 900 million active internet users by 2025, online population to grow 45%: report*, NEWS18.COM (3 June, 2021), <https://www.news18.com/news/tech/india-will-have-900-million-active-internet-users-by-2025-online-population-to-grow-45-report-3805238.html>.

¹⁴ *Social Media & Political Behaviour*, LOKNITI - CENTRE FOR THE STUDY OF DEVELOPING SOCIETIES (2019). Available at: https://www.csds.in/uploads/custom_files/Report-SMPB.pdf.

Chapter 2

Unequal Impacts of Shrinking Spaces

The 'shrinking' of the civic space in India (through the increasing restrictions on the freedoms of speech and association) is contested and denied¹⁵ by the state. Moreover, the differential and compounded impacts of such shrinking on under-resourced marginalised groups in the civic space is invisibilised by the mainstream civil society, popular media and the state.¹⁶

While politically and economically resourced institutions in the civic space may only suffer legitimacy or funding crisis, disproportionate impacts of the shrinking civic space are borne by grassroots and community-based groups, informal collectives and individuals who do not have access to legal and financial aid or political power.¹⁷ When such under-resourced civic space actors belong to marginalised groups, the 'shrinking' of the civic space tends to be compounded due to the inequities and reproductions of social power structures within the civic space, limited access to material resources, and exclusion from social networks of influence.

Skewed power relations in India's feminist movement

Marginalised groups have historically been excluded from the Indian feminist civic space. The Indian feminist movement's agenda has historically been focused on the archetype of a cis-gendered, Hindu, urban, upper-caste, middle-class woman.¹⁸ When the #MeToo movement (wherein survivors publicly state incidents of sexual harassment and may name perpetrators) emerged in India, the publication of a crowd-sourced List of Sexual Harassers in Indian Academia (LoSHA)¹⁹ was

¹⁵ Krishnan Srinivasan, *The MEA's Hyper-sensitive rebuttals to foreign criticism hurt its own credibility*, THE WIRE (19 February, 2022), <https://thewire.in/diplomacy/foreign-criticism-mea-singapore-pm>.

¹⁶ Ben Hayes et. al., *On "shrinking space": a framing paper*, TRANSNATIONAL INSTITUTE (2017), available at: <https://www.tni.org/en/publication/on-shrinking-space>.

¹⁷ *Id.*

¹⁸ Jahnvi Andharia with the Anandi Collective, *The Dalit Women's Movement in India: Dalit Mahila Samiti*, AWID - ASSOCIATION FOR WOMEN'S RIGHTS IN DEVELOPMENT (2008), available at: https://www.awid.org/sites/default/files/atoms/files/changing_their_world_-_dalit_womens_movement_in_india.pdf.

¹⁹ Vishnupriya Bhandaram, *Raya Sarkar's list of academic 'predators' is the disruptor we needed in sexual harassment discourse*, FIRSTPOST (27 October, 2017), <https://www.firstpost.com/india/raya-sarkars-list-of-academic-predators-is-the-disruptor-we-needed-in-sexual-harassment-discourse-4179573.html>.

condemned by well-renowned feminist organisers.²⁰ LoSHA highlighted the failures of institutional due process in academia and ‘progressive’ spaces when perpetrators belonged to the upper class and upper caste backgrounds. However, it was condemned by the feminist movement’s vanguard who failed to engage with the contention that ‘due process’ is coded in religion, caste and class in India. The discourse around LoSHA and the insistence on ‘due process’ in *naming* (not convicting) alleged sexual harassers illustrated the domination of privileged women and the invisibilisation of Dalit, Adivasi and marginalized caste women in Indian feminist organising.²¹

India’s feminist movement has also excluded trans women,²² and constantly debates transgender existence.²³ Despite the transgender community’s criminalisation through anti-beggary and anti-sex work laws,²⁴ and the widespread prevalence of arbitrary detention and brutal police violence against trans women,²⁵ India’s feminist movement has not forefronted the challenges against these oppressive laws or centred trans women in the challenge against custodial rape. As late as the mid-1990s, the feminist movement discriminated against trans women at a women’s conference.²⁶

In 2021, an open statement called for accountability in India’s feminist movement, after a celebrated feminist organiser advocated a transphobic and casteist agenda for the movement.²⁷ The feminist movement has also narrowly siloed trans women to ‘transgender’ issues. Trans women have called out token representation by upper

²⁰ *Statement by feminists on Facebook campaign to “Name and Shame”*, KAFILA (24 October, 2017), <https://kafila.online/2017/10/24/statement-by-feminists-on-facebook-campaign-to-name-and-shame/>.

²¹ Pallavi Rao, *Caste and the LoSHA Discourse*, 11 COMMUNICATION, CULTURE AND CRITIQUE 3 (2018), <https://academic.oup.com/ccc/article-abstract/11/3/494/5076404>.

²² Chetan Gnanesh, *Is feminism in India inclusive enough of trans identities?*, LIKHO (3 December, 2020), <https://likhowithpride.com/blogs/feminism-in-india/>.

²³ Vikramaditya Sahai, *Turf not TERF: Feminism, solidarity and trans persons*, CENTRE FOR LAW AND POLICY RESEARCH (25 June, 2021), <https://clpr.org.in/blog/turf-not-terf-feminism-solidarity-and-trans-persons/>.

²⁴ Ajita Banerjee, *Decriminalising begging will protect transgender persons from police harassment*, THE WIRE (17 August, 2018), <https://thewire.in/rights/decriminalising-begging-will-protect-transgender-persons-from-police-harassment>; *‘I was raped by cops multiple times and then left writhing in pain’*, HINDUSTAN TIMES (2 December, 2013),

<https://www.hindustantimes.com/india/i-was-raped-by-cops-multiple-times-and-then-left-writhing-in-pain/story-iy0D1QpjjBaxyd7N42cr2K.html>; Roli Srivastava, *Indian police extort transgender sex workers, increasing HIV risk- study*, REUTERS (23 January, 2018), <https://www.reuters.com/article/us-india-lgbt-research-idUSKBN1FC16G>.

²⁵ See *Report of the Expert Committee on the issues relating to transgender persons*, MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT, GOVERNMENT OF INDIA (2014), <https://socialjustice.nic.in/writereaddata/UploadFile/Binder2.pdf>; Maria Akram, *Transgender raped by cops fights for justice*, TIMES OF INDIA (12 September, 2014), <https://timesofindia.indiatimes.com/india/Transgender-raped-by-cops-fights-for-justice/articleshow/42319820.cms>.

²⁶ Urvashi Butalia, *Urvashi Butalia: ‘Queer and trans women are essential to Indian feminism’*, THE GUARDIAN (29 May, 2017), <https://www.theguardian.com/lifeandstyle/2017/may/29/indian-transgender-feminism-urvashi-butalia>.

²⁷ *Call for accountability in feminist circles*, FEMINIST FUTURES COLLECTIVE (20 May, 2021), <https://feministfuturescollective.medium.com/call-for-accountability-in-feminist-circles-4b0ae9846787>.

caste members²⁸ and highlighted the domination of upper caste trans women within the transgender community.²⁹

The feminist movement in India replicates oppressive social structures and power hierarchies. Through such replication, it reproduces (rather than challenge) the suppression of marginalised women. It fails to apply the feminist principles of both examining power in private relationships (within feminist organising) and recognising that personal practices within feminist organising (such as the erasure of caste oppression or excluding marginalised women from decision-making bodies and networks of influence) help strengthen oppressive power (i.e. ‘the personal is political’).³⁰ It also fails to adopt the feminist movement’s intersectional approach which challenges patriarchal power operating in integration with other social hierarchies such as caste, religion, heteronormativity, etc. The marginalisation of already marginalised women within India’s feminist civic space excludes their access to security, solidarity, legal aid, financial aid and networks of influence and support when the civic space is targeted for repression. Furthermore, because proportionally few marginalised women have access to participate in India’s feminist civic space, any shrinking of the civic space disproportionately silences marginalised women who are already underrepresented and invisibilised in the mainstream feminist civic space.

Compounded online abuse

Marginalised women also face disproportionate abuse in online civic spaces for challenging the oppressive social order. India’s online civic space is marked by hateful content against religious minorities and oppressed caste groups.³¹ Religion is the most frequent explicit basis for online hate on Facebook, with significant hateful content enticing bodily harm against religious minorities.³² Casteist slurs, insults, threats and insinuations are also frequently used with impunity.³³ Marginalised

²⁸ Afrah Asif, *A phase of ‘fight, fight, fight’*, DECENTER MAGAZINE, <https://www.decentermag.com/interviews-grace-banu>.

²⁹ *Grace Banu: A role model for all*, DALIT HISTORY MONTH (30 November, 2021), <https://dalithistorymonth.medium.com/grace-banu-a-role-model-for-all-4b7c99810666>.

³⁰ Srilatha Batliwala, *All about movements: why building movements creates deeper change*, CREA (2021), https://creaworld.org/wp-content/uploads/2020/12/All-About-Movements_Web.pdf.

³¹ Asmita Nandy, *Islamophobia to Casteism, how hate thrives unchecked on Clubhouse*, THE QUINT (17 June 2021), <https://www.thequint.com/news/india/clubhouse-twitter-spaces-hate-speech-islamophobia-casteism-bullying#read-more>.

³² Maya Mirchandani et. al, *Encouraging Counter-Speech by Mapping the Contours of Hate Speech on Facebook in India*, OBSERVER RESEARCH FOUNDATION (2018), available at: <https://www.orfonline.org/research/encouraging-counter-speech-by-mapping-the-contours-of-hate-speech-on-facebook-in-india/>.

³³ Damni Kain et. al, *Online caste hate-speech: pervasive discrimination and humiliation on social media*, THE CENTRE FOR INTERNET AND SOCIETY (2021), available at: <https://www.apc.org/en/pubs/online-caste-hate-speech-pervasive-discrimination-and-humiliation-social-media>.

women who speak on religion or politics face sexualised attacks aimed at discrediting them.³⁴ They are hypervisible among trolls and abusers in online civic spaces, and have reduced their visibility by anonymising their accounts or not sharing personal information.³⁵ They face aggregated abuse from collective trolling.³⁶ Such online abuse adversely impacts their mental health and leads them to think twice before expressing their opinions and participating in online civic spaces.³⁷

Marginalised women have limited remedies for online abuse, much like how their victimisation in physical civic spaces is ignored by the authorities.³⁸ Social media platforms such as Twitter and Facebook have included religion and caste as protected categories in their hate speech policies. However, Facebook undermined compliance with its own rules to favour specific political groups,³⁹ despite being cognisant of the amplification of violence through its algorithmic recommendations.⁴⁰ Twitter introduced new features that facilitate abuse, without applying content moderation processes.⁴¹ Moreover, platforms rely on users to identify and report abuse before taking any action. Each piece of abusive content must be reported individually and other users are not prevented from continuing abuse.⁴² Anti-caste groups have raised serious concerns about the lack of accountability and fairness in this content moderation process, aside from highlighting its incompetency in recognising hate within localised cultural contexts.⁴³ The content moderation process fails when violence is propagated in languages other than English, because social media platforms do not proportionally invest in content moderation for languages

³⁴ Gayathry Venkiteswaran, "Let the mob do the job": how proponents of hatred are threatening freedom of expression and religion online in Asia, ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS (2017), available at: <https://www.apc.org/en/pubs/%E2%80%9Clet-mob-do-job%E2%80%9D-how-proponents-hatred-are-threatening-freedom-expression-and-religion-online>.

³⁵ Dr. Murali Shanmugavelan, *Caste-hate speech: Addressing hate speech based on work and descent*, INTERNATIONAL DALIT SOLIDARITY NETWORK (2021), available at: <https://idsn.org/wp-content/uploads/2021/07/Caste-hate-speech-report-IDSN-2021.pdf>.

³⁶ *Id.*

³⁷ *Supra* note 33.

³⁸ Amani Ponnaganti & Tripti Poddar, *Rising stronger: security strategies for women defenders*, NAZDEEK (2020), available at: <https://namati.org/wp-content/uploads/2020/09/Rising-Stronger-Women-Report.pdf>.

³⁹ Newley Purnell & Jeff Horwitz, *Facebook's hate speech rules collide with Indian politics*, WALL STREET JOURNAL (14 August, 2020), https://www.wsj.com/articles/facebook-hate-speech-india-politics-muslim-hindu-modi-zuckerberg-11597423346?mod=itp_wsj&ypr=yahoo.

⁴⁰ Sheera Frenkel & Davey Alba, *In India, Facebook grapples with an amplified version of its problems*, NEW YORK TIMES (23 October, 2021), <https://www.nytimes.com/2021/10/23/technology/facebook-india-misinformation.html>.

⁴¹ *Supra* note 33.

⁴² *Supra* note 35.

⁴³ *Supra* note 33.

other than English.⁴⁴ Content moderation processes can also be easily weaponised to suspend the accounts of marginalised persons.⁴⁵

⁴⁴ Rishi Iyengar, *Facebook has language blind spots around the world that allow hate speech to flourish*, CNN (26 October, 2021), <https://edition.cnn.com/2021/10/26/tech/facebook-papers-language-hate-speech-international/index.html>.

⁴⁵ *Supra* note 35.

Chapter 3

Methodology, Sampling and Challenges

We set out with a qualitative approach based upon 12 semi-structured interviews to accomplish this exploratory research. We spoke to 10 cis women and two trans women. We shortlisted the participants for the study through purposive sampling based on any of the following criteria:

- Active on social media for personal and political purposes;
- Use social media platforms for organising;
- Silenced by way of termination of social media accounts;
- Inactive online in the recent past; and
- Organising online without any organisational support.

We interviewed women who were the users of any of the following services: Facebook, Twitter, Instagram, Whatsapp, Signal, Telegram, blogs, websites and participatory journalism websites.

Each semi-structured interview lasted 40 to 75 minutes. Transcriptions were thoroughly done and redacted to remove any identifiable information of the participants. An ongoing consent was established to ensure that participants could withdraw from the research/survey/interview without any explanations at any point in time. Most participants opted to remain anonymous.

Our participants include Dalit and backward caste women; marginalised caste and upper caste trans women; and upper caste Muslim women. Several constraints impacted the diversity among the participants. A majority of our participants reside in urban or peri-urban areas and primarily participate in online spaces through the English language. The selection of the participants may have suffered a selection bias: Due to the short duration of the study and the increased vulnerability of feminist and human rights organisers to state surveillance, we shortlisted women who belonged to a circle that could trust us. The duration of the study affected the trust-building process with newer participants. The fear of state surveillance, data leaks, interviews being traced back to them, or previous research participation experience, and a lack of time due to the increased demands on feminist organisers

in response to shrinking civic spaces led to the non-participation of several persons we had contacted.

This study could help learn from a sample more representative of India. We acknowledge that there is immense scope to conduct further research and focus group discussions among trans women, women from the Adivasi and Vimukta communities, Buddhists, Christians and other religious and ethnic minorities of India and women in militarised or conflict regions. We did not speak with women who had been subject to internet shutdowns. Further, we do not have in-depth economic or technological accessibility-related insights either.

Objectives of the research

1. Probing the role of the state, non-state actors, and redressal mechanisms on social media platforms in shaping the experiences of marginalised women using online civic spaces.
2. Investigating censorship, abuse, harassment and other risks in the shrinking civic spaces online.
3. Studying how women navigate their online presence amidst fear of retribution from the state and other actors.
4. Examining how women identify with feminism and feminist organising.

Chapter 4

Findings

(Note: While the findings from the qualitative study have been categorised into separate sections in this chapter, we urge readers to consider the findings as being interconnected and inseparable from one another.)

Censorship and self-censorship

In recent years, the Indian government has exercised censorship by: criminalising dissenting individuals and journalists, ordering social media platforms to take down content that criticises government policy or action,⁴⁶ issuing advisory directives beyond legislative mandates to social media platforms to curb content that “*may affect public order*”⁴⁷ and blocking access to the internet.⁴⁸ In 2019, Twitter received 3,600 orders to take down social media content or accounts and 6,000 such orders in the first six months of 2021.⁴⁹ The Indian government also sent the most number of legal information requests for Twitter accounts.⁵⁰ The India offices of Twitter were raided a few days after it refused to remove the label of ‘manipulated media’ on forged content uploaded by ruling politicians.⁵¹ Furthermore, the Indian police is systematically monitoring social media platforms⁵² for content that is ‘sensitive,’

⁴⁶ Paroma Soni, *Online censorship is growing in Modi's India*, COLUMBIA JOURNALISM REVIEW (14 December, 2021), <https://www.cjr.org/investigation/modi-censorship-india-twitter.php>.

⁴⁷ Aroon Deep, *Exclusive: Read The Government's "Fake News" Advisory To Social Media Companies*, MEDIANAMA (18 May, 2021), <https://www.medianama.com/2021/05/223-government-social-media-advisory/>.

⁴⁸ See Internet shutdowns, SOFTWARE FREEDOM LAW CENTRE INDIA, <https://internetshutdowns.in/>.

⁴⁹ Deeksha Bhardwaj, *6k social media content takedown orders this year*, HINDUSTAN TIMES (8 June, 2021), <https://www.hindustantimes.com/india-news/6k-social-media-content-takedown-orders-this-year-101623014539309.html>.

⁵⁰ Deeksha Bhardwaj, *India sent most number of requests seeking account info: Twitter report*, HINDUSTAN TIMES (15 July, 2021), <https://www.hindustantimes.com/india-news/india-sent-most-number-of-requests-seeking-account-info-twitter-report-101626287283039.html>.

⁵¹ Lauren Frayer & Shannon Bond, *India and tech companies clash over censorship, privacy and 'digital colonialism'*, NPR (10 June, 2021), <https://www.npr.org/2021/06/10/1004387255/india-and-tech-companies-clash-over-censorship-privacy-and-digital-colonialism>.

⁵² *14 arrested in Assam for social media post supporting Taliban: Police*, TIMES OF INDIA (21 August, 2021), <https://timesofindia.indiatimes.com/india/14-arrested-in-assam-for-social-media-post-supporting-taliban-police/articleshow/85510448.cms>; Madhuparna Das, *Mamata govt cracks down on social media, police remove over 3,000 inflammatory posts*, THE PRINT (18 December, 2019), <https://theprint.in/india/mamata-govt-cracks-down-on-social-media-police-remove-over-3000-inflammatory-posts/337058/>; CM KCR inaugurates swanky police buildings in Siddipet, Kamareddy, TELANGANA TODAY (20 June, 2017), <https://telanganatoday.com/cm-kcr-inaugurates-swanky-police-buildings-in-siddipet-kamareddy>.

‘seditious,’⁵³ ‘unlawful’ or may likely have ‘detrimental effects’ on public order.⁵⁴ The police have registered cases for social media posts⁵⁵ or user information⁵⁶ and targetedly monitored specific dissenting social media profiles.⁵⁷

In some states, individuals have been summoned to police stations and subjected to violence for their social media posts as well as been coerced to sign agreements to refrain from posting certain content.⁵⁸ Consequently, individuals have either deleted their social media accounts or refrained from posting their thoughts.⁵⁹ None of these surveillance projects are derived from legislations or judicial directions, and therefore their legality remains an open question. Phrases such as ‘public order,’ ‘seditious,’ etc, are vague and allow the police particularly wide discretion for selective enforcement.⁶⁰

The very existence of a state surveillance system, which regularly monitors and directs the removal of online content and criminalises individuals, functions as a disciplining panopticon that substitutes direct state violence with the state’s soft power of monitoring and control.⁶¹ This exercise of the state’s soft power makes people hyper-vigilant and leads to ‘self-censorship,’ that is, individuals would like to freely express themselves but refrain from doing so to avoid punitive action from the state. Such ‘self-censorship’ is thus not informed by one’s free will, but is the expression of the control of one’s ‘free’ will under the duress of an imposed, disciplining panopticon.

⁵³ Gulam Jeelani, *Haryana police gets first digital investigation centre*, HINDUSTAN TIMES (28 December, 2016), <https://www.hindustantimes.com/gurgaon/haryana-police-gets-first-digital-investigation-centre/story-QFT0kronmzCz6WbHu4M00.html>.

⁵⁴ Utpal Parashar, *Manipur police orders monitoring of social media posts*, HINDUSTAN TIMES (22 July, 2021), <https://www.hindustantimes.com/india-news/manipur-police-orders-monitoring-of-social-media-posts-101626937184514.html>.

⁵⁵ *UP police lodged 366 FIRs in one year over ‘communal’ posts on social media*, HINDUSTAN TIMES (17 June, 2021), <https://www.hindustantimes.com/cities/noida-news/up-police-lodged-366-firs-in-one-year-over-communal-posts-on-social-media-101623899799013.html>.

⁵⁶ Srishti Jaswal, Ayush Tiwari & Ashwine Kumar Singh, *Punjab police is citing social media activity as evidence of charges under UAPA*, NEWSLAUNDRY (16 February, 2022), <https://www.newslaundry.com/2022/02/16/punjab-police-is-citing-social-media-activity-as-evidence-of-charges-under-uapa>.

⁵⁷ *Anti-CAA protest: Police monitoring social media handles to check spread of misinformation*, TIMES OF INDIA (18 December, 2019), <https://timesofindia.indiatimes.com/india/anti-kaa-protest-police-monitoring-some-social-media-handles-to-check-spread-of-misinformation/articleshow/72872381.cms>; *Chakka jam: Delhi police monitoring social media, tightening overall security*, HINDUSTAN TIMES (5 February, 2021), <https://www.hindustantimes.com/india-news/chakka-jam-tomorrow-delhi-police-monitoring-social-media-tightening-overall-security-101612515828089.html>.

⁵⁸ Aakash Hassan, *“My phone haunts me”: Kashmiris interrogated and tortured by cyber police for tweeting*, THE INTERCEPT (6 December, 2020), <https://theintercept.com/2020/12/06/kashmir-social-media-police/>.

⁵⁹ *Id.*

⁶⁰ Meher Manga, *Sedition law: a threat to Indian democracy?*, OBSERVER RESEARCH FOUNDATION (26 July, 2021), <https://www.orfonline.org/expert-speak/sedition-law-threat-indian-democracy/>.

⁶¹ MICHEL FOUCAULT, *DISCIPLINE AND PUNISH: THE BIRTH OF THE PRISON* (1991).

One participant reported censorship attempts by state actors. Once, post attending a public meeting after an alleged police encounter, a participant was subtly cautioned “to speak less.” Later that year, the same participant had a notice handed to her. She had to sign it and agree to be less vocal; this mandate was extended to physical and digital civic spaces.

One of the research participants — a trans woman and a sex worker — says she has faced state intimidation in “both direct and indirect” forms. She remarked that she has been at risk a few times because of the informers planted by the state actors among activists and the NGO community. Speaking about how state repression manifests differently for sex workers, the participant said, “There is a threat, or there is a police call for verification, but that has been articulated on my livelihood.” The participant states that activists among the sex worker community face a direct and perpetual threat to their livelihood from the state as they have been arrested or detained in the past.

Most study participants, including individuals who have not been subject to direct state censorship or prosecution, reported varying degrees of imposed censorship (that is, self-censorship) in their online presence. The practice of such imposed censorship appears to be an ever-evolving phenomenon.

With each incident of the state increasingly repressing political dissent over the past few years,⁶² social media account suspension or termination, state imposition of criminal cases,⁶³ targeted harassment and threats by non-state actors, and risks to their families and friends, the boundaries of what could be deemed unproblematic are shrinking further.

⁶² See Shirin Ghaffaray, *A major battle over free speech on social media is playing out in India during the pandemic*, VOX (1 May, 2021),

<https://www.vox.com/recode/22410931/india-pandemic-facebook-twitter-free-speech-modi-covid-19-censorship-free-speech-takedown>; Joanna Slater & Niha Masih, *In India, a climate activist's arrest shows shrinking space for dissent*, WASHINGTON POST (21 February, 2021),

https://www.washingtonpost.com/world/asia_pacific/india-modi-dissent/2021/02/17/b6ab6ec8-7059-11eb-8651-6d3091eac63f_story.html; Meenakshi Ganguly, *Dissent is 'anti-national' in Modi's India - no matter where it comes from*, SCROLL.IN (13 December, 2019), <https://scroll.in/article/946488/dissent-is-anti-national-in-modis-india-no-matter-where-it-comes-from>; Snigdha Poonam, *How Dissent Dies*, THE ATLANTIC (12 June, 2021),

<https://www.theatlantic.com/international/archive/2021/06/india-democracy-freedom-protest/619185/>.

⁶³ *Tripura violence: 102 Twitter accounts booked under UAPA, police ask company to block them*, SCROLL.IN (6 November, 2021), <https://scroll.in/latest/1009927/tripura-police-ask-twitter-to-suspend-68-profiles-for-posts-on-anti-muslim-violence>; *UP: FIR against journalist for online post against PM, CM*, INDIAN EXPRESS (8 April, 2020)

<https://indianexpress.com/article/cities/lucknow/up-fir-against-journalist-for-online-post-against-pm-cm-6352480/>.

Most participants seemed to be in a perpetual assessment of the extent to which they could freely express their opinions, given that they responded with a lack of trust in the state for the protection of their fundamental freedoms. As one participant shared: *"I have no faith in the state."*

Another participant said, *"The fear is definitely around. If Anand Teltumbde can get arrested, what are we?"*

"You're always thinking... is this tweet going to get me jailed?"

Consequently, individuals spoke about being *"hyper-aware"* regarding retweets and shares, being *"habituated to edit all...social networking messages,"* including voice notes sent on more private channels, having become *"less angry"* online and feeling *"frustrated."*

One participant shared that she regulates (that is, 'self-censors') her online presence based on issues that individuals from a similar identity are targeted for; she called it an *"ongoing"* process.

"We would be much more vocal...but now we are a bit more tactful in the sense that ki soch samajh ke baat karo." [Translation: In the sense that we give everything a careful thought before speaking.]

"Everything is a negotiation of thinking...how much at risk you are."

One participant who runs an online group states, *"We went through the guidelines of Facebook hundreds of hundreds times. We have created our [group's] rules based on that. We have kept up a system in which others can also actively tag admins... And we are doing all of that so that we don't get in trouble."*

"Even if we download Discord or Signal, we aren't really using it always. And this concern...keeps cropping up. Even when volunteers...have meetings we are like, are we really going to talk about this topic if it's related to the state?"

“There are many things which we can't openly say...Now, stopped even doing opinions. We will pick up articles and share...even in that we had to be very careful what wordings we use. Any harsh kind of or little aggressive wording and all of us immediately start getting complaints or you'd come to know that we have been reported.”

“I refrain from talking about individuals because I think that there are some individuals who are institutions unto themselves and saying something even remotely critical about them can automatically invite unwarranted scrutiny and surveillance. So I avoid doing that but if there are structures that are to be criticised then I speak out.”

Participants whose online presence began to be marked by state or police engagement reported being doubly cautious about expressing their opinions online.

One participant remarked that officials from various state departments comment or mark their presence on her Facebook posts, either from their official accounts or personal ones. Over the past few years, this participant's online activity has reduced significantly. The online page of the organisation she founded has had no activity since 2018. She continues to be more active in physical spaces she can trust.

Another participant stated that senior police officials comment on her posts through their personal accounts. However, these personal accounts flaunt the police's professional affiliations and may even be verified accounts with increased reach. She states, *“These are top state officials...and there is always a risk that if you speak too much or cross a certain line then that brings unnecessary attention and I don't want to bring that unnecessary risk or attention to myself.”*

Another participant shared that senior police officials had called her on her phone but she had immediately blocked them.

Following the Supreme Court's registration of a contempt case against an individual who commented on judicial decisions,⁶⁴ some participants have reported increased self-censorship about judicial outcomes. One respondent shared that she had heeded her lawyer's advice and refrained from writing judiciary-related posts as she has an ongoing hearing in the court. Her lawyer fears that anything she says could be misconstrued as a lack of faith in the judiciary and affect the outcome of her case. *"When the Ayodhya verdict came, you want to say so many things, but you can't,"* she said.

While the fear of state action and losing social media accounts, which take a long time to establish reach, persists, it has not stopped individuals from expressing themselves entirely.

"If the state has decided to persecute, will anything I say impact how the state will respond? State jab decide karti ki case kare, toh retweet bhi kaafi hai." (Translation: When the state decides to persecute, even a retweet would be enough evidence.)

"The state is unreasonable. It can be unreasonable for anything and everything. But if it is disrupting our normal functioning, thinking, and speaking, then what is the cost of all of this?"

One research participant spoke about censorship as a phenomenon that people from lower caste and religious groups have always lived with: *"It is not something...which is...new. It is just a reality, which is entrenching deeper."*

She also commented on the online discourse about censorship and said, *"Recently, the pressure of censorship has also touched the privileged spaces a bit. And since the discourse online is mostly tilted towards the experiences of the privileged or the gaze of the privileged towards the oppressed, I think more talk...has begun about censorship."*

⁶⁴ See Contempt case against Rachita Taneja: 'Criticism of courts growing, everybody is doing it,' says SC, SCROLL.IN (29 January, 2021). <https://scroll.in/latest/985456/contempt-case-against-rachita-taneja-criticism-of-courts-growing-everybody-is-doing-it-says-sc>.

Delegitimisation and harassment

For people from marginalised groups, several aspects of the digital civic space are shaped by the users — from the Hindu fold, upper caste and other locations — on social media platforms. The boundaries of this online civic space are thus forever in negotiation, and often the platforms do not provide appropriate redressal.

Right-wing Hindutva users on social media platforms are among the most concerted, prominent and amplified creators of abuse and harassment against religious minorities and lower caste groups,⁶⁵ including women from such marginalised groups.⁶⁶ An increase in bot accounts has also been observed with the amplified presence of right-wing Hindutva platform users.⁶⁷ Given the increased directed targeting of marginalised groups by Hindutva users and bots, the vulnerability of marginalised women in online civic spaces has increased.⁶⁸

The list of methods used to perpetuate online abuse, including emotional and/or

⁶⁵ See Sujatha Subramanian, *Is Hindutva masculinity on social media producing violence against women and Muslims?*, 54 ECONOMIC & POLITICAL WEEKLY 15 (13 April, 2019),

<https://www.epw.in/engage/article/hindutva-masculinity-social-media-producing-violence-against-women-muslims>; Sandeep Bhushan, *The power of social media: Emboldened Right-wing trolls who are attempting an internet purge*, THE CARAVAN (28 September, 2015), <https://caravanmagazine.in/vantage/power-social-media-emboldened-right-wing-trolls>.

⁶⁶ Alishan Jafri & Zafar Aafaq, *Unchecked tsunami of online sexual violence by Hindu Right against India's Muslim Women*, ARTICLE 14 (21 May, 2021),

<https://article-14.com/post/unchecked-tsunami-of-online-sexual-violence-by-hindu-right-against-india-s-muslim-women>; Sanjeev Gumpenpalli, *Dalit activist and professor Sujatha Surepally attacked online by Right-wing trolls*, FEMINISMININDIA.COM (4 January, 2018), <https://feminisminindia.com/2018/01/04/sujatha-surepally-condemn-violence-against-dalit-woman/>; Alishan Jafri & Naomi Barton, *Explained: 'Trads' vs 'Raitas' and the inner workings of India's Alt-Right*, THE WIRE (11 January, 2022), <https://thewire.in/communalism/genocide-as-pop-culture-inside-the-hindutva-world-of-trads-and-raitas>.

⁶⁷ Nikhil Rampal & Balkrishna, *How pro-Modi Twitter handles behave like bots*, INDIATODAY.IN (17 April, 2019),

<https://www.indiatoday.in/mail-today/story/how-pro-modi-twitter-handles-behave-like-bots-1503629-2019-04-17>.

⁶⁸ Prasanto Roy, *Women, violence and Twitter in India*, AL JAZEERA (5 February, 2014),

<https://www.aljazeera.com/features/2014/2/5/women-violence-and-twitter-in-india>; Shreya Anasuya, *For women in the press like Rana Ayyub, it's scarily easy for online threats to turn physical*, GENDERIT.ORG (7 June, 2018),

<https://genderit.org/feminist-talk/women-press-rana-ayyub-it%E2%80%99s-scarily-easy-online-threats-turn-physical>; Kiruba Munusamy, *Intersection of identities: Online gender and caste based violence*, GENDERIT.ORG (7 June, 2018),

<https://genderit.org/articles/intersection-identities-online-gender-and-caste-based-violence>; Prayag Akbar, *Tweets against UPSC topper Tina Dabi show that the Hindutva hatred for Dalits runs deep*, SCOOPWHOOP.COM (17 November, 2016),

<https://www.scoopwhoop.com/Tweets-Against-UPSC-Topper-Tina-Dabi-Show-That-The-Hindutva-Hatred-For-Dalits-Runs-Dee-p/#.Is>; Ghazala Jamil, *Tech-mediated misogyny and communal vitriol*, 57 ECONOMIC & POLITICAL WEEKLY 3 (15 January, 2022),

<https://www.epw.in/journal/2022/3/comment/tech-mediated-misogyny-and-communal-vitriol.html>; Naomi Barton, *Clubhouse and the fantasy of sexual violence against Muslim women*, THE WIRE (20 January, 2022),

<https://thewire.in/rights/clubhouse-and-the-fantasy-of-sexual-violence-against-muslim-women>; *Troll Patrol India: Exposing Online Abuse Faced by Women Politicians in India*, AMNESTY INTERNATIONAL INDIA (2020), available at:

https://decoders.blob.core.windows.net/troll-patrol-india-findings/Amnesty_International_India_Troll_Patrol_India_Findings_2020.pdf. [This study reports that Muslim women politicians in India received 94% more slurs than women from other religions and that women politicians from marginalized castes received 59% more caste-based abuse compared to other women].

physical harm, is endless: attack on the identity with casteist, Islamophobic, homophobic, transphobic remarks; sexism, misogyny and online sexual harassment; trolling and bullying; coordinated attacks; attempts to hack social media profiles and attempts to groom minors from dissenting spaces; doxing attacks and threats; contacting or tagging the institutions of employment to get the women fired⁶⁹ and tagging social media accounts of the police on the dissenting profiles.

Online sexual harassment continues to be one of the most common forms of attack on politically active women in India: for example, the Github page incident where Muslim women were auctioned online.⁷⁰ Eight of the 12 research participants reported having faced online sexual harassment from non-state actors. Two of them have filed cases that are ongoing.

“Whether in academia or activism or among law enforcers...online sexual harassment is very under-emphasized. I feel that it is as important, as unjust and criminal as being physically harassed or assaulted...if somebody comes and eve-teases me, I can at least shout back at them, get rid of my emotions, at least not have to see that person again...All this is underemphasised and understudied—from fellow women, from fellow feminists, and from the larger civil society. This needs to be dealt with more seriously.”

One of the participants spoke about the impact of online gender-based violence. She commented that online sexual harassment is different from harassment in physical spaces, as the former is for everyone to witness and may reappear, long after the act of harassment.

“It is there for everyone to see. Over and over again. That feeling of being harassed is repeated. In my name, porn images were also sent. I still see them. I still continue to be harassed every time I see them.”

Several participants shared insights on the abuse they faced:

⁶⁹ Piyasree Dasgupta, *Rape threats, fake news, mob violence: How Right wingers attacked people for Facebook posts after Pulwama attacks*, HUFFINGTON POST (3 May, 2019), https://www.huffpost.com/archive/in/entry/rape-threats-fake-news-mob-violence-how-right-wingers-got-people-fired-for-facebook-posts-after-pulwama-attack_in_5c7e8ee2e4b0129e36bf0a1d?guccounter=1.

⁷⁰ Mohammed Zubair, Pratik Sinha & Pooja Chaudhuri, *Sulli Deals: Organised attempt to blame a Muslim youth for the app*, ALT NEWS (15 November, 2021), <https://www.altnews.in/sulli-deals-organised-attempt-to-blame-a-muslim-youth-for-the-app/>.

“They feel that the biggest weapon to silence or crush the women’s spirit is to tear apart her personal life in the public sphere, to...give it a public gaze, and look at it from a very misogynist, masochist and in my case, also Hindutva gaze...Even if I post something political or...anything at all, I feel people aren’t contesting my opinion, they are only bothered about my personal life. They feel that they will assassinate my character publicly and that will shut me up.”

“One time...all these right-wing people organised on Discord and started attacking me on Instagram. That was really bad. I got so many threats. I was scared not for me, but for my friends. Because they would send me older pictures that I had archived. I don’t know how they downloaded it. I was scared they would attack my friends or family.”

“Regularly trolled, abused and harassed. Pehle (Earlier) when I was speaking, I wouldn’t face so much trolling or harassment online. But now that people know me, people know about me, it has increased exponentially.”

“Yes. Non-state actors, I get (trolling) everyday—sort of Bhakt people—right-wing anonymous trolls a little bit,” said Nadika Nadja.

“A lot of abuse and...homophobia, transphobia,” another participant shared. She added that, for trans women, the abuse comes from other quarters too, at times, even from liberal and supposedly progressive non-state actors.

“It does get bad, especially if a portal I write for has good reach.”

“I had to deal with a lot of hate in my DMs [direct messages].”

“It alarms all of us that...even though you are virtual...you have to worry about whether someone is [physically] following you. And you know, you may be attacked at any point of time.”

Powerlessness

The participants articulated various degrees of fear and powerlessness they feel being online, and spoke about how these cripple them. Even as the platforms might seem open to access and use, as Nadika Nadja phrased it, they are a "borrowed space."

"I feel very powerless, very powerless. Because...for me [it] has direct consequences. It may not do anything for someone from an upper class, upper caste background to tweet something, for instance, about the Gurugram incidents,⁷¹ but it may cost a lot to me."

"I firmly believe that in this country...given that religious identity and gender identity (both that I share), I am not expected to thrive. I am not expected to reach my full potential. I am merely told that I must survive here, which is not something I want for myself. So I had to pick up my battles. And I have to find a way to do my 'activism'."

One of the participants, a trans woman, spoke about how she could lose the networks she built over the years in a flash if even one post or update of hers is deemed problematic. "I feel that at any point of time, my Facebook account can be deactivated."

Social media platforms serve as an important public (and private channel) for women organisers belonging to marginalised groups who are otherwise unable to access traditional media platforms for sharing information, critical resources and opinions, and building networks of support. Trans women organisers in particular are able to share key information and experiences, and build relationships of trust and support with community members through their online accounts.

⁷¹ In December 2021, the Muslim community in Gurugram alleged that the Friday prayers at open, public locations were being regularly disrupted by Hindu majoritarian political outfits that framed such prayers as illegal encroachments and made provocative speeches with complete impunity and government inaction. See *Gurugram: Why are Namaz disruptions on the rise?*, SABRANGINDIA (10 December, 2021), <https://sabrangindia.in/article/gurugram-why-are-namaz-disruptions-rise>; *Gurugram namaz case: SC agrees to immediately list contempt plea against Haryana officials*, THE HINDU (31 January, 2022), <https://www.thehindu.com/news/cities/Delhi/gurugram-namaz-case-sc-agrees-to-immediately-list-contempt-plea-against-haryana-officials/article38352399.ece>.

When their accounts or posts are taken down or deactivated, not only is their labour and time in building and sharing public resources (including advocacy) for their communities erased, they also lose access to their networks of support and their ability to speak to allies and members of the general public, including journalists and civil society organisers. When an account is anonymous or run collectively, the impact of its takedown is more severe, due to the inability to immediately regain networks on account of identity anonymisation and the loss of labour of multiple individuals respectively.

"I feel...that staying ignorant of it is helpful because the more you learn about what the state is doing, then maybe you wouldn't do anything at all. Because the fear just creeps in."

Participants have accepted the possibility that they may be subject to legal proceedings, unjust incarceration or physical violence in the future as a result of their online presence and activism.

"If there are any new UAPA [Unlawful Activities (Prevention) Act] cases, I check if my name has appeared too. It has happened to people here."

Impact on personal life

Online organising also translates to continually evaluating other personal risks for politically active women. One of the participants spoke about the hit her personal life took as a consequence of being online: *"My personal life has already been torn apart, debated and commented upon."*

Further, it also means assessing what kind of risks your family and friends might have to face due to your online presence. One participant shared that sexually abusive comments had been posted about her child and that everytime she blocked the account, a new one would be created in its place.

“I don't think it matters to me, too, if it was just me. But I have siblings...And I don't want any of it to have an impact on them in any secondary or tertiary manner. So that...particular day was a very big calling for me in terms of how I choose my battle...or can I do it offline also, without leaving traces of it online,” said one of the participants about being questioned by the police for a social media post.

For women from gender and sexual minority groups, an additional risk is their identities being revealed to people they don't wish to communicate it to. Nadika Nadja, one of the research participants, said, *“Random people who I'm not out to as trans will discover me and put two and two together and question me online. And that's...happened with me with my uncles, cousins and others. And...that is the biggest worry for me right now.”*

Participants who aren't part of an organisation and participate in online civic spaces on their own appeared to be more apprehensive and cautious owing to concerns about their future employment and educational opportunities.

“I know people who went offline for those six months they were working for an organisation.”

“Again, this whole culture of tagging the organisation and asking them to fire people exists. Many right-wing people do that...That happens a lot to people.”

Online speech that is critical of the state or state repression might adversely affect the speakers not only immediately upon expression, but also in the future. Several participants expressed concern about this, especially in the context of future employment and pursuing further education.

One of the participants conducts workshops for Muslim youngsters to help them use social media carefully. *“Anyone can get arrested or not get work. It is a scary situation,”* she said.

"I know friends who had...applied abroad and then had to deactivate their Facebook till the time the application is considered. Why? Because we are Muslim minorities and we are vocal about what's happening. And it's going to affect job prospects also."

"The organisations tend to look at your social media profile before even taking you up and these profiles reveal so much about us...we are putting ourselves in a very vulnerable position...So I saw that most of the people who were very active, very vocal, about six to seven years back, have quietened."

Nadika Nadja says that more than state action, she is concerned about what follows after that. *"I am worried, more than state action...about the fall out after state actions, in terms of, what will happen to me after. Even if there is state action—even if I am targeted—how will that play out? Will that impact things like my livelihood, my ability to take up studies, and do other stuff?"*

Impact on mental health

The toll on the mental health of activists and other dissenting voices in online organising is a growing yet largely unaddressed concern. Almost all the participants spoke about mental health in the context of targeted harassment by the state or non-state actors and the non-responsiveness of platforms and/or law enforcement: detention or arrests, other forms of interactions with law enforcement, online sexual harassment, threats of violence, coordinated trolling and bullying, misogynistic comments, transphobic and homophobic comments, casteist comments and Islamophobic targetting. They described feeling trauma, triggers, hurt, depression, anxiety, shock, feeling very low, helpless and feeling insulted. The participants also spoke about feeling alone and unheard during and after the incident.

One of the participants spoke about the mental toll that the marginalised communities have to endure by merely being online.

"I believe it is quite traumatising for me because every day on social media is reliving your trauma because something or the other is bound to trigger. So I think, as compared to the privileged people for whom it might be about displaying their aesthetics, for us, it is a constant battle...At times...a good number of people from the marginalised communities when they are too traumatised, they have to take a break or leave social media...The kind of impact that social media has had on me with respect to trauma is unforeseen, I had not expected it to be that traumatising, but it is."

Some of the participants spoke about having taken such social media breaks. One participant stopped using her phone completely after being trolled and harassed endlessly for participating in an online protest event.

"I think it impacted in a lot of ways...I didn't use my phone for almost 7-8 months. Because it just gets out of hand."

Next to the trauma from sexual harassment, bigotry, and online hate are the experiences with India's law enforcement.

One of the participants who was summoned to the police station for having posted online about a gathering to commemorate an anti-caste leader, spoke about the experience at the police station: *"I remember feeling very frozen and paralysed...I did not have the energy to move out of my home. The entire scene was being replayed, and I was getting a lot of flashbacks of it. I think what also hurt me a little bit is that I was alone in it...There was no shared experience."*

Lastly, participants may also feel overwhelmed on account of being singular contact and support persons for individuals online who face similar oppressions and are seeking their help. For instance, one participant shared, *"There were three other women who in the past few days approached me for a few different things...I also feel...my [work] is not making any progress."*

Sans support systems such as publicly funded mental health facilities or support groups, the mental health burden is largely left unaddressed unless one is privileged enough to access healthcare.

Inadequate support from reporting mechanisms

Almost all participants have used the reporting mechanisms of Twitter, Facebook and Instagram to report content that is: a targeted threat; sexual harassment; or Islamophobic, casteist, homophobic, transphobic or racist. All the participants expressed dissatisfaction with the redressal mechanisms on social media platforms.

Nadika Nadja, one of the participants, said, *“No, without any qualifications, strict no”* when asked if redressal mechanisms were helpful.

Another participant shared, *“I have reported accounts several times, and it is very rarely that I’ve seen the outcomes that I’d hoped for when reporting accounts.”*

“I don't think they are helpful. I don't think that the community guidelines are caste-sensitised or gender-sensitised. And I have seen a lot of incidents where people from the marginalised communities, minority communities, or LGBTQIA+ communities have been facing hate, and they try to approach the forum, but the portal doesn't do anything.”

Speaking about the rampant Islamophobia and casteism on her tweets or Facebook posts, a participant said, *“They (platforms) do gestures that don't translate to real changes except maybe put a lid on the underlying issues. The underlying hatred and problems are not being resolved. And it will only worsen going forward if they don't address it well.”*

Participants highlighted that reporting mechanisms are inadequate because the algorithms are designed only to understand specific words or phrases and not the context or the tone.

Nadika Nadja shared, *“It's not abuse for them [platforms] until someone uses some phrases, some words - but just saying that 'trans women are not women' is not (considered) hate. How do I report that tweet...?”*

Furthermore, participants shared that the grievance redressal mechanisms were easily liable to weaponisation for censoring dissent and marginalised groups.

"I remember trying to post about an atrocity, and Instagram was taking down my posts. And these right-wing people were also constantly reporting my handle, and I was getting emails that I was doing something wrong. I don't have a track of how many people I have reported, for actually giving actual threats. We reported so many handles. Nothing happens. These people post such graphic content, we reported, and nothing happens; whereas our accounts get suspended. Instagram's redressal mechanism was 'turn off comments.' I think that's pretty messed up. They won't block handles...My posts got taken down. My account got reported a lot. It didn't get suspended, yet."

These instances raise important concerns about the neutrality and fairness of algorithms as well as the accuracy of the 'case-by-case' human-driven enforcement of reporting mechanisms. It appears that the content agnosticism of social media platforms' reporting mechanisms not only allows abuse to persist, but also itself contributes to the silencing of marginalised women. These concerns cannot merely be dismissed on the grounds of equal application of protective measures: First, mobilisation by a marginalised group is not equivalent to abuse by an oppressor group; second, given the limited civic spaces available for marginalised groups, any agnostic regulation and censorship by social media platforms is disproportionate for such groups.

One participant opined that social media and technological tools have bias coded in them. *"Social media and technology is just built on regressive, unequal structure we have in the country. It's not an isolated phenomenon. Everything is interacting with our social fabric, which is so regressive and unequal, traditional, to begin with."*

Another participant shared, *"These questions are about the politics of who is controlling these platforms, these companies are all ultimately supported by entities who are perpetuating this kind of violence, so it (redressal) is not going to happen."*

Experiences with the police/law enforcement

The modern Indian police has historically institutionalised and enforced social hierarchy by selectively policing certain groups (that is, ‘the proper objects of policing’).⁷²

These institutional practices of the police have largely remained unchanged in the postcolonial state⁷³ due to the capture of state and police power by Hindu, upper caste communities. The police have been implicated in failing to protect marginalised castes⁷⁴ and religious minorities⁷⁵ from majoritarian atrocities. The police also perpetuate violence against trans women,⁷⁶ engage in victim-blaming with respect to sexual harassment and refuse to register complaints by women⁷⁷ despite the Indian Supreme Court’s order mandating registration of all criminal complaints.⁷⁸ The police may also file unnamed, false First Information Reports (FIRs) that facilitate the criminalisation of a large number of individuals from minority communities.⁷⁹ Therefore, approaching the police is not always an option for women from marginalised communities. Furthermore, police officers use social media platforms as individuals, while prominently displaying their professional status in their user handles. Some serving and retired police officers have also helped disseminate prejudicial or hateful content through their personal accounts (prominently displaying their professional status) on social media platforms.⁸⁰

⁷² Ameya Bokil et. al., *Settled habits, new tricks: Casteist policing meets Big Tech in India*, TRANSNATIONAL INSTITUTE STATE OF POWER (2021), <https://longreads.tni.org/stateofpower/settled-habits-new-tricks-casteist-policing-meets-big-tech-in-india>; Irfan Ahmad & Md Zakaria Sidiqqi, *Democracy in Jail: Over-representation of minorities in Indian prisons*, 52 ECONOMIC & POLITICAL WEEKLY (2017), <https://www.epw.in/journal/2017/44/special-articles/democracy-jail.html>.

⁷³ Jahnvi Sen, *Three-quarters of death prisoners are from lower castes or religious minorities*, THE WIRE (6 May, 2016), <https://thewire.in/law/three-quarters-of-death-row-prisoners-are-from-lower-castes-or-religious-minorities>; *Study finds anti-Muslim prejudices among police personnel*, CITIZENS FOR JUSTICE AND PEACE (30 August, 2019), <https://cjp.org.in/study-finds-anti-muslim-prejudices-among-police-personnel/>.

⁷⁴ Justice K Sukumaran, *An Investigation into caste based atrocities in Varanasi and surrounding areas in UP* (2002), <https://www.sabrang.com/news/FinalReport.PDF>.

⁷⁵ Jeffrey Gettleman, Sameer Yasir, Suhasini Raj & Hari Kumar, *How Delhi’s police turned against Muslims*, NEW YORK TIMES (12 March, 2020), <https://www.nytimes.com/2020/03/12/world/asia/india-police-muslims.html>.

⁷⁶ *Supra* note 25.

⁷⁷ Anja Kovacs et. al, *‘Don’t Let it Stand!’: An exploratory study of women and verbal online abuse in India*, INTERNET DEMOCRACY PROJECT (2013), <https://internetdemocracy.in/reports/women-and-verbal-online-abuse-in-india>.

⁷⁸ *Lalita Kumari v. Government of Uttar Pradesh* [W.P.(CrI) No. 68/2008].

⁷⁹ Seemi Pasha, *The Delhi violence FIRs are like blank cheques, to be encashed by the police any time*, THE WIRE (30 April, 2020), <https://thewire.in/communalism/the-delhi-violence-firs-are-like-blank-cheques-to-be-encashed-by-the-police-any-time>.

⁸⁰ Muzaffar Raina, *Tweet from Jammu officer’s handle blames one religion for spreading terrorism*, THE TELEGRAPH (25 August, 2020), <https://www.telegraphindia.com/india/tweet-from-jammu-officers-handle-blames-one-religion-for-spreading-terrorism/cid/1792993>; Sanya Dhingra, Nageswara Rao, *the retired IPS officer who believes Hinduism is the only marker of India*, THE PRINT (28 December, 2020), <https://theprint.in/india/nageswara-rao-the-retired-ips-officer-who-believes-hinduism-is-the-only-marker-of-india/575101/>.

Some participants had cases registered against them, were issued notices or were detained for their organising. While some of these incidents went largely unnoticed, others garnered the attention of non-state actors who perpetrated further harassment against the women.

When asked if they ever wished to initiate legal proceedings for the harassment they face online, most women summarily dismissed the idea of approaching the police.

The responses of the participants were as follows:

"I have never went to PS [sic]. I don't feel safe to seek the help."

"I haven't had an experience where I would want to go all out there. Also, simply, I'm aware that it may not be more beneficial for me; it might just make me more precarious."

"There is no hope there. Ummid kartin hoon aage chal ke aajaye. Abhi toh nahi hai. Abhi dar hai." (Translation: There is no hope there. I hope things will change in the future. For now, there isn't [any hope]. Right now, there is just fear.)

One of the participants shared how the police or the other law enforcement actors can't be seen as existing in isolation from society.

"I think it is kind of common knowledge as to how the law enforcement might respond or react to a certain situation...Virat Kohli's daughter got a threat online, and within 24 hours, the person got arrested. The problem is not the law. The law is there, but the enforcement is not there. When we look at police(men), and you know, kind of put them on a higher pedestal...They are the enforcers of the law. But these policemen are also part of the society which is Islamophobic right now."

Navigating Online Spaces

Despite the harassment, threats, risks, and the toll of being active on social media platforms, organisers cannot cede these civic spaces. Most women, especially those using online civic spaces for political activism, thus attempt to safeguard and navigate their online presence to minimise the fallouts.

Several participants said they have been more careful about what they post online in the past few years. One of the first precautions they undertook is to avoid posting about their personal life online and not give away details that could reveal their physical location.

"I was a public account, and I had...to deal with online sexual harassment, after which I just decided to make it private, unfortunately."

"I don't post any of their (my family's) information online."

"...what also resulted was like I was censoring my personal life also online...previously I would put all my photos, personal photos, happy moments..."

"A decade ago, I was more active posting a lot of things...pictures and holiday pictures...dinner. But gradually I stopped."

Participants have also reduced sharing details about their work or field-trip locations.

"I was warned about security from some other activists. So now I complete trips and then post updates about it instead of sharing live updates," one of the participants said.

Several participants started restricting themselves or going private to make their work less visible to state and non-state actors. Some participants cannot implement this for all their social media accounts. Thus, they choose which accounts can be made private and which ones can be kept public.

In the recent past, India has had incidents of surveilling dissenting voices, including through the use of advanced technological tools.⁸¹ The fear of surveillance is being dealt with in many ways. For example, one participant believed that she does not need to fear the state as long as she is on the right side of the law; four participants felt that they aren't safe irrespective of what they do; and one does not have any faith in the state and has enforced rules for themselves and their organisation.

Some of the experiences that the participants narrated are shared below:

“We stopped communicating on phone about locations of meetings/protests. To decide key things, we meet physically now.”

“So irrespective...and also because of this censorship, you know, my updates in social platforms and also my speech and also my messages, somehow has reduced. But I haven't reduced my zeal or the energy to work (for) my community on the rights space.”

“I use a phone registered on someone else's name and prefer physical meetings.”

Even as most participants undertook precautionary measures online, some participants acknowledged that it only helps so much as to give them a sense of security that may or may not translate to safe spaces.

⁸¹ Sukanya Shantha, *Indian activists, lawyers were 'targeted' using Israeli spyware Pegasus*, THE WIRE (31 October, 2019), <https://thewire.in/tech/pegasus-spyware-bhima-koregaon-activists-warning-whatsapp>.

"I know a lot of friends who don't at all - don't exist or don't put photos on their account or account is private, and I very much appreciate that too. But I think it's just that you should know that whatever you're doing will have consequences, and you have to be ready for that as well."

While the fear of surveillance has led to increased apprehensions, it has not necessarily translated into greater awareness about, or access to, digital safety and privacy.

Steering the discourse

Participants used the online civic space for varied feminist purposes, such as discursive and political mobilisation, disseminating information that is systematically erased or obscured, amplifying marginalised and sidelined voices, gathering community resources, and providing networks of support and community.

However, participants shared that the mainstream Indian feminist movement was restrictive and narrow in its imaginations, resistance and practices, particularly failing to centre intersectionality. Therefore, while participants shared that feminist principles and methods influenced their varied activities online, not all participants sought to identify as feminist due to its severe limitations and exclusion in providing resistance against intersectional and structural oppressions.

"The popular idea of feminism is narrow, restrictive, and problematic. I would want us not to be boxed. I would want it to not be a gatekeeper movement...I...want a space where...women from the marginalised communities can speak up for themselves because there is no one amongst us who is voiceless. It's just that we have been walked over and we have just been trampled upon."

"What I feel is...in social media, ours, especially the voices of Muslim women are lost somewhere."

“There are feminists who are...terfs...in terms of gender, sexuality and sexual orientation, we are still stuck in binaries.”

“Even feminist spaces, the moment you talk about caste, it becomes like ‘oh ya kya hogaya’ (Oh! Why/how is caste in this discussion?).”

“Even with the github incident, many people were saying women have been auctioned you know...I would assert and say it is not just women, it is the Muslim women...Why do you want to erase that identity?...Can you not erase our struggles?”

“Some people...may not specifically have TERF ideas or views but they still think that it makes sense, without realizing where that goes and the exclusionary underpinnings of that statement...I see that a lot of Indian transpeople - especially transwomen - are waking up to this and realizing that this is going to be a big battle soon for claiming space in feminist movement” said Nadika Nadja.

When the mainstream feminist movement does raise issues of intersectional or structural oppressions in Indian society, participants shared that the movement, comprising religious and caste privileged cis women, tended to capitalise its power by speaking on behalf of marginalised women, instead of providing them its platform and reach.

“You see people talking about Muslim women issues. I mean there is no voice of the people. You are objectified, but you aren't given a voice. Because that space is not there.”

“The idea is not to become the voice of the voiceless ... It is to give the space to the voiceless...In that way the mainstream feminist movement has definitely been lacking in India. It also has...a saviour complex in the sense that...it is not just the feminist movement in fact, even the civil society movements...They have this tinge of ‘we will save the Muslim women’...That diminishes the agency of Muslim women basically.”

Participants shared that when allyship and support is offered by the mainstream civil society or feminist movement, it is often conditional on whether or not such support challenges the power hierarchies that these movements benefit from.

“I’ve seen that a lot of people who espouse a certain kind of progressive politics are very comfortable about that sort of progressive politics espousal in some sort of void and in abstract; so saying something like the academy is Brahminical. But...when it’s really playing out that way and you’re required to actually oppose the Brahminical nature of the academy, there is a silence. It’s very often that you see that kind of resounding silence when it comes to issues like this...One really also wonders if the solidarity that is being spoken out, is there some abstract version of solidarity being spoken about.”

“Lot of mainstream civil society organisations...when they give allyship they give it on their own terms...That is the problem. It is very very conditional.”

“There is a lot of patronization. There is a lot of power difference and power dynamics. And at times, having conversations gets difficult, because in order to convince people, we have to relive our trauma again, and a lot of times, people do not even acknowledge or try to understand power dynamics...a lot of conversations are triggering, even with well meaning privileged people.”

“These were progressive...liberal, secular kind of people. But...there was discrimination to some extent.”

Participants shared that they were slotted into categories by the mainstream civil society movement and expected to be vocal only for issues concerning the identities they were slotted into.

“Anyhow, majoritarian politics or the spaces even including...activist spaces were actually questioning. Do [is] this a trans issue like... people have that question mark on their faces saying that..oh, a hijra [has] come...and what role [do] they have in this movement actually.”

“I mean we have a right to also speak on not just Muslim issues, but any issues in the country.”

Another participant shared, *“But I do see that it happens because people prioritize your identity vis-à-vis where they’re coming from so they would choose to identify you as ABC and that is their perspective...But there is a difference in how we self-identify or how we represent ourselves and there is an inherent gap there.”*

Women from marginalised groups may also undertake the labour of discursive mobilisation and organising, both online and in grassroots movements, but have their work appropriated by accounts run by privileged persons that have a larger following due to the account user’s positionality or aesthetics, which are both coded in social hierarchies.

“Appropriation of work is very easy online...very easily done...because people don’t even trace the source...This has happened over and over where people suddenly find their work somewhere or someone has used existing work to kind of make new work and just because they have more or can get more followers they are able to monetize that and gain advantage through that.”

“There are so many people who are doing great work...and just because they're not on social media people are thinking that they [i.e. those visible online] are doing the work for the first time and not recognising that other people have been doing that work...It's happening a lot just because people have access to online and have made followers 10k plus followers or whatever means that they have the loudest voice.”

Participants felt that platforms are complicit in limiting the recognition of the labour of marginalised groups by not extending their reach through the authenticity and amplification features. One participant said, *“All these online spaces, they don't give blue ticks to our scholars, our journalists, our activists. It does matter a lot in terms of protection, authenticity, reach. Our artists with more than 60k followers will not get blue tick on Instagram....clustered among upper caste folks.”*

Participants also shared their observations about how discourse on the ongoing anti-caste, Muslim, social and feminist movements have started being steered by communities themselves only recently.

“It would also be narrativisation or steering the discourse...So many times, I take that opportunity to keep my point of view as a Muslim woman. Not that I speak on behalf of all the Muslim women, I speak with them. Whenever I speak something, I always check with people around me, with my friends, and take their opinions also. I think then I form my opinion and I try to understand people's opinions...It is not just about amplification, it is also about steering the discourse. It is also about making sure that a Muslim women's voice is there. In that sense, I have tried to stay my ground or reclaim my space maybe. Not reclaiming. It was never ours. To make that space.”

“A lot of Dalit, Bahujan, Adivasi voices who otherwise would be considered fringe voices that people didn’t think that they would have to engage with are now really prominent on this platform (Twitter) so anything that they say is going to merit engagement. Of course it is still a small proportion of the multiple voices that exist in these communities but earlier these could be treated as people that you didn’t have to engage with but now they’ve been able to build or gain the kind of reach which makes them worthy of being engaged with so at least you can’t dismiss them. I remember when I came in (in 2019)...there were just a completely different set of voices leading the engagement with any question on gender or feminist politics on Twitter and these were all largely upper caste voices. But in the last few years alone I have seen a radical shift in who are leading this discourse so much so that upper caste people who earlier could get away with not even paying lip service to the question of caste when thinking about their supposed feminist politics now at least have to do that. Whether that is for the better or the worse I don’t know. In some cases sure but in others it has allowed for people to just do what they wanted to but only now with the right kind of vocabulary.”

“Because a lot of other people are speaking for Muslim women, except for Muslim women themselves. Right. So yeah, it is just nice to have Muslim women speaking among ourselves.”

“Power dynamics: That’s the exact thing that makes a difference about our presence. Back in 2016, I did feel like I don’t belong here. People speak in a way. People have an aesthetic which is dominantly white and upper caste aesthetic. It is very recently that more people are using these platforms and we are creating our own aesthetics. We are disrupting upper-caste aesthetics. No matter what, it is a very limited number.”

One participant shared that one of the positive impacts of the increased presence of marginalised caste and religious groups online is the creation of a space that can demand accountability from the oppressors. While it does not always lead to someone being held accountable, there have been several instances where it did help hold individuals accountable.

“Online spaces, it is very hard to be accountable or hold someone accountable. I have two different responses. One is personal; I think it does shape a lot of discourse. We have seen Black Lives Matter and how it became a global thing with the help of social media. In 2021, we can hold a comedian, for e.g. Vir Das... people who made jokes on Mayawati [a four-time Chief Minister and politician from the Bahujan Samaj party which focuses on representing the interests of marginalised caste groups]; people could hold all these people accountable or tell the world why this is wrong. This could happen only because of social media and build a discourse around it. I can say that influencers are more careful. I don't know if they are anti-caste, but they are careful in terms of jokes they make.”

“I think something that social media provided us was that it provided us a space to speak out, which most other places did not...Now, due to the pressure of social media or some other portals, even institutions are being compelled to create an anti-caste space. But even a few years ago, that was not the situation,” another participant shared.

While participants spoke about the space being carved out for a discourse steered by them, they also commented on the limitations of the same.

“I feel it's not about the social media, but it's about people who interact with these mediums - so what are their politics or personal agendas, motivations, interests that they have or don't? And that reflects their interaction. I also think it's important to recognise that everybody in the social movement process has different roles - somebody could be an educator, somebody a fundraiser, an ally - there are multiple roles that we play but I think that when it comes to social media everyone assumes that their job is just to do one thing and everyone is doing just that one thing.”

Another participant echoed these concerns, pointing out that a lot of people believed that online organising was largely about information dissemination. She shares:

“There's a bigger world than Twitter or Instagram...Now [it is assumed that] you do not need to step out of the house and you don't need to work. But who gets that information because woh ghoom phir ke wahi circle mein aata hai problem mujhse bas usi se hai mujhe. Disseminate nahi ho raha hai na information. Wahi ke wahi ghoom raha hai. Educated logon mein ghoom raha hai. (My problem with this is that the information keeps getting shared within the same circles. It doesn't get disseminated. It's just going in circles. Its circulation remains within the educated.)”

Another participant shared that the online movement could become very “volatile” because of the guiding discourse. *“How do you keep up this discourse is what matters, right. Who are these people propagating the discourse? What are their politics? What if there is queerphobia or islamophobia in the name of Ambedkarism, which is not Ambedkarism. But can it be spread? Yes. It is very volatile in that way how it shapes the movement.”*

Chapter 5

Future Scope

1. Systematic, comprehensive documentation of abuse:

The proportion of marginalised women who are able to participate in online civic spaces is limited due to economic and linguistic barriers. However, marginalised women are more vulnerable online than others due to their marginalised gender and social identity. Systematic and comprehensive documentation is necessary to:

- Highlight the disproportionate nature of online abuse against marginalised women;
- Document the impacts of abuse;
- Study the political and technological catalysts of abuse (especially in cases of collective or concerted harassment);
- Engage in pre-emptive risk mapping;
- Highlight the failures of online reporting mechanisms and user safety processes; and
- Build institutionalised support.

Present documentation of online abuse against women is sparse, predominantly qualitative and usually focused on ‘prominent’ voices wherein prominence is determined through one’s identity, the nature or ‘expertise’ of work and mainstream recognition of work. Social media platforms also do not undertake comprehensive documentation of abuse, focusing only on specific categories of hate speech. They do not provide disaggregated information about the categories of hate speech reported or redressed⁸² and homogenise various marginalised identities under a singular category, despite the differing modes and frequencies of online abuse for different groups. Thus, present documentation of online abuse against marginalised women is extremely lacking and even non-existent for several groups.

It is important to institute, fund and support citizen and community-led initiatives that systematically document online abuse against marginalised women. In particular, such documentation efforts must aim to be quantitative and not merely qualitative, capturing all possible details about the nature and impact of the abuse.

⁸² *Supra* note 33.

The documentation must also be disaggregated to include and help capture the particular experiences of all marginalised women in their self-determined, intersectional identities without homogenising different women under singular broad categories.

2. Disaggregated and longitudinal study of vulnerabilities and risks:

Online abuse and self-censorship create unequal harms. Different marginalised women face varying degrees of threats and transmutations of social visibility, violence and vulnerability from the online to the offline space (including physical violence, impediments to pursue work or civic organising, surveillance, stalking, loss of employment and educational opportunities, health issues, outing, otherisation, etc). These harms may also be prolonged, periodic or only manifest after the passage of time.⁸³ It is therefore necessary to study the disaggregated and longitudinal impacts of online abuse and self-censorship on the lives and abilities of marginalised women. Such study would help determine appropriate support and redressal strategies as well as provide evidence for framing online abuse as a form of structural violence that requires immediate multi-stakeholder attention. It is also important to examine the cumulative and prescriptive impacts of harms and vulnerabilities for communities, even if abuse may only be perpetrated against specific members of the marginalised group. Furthermore, such studies must aim to situate and contextualise the impacts of online abuse within the fragile, dynamic and interconnected ecosystem of platform governance, algorithmic impacts and the changing regimes of technocratic and state power.

3. Further research about platform responsibility and governance:

Platform governance largely relies on monolingual algorithmic filters and manual content moderation to 'take down' limited forms of online abuse such as hateful content. A significant proportion of such flagged hateful content is restored by platforms⁸⁴ while civil society efforts to create human rights and historical

⁸³ *Countering online hate speech*, UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (2015), available at: <https://unesdoc.unesco.org/ark:/48223/pf0000233231>.

⁸⁴ *Addressing hate speech on social media: Contemporary challenges*, UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (2021), available at: <https://unesdoc.unesco.org/ark:/48223/pf0000379177>.

documentation of state atrocities and war crimes are rapidly taken down.⁸⁵ It is necessary to research and carefully reflect upon the purpose, neutrality, efficiency and impact of the content moderation process. There is also a need for further research about platform responsibility and governance, platform architecture as well as platform corporate management and the political economies of platform ownership, profits and state patronage.

4. Building networks of support:

Marginalised women, who suffer limited access to social and financial capital, are often compelled to be self-resourced against the impacts of online abuse and censorship. They often only rely on family and friends for legal, medical, personal safety and technological needs. It is necessary to build and resource a diverse and specialised network that provides personal safety, legal, medical, financial, technological and mentorship support to the different groups of marginalised women who are online.

5. Studying access and power within the online civic space:

The online civic space is shaped by three parties—users, platforms and the state. It is, therefore, important to study the access of marginalised women to online civic spaces, given the capture of the mainstream feminist movement by women with privilege. There is a need to carefully study the distribution of power, including agenda-setting within the online feminist movement in India, and help determine the means to dismantle such power hierarchies.

6. Studying the exercise of police powers online:

Police monitoring of social media is presently governed by outdated colonial or pre-digital legal frameworks for surveillance, which are inappropriate for regulating online state monitoring.⁸⁶ Similarly, the police's powers to order censorship of 'unlawful' online content is situated in a legal framework that grants wide, discretionary powers for maintaining public law and 'order.' The exercise of police

⁸⁵ Avi Asher-Schapiro & Ban Barkawi, 'Lost memories': War crimes evidence threatened by AI moderation, THOMSON REUTERS (19 June, 2020), <https://www.reuters.com/article/us-global-socialmedia-rights-trfn-idUSKBN23Q2TO>.

⁸⁶ Amber Sinha, *Social Media Monitoring*, CENTRE FOR INTERNET AND SOCIETY (2017), available at: <https://ambersinha.com/2017/01/15/social-media-monitoring-in-india/>.

powers and discretion online must be documented and carefully studied in order to seek legal redressal against misuse as well as to demand the formulation and enforcement of appropriate legal frameworks. Furthermore, collective civil society efforts must be made to include the police's online monitoring and censorship powers within the discourse and frameworks of police accountability.

Chapter 6

Concluding Remarks

This report documents the impact of shrinking civic spaces online for women from marginalised groups. Our findings show that the recent increase in state repression has led to self-censorship in both substance and form. A majority of the women navigated their online presence through the consciousness that any expression or remark could prompt adverse state action. This has led to responses ranging from women shutting themselves off social media entirely, limiting their degree or tone of expression online, finding individual ways to reclaim the space after assessing foreseeable risks as well as resolutely carrying on despite the risks.

A majority of women also reported having faced online sexual harassment, hateful casteist or Islamophobic comments, homophobia, transphobia, and frequent trolling. However, most women believed that they did not face as much abuse as other marginalised women on online platforms, or through state persecution; this underscores the increased normalisation of online abuse and self-censorship for marginalised women. These findings also raise serious concerns about the present state of reporting mechanisms and platform governance: How much online abuse and vulnerability will platforms expose marginalised women to?

All the women reported being failed by the online safety processes (that is, reporting and blocking mechanisms) of social media platforms. Some participants were themselves censored by social media platforms through their content-agnostic reporting mechanisms. Our findings suggest that social media platforms failed to adequately protect the participants from discrimination, hate and abuse. Based on our findings, we also contend that the social stratifications of caste and religion are both multilayered and multidimensional in India; content-agnostic uniform social media policies and filter-based algorithms may be ill-equipped to identify the problems of abuse against marginalised groups.

A majority of women reported being concerned about adverse impacts on future employment and educational opportunities due to harassment by users and the risk of being subjected to state prosecution. We found that online harassment took a toll

on women's mental health, including inducing trauma, triggers, insults, anxiety, helplessness, shock and depression.

Lastly, we found that although the online civic space allowed for marginalised groups to steer the discourse and build community, various forms of traditional social hierarchies and gatekeeping, which characterise Indian society and the mainstream feminist movement, transcended to online civic spaces.

This study is exploratory in nature and thus the findings are by no means exhaustive. We hope this study lays the ground for further disaggregated documentation and research on the impacts of the shrinking civic space online among women belonging to religious minorities, Adivasi and Vimukta communities, trans communities, sexual minorities, among women navigating the online space in conflict or militarised areas, among women with disabilities and women primarily interacting in the online space through vernacular languages.

Glossary

- Adivasi** India's indigeneous and tribal communities that are considered as the original and native inhabitants of lands. These communities predate the establishment of the caste hegemony in the Indian subcontinent.
(Source: Criminal Justice and Police Accountability Project, <https://justicehub.in/dataset/drunken-on-power-a-study-of-excise-policing-in-madhya-pradesh/resource/6c005643-c4e7-40f4-8f62-8732a724bc42>)
- Backward Caste** The communities (excluding Dalits and Adivasis) that primarily subsist on manual labour or menial work and lie towards the lower end of the caste hierarchy. Many of these communities are recognised in the state's Other Backward Classes (OBC) category and are thereby eligible for certain affirmative action and social welfare policy benefits.
- Dalit** The communities that have historically faced (and in many cases, continue to face) untouchability. The practice of untouchability is outlawed by the Constitution of India and several laws. However, these communities often continue to be subject to segregation and the gravest forms of discrimination, including limited or unequal access to resources, because they fall outside the fourfold *varna* hierarchy and are considered to occupy the lowest status in the caste ladder due to the nature of their caste-imposed occupations.
(Source: Asia Dalit Rights Forum, <http://www.ncdhr.org.in/wp-content/uploads/2018/12/ADRF-Brochure1.pdf>)
- Disaggregated study** The breakdown of observations and statistics into smaller information units of a population group for a more detailed and finer examination of disparities, deprivations and inequalities existing among subcategories of people within population groups.
(Source: Asian Development Bank, <https://www.adb.org/sites/default/files/publication/698116/guide-book-data-disaggregation-sdgs.pdf>)
- FIR** The First Information Report (FIR) is a written document prepared by the police after information is received about the

alleged commission of a cognisable offence. The FIR initiates the criminal justice process.

(Source: Commonwealth Human Rights Initiative, <https://www.humanrightsinitiative.org/publications/police/fir.pdf>)

Hindutva

The modern political ideology that advocates Hindu supremacy and the transformation of the Indian constitutional democracy into an ethno-religious Hindu nation. Hindutva ideology is often intolerant of religious minorities, women and marginalised caste groups.

(Source: Hindutva Harassment Field Manual, <https://www.hindutvaharassmentfieldmanual.org/defininghindutva>)

Marginalised caste

Generally, the heterogenous collective of all non-*Dvija* castes in India across religions, though connotations vary based on context given the ladder-like hierarchical nature of the caste system.

Online civic space

The digital platforms and spaces that allow people to freely express their opinions, or organise around political and social issues, in order to exercise their inclusive participation in democratic governance.

(Source: Institute of Development Studies, <https://opendocs.ids.ac.uk/opendocs/bitstream/handle/20.500.12413/15964/Introduction.pdf>)

TERF

Trans exclusionary radical feminism (TERF) is a form of transphobia and transmisogyny which excludes trans women from womanhood and women-only spaces, through reductive understandings of biological sex and sex-based oppressions.

(Source: The CUSU Women's Campaign, <https://www.womens.cusu.cam.ac.uk/how-to-spot-terf-ideology>)

Upper caste

The 'twice born' (*Dvija*) castes of Brahmins (priests and teachers), Kshatriyas (warriors) and Vaishyas (merchants) in the fourfold *varna* hierarchy. These caste groups enjoy the privileges of ritual 'purity' and hold monopoly over access to the traditional sources of knowledge contained in the Vedas.

(Source: Britannica, <https://www.britannica.com/topic/dvija>)

Vimukta

The 'denotified' nomadic and semi-nomadic communities that were branded hereditary criminals under the colonial Criminal

Tribes Act, 1871, which was repealed in 1952.

(Source: *Criminal Justice and Police Accountability Project*,
<https://justicehub.in/dataset/drunk-on-power-a-study-of-excise-policing-in-madhya-pradesh/resource/6c005643-c4e7-40f4-8f62-8732a724bc42>)

ANNEX I

PROFORMA CONSENT FORM

Please complete this form after you have read the Information Sheet and/or listened to an explanation about the research.

The theme of Study: Exploring the impact of shrinking civic space on feminist organising online, particularly for structurally silenced women⁸⁷ in India.

Name and Contact Details of the Researcher: <name> <email> <phone number>

Thank you for considering taking part in this research. The study must be explained to you before you agree to take part/sign this form. If you have any questions about the research or information sheet, you should ask the researcher before you sign.

Please tick the following boxes to consent to taking part in the study.

<input type="checkbox"/>	I confirm that I have read and understood the Information Sheet and have had an opportunity to ask questions which have been answered to my satisfaction. I would like to take part in the focus group discussion.
<input type="checkbox"/>	I understand that my participation is voluntary and that I am free to withdraw at any time without giving a reason. If I choose to do this, the data I have provided will not be used.
<input type="checkbox"/>	I understand that the information I give will be used in a report. My information will be used in line with data protection legislation and will not be made available to any individuals or organisations beyond the research team. The information will be destroyed at the end of the project (latest 1 January 2022)
<input type="checkbox"/>	I give permission for the interview/focus group discussion to be recorded and I understand that the files will be destroyed at the end of the project. (if you do not want to be recorded you are still able to participate in the research. Just let us know, we will take notes instead of recordings.)
<input type="checkbox"/>	I consent to take part in this research.

Signed:

Date:

⁸⁷ Over the course of the research, we replaced the phrase “structurally silenced” with “marginalised”.

ANNEX II

INFORMATION SHEET

YOU WILL BE GIVEN A COPY OF THIS INFORMATION SHEET

The theme of Study: Exploring the impact of shrinking civic space on feminist organising online, particularly for structurally silenced women in India.

Name and Contact Details of the Researcher: <name> <email> <phone number>

You are being invited to take part in a research project. Before you decide, it is essential that you understand why the research is being done and what participation will involve.

Please take time to read this information carefully and discuss it with others if you wish. If anything is not clear, or you would like more information, please contact me.

It is up to you to decide whether or not to take part. If you choose to participate, you can download the information sheet to keep (or request a copy by email). You can withdraw from the research at any time without giving a reason, and we will not use the information that you have shared with us. All the information that we collect about you will be kept strictly confidential unless you consent. You will not be able to be identified in any reports or publications related to the research. All identifiable markers will be redacted in the study.

If you are interested, you will take part in a focus group discussion/interview. Your consent will be recorded by a consent form, which you will sign before we start. It is not expected that this research will have adverse outcomes, but if you have any concerns at any point in time, you can contact the researcher using the contact details provided.

While there are no direct benefits to participating in this research, it is hoped that results will contribute to the discourse.

1. About the research project

The research theme explores the impact of shrinking civic space on feminist organising online, particularly for structurally silenced women in India. We hope to understand and investigate the shrinking civic spaces, what feminist organising means to you, what purpose such online organising serves for oppressed

communities in India, the interactions with the state, the changing online environment, how identity shapes experiences online, etc.

2. Why have I been chosen?

You have been invited to take part because of your experience and engagement with the community.

For further information, you can contact <researcher email and contact details>

Thank you for reading this information sheet and for considering taking part in this research study.