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Populist strategy in the European parliament: How the anti-gender movement sabotaged deliberation about sexual health and reproductive rights

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ABSTRACT

We add to growing research on how rightwing populism undermines democracy by identifying how populist strategy works in parliamentary democracy. We examine the fate of the 2013 Estrela Report in the European Parliament, a legislative body which used to be characterised by a high degree of respect and deliberation. This Report became an unprecedented object of ultra-conservative mobilisation, shocking MEPs by unravelling a consensus-driven status quo. We trace the downfall of the Estrela Report, and show how populist strategy entailed (1) Destroying deliberative politics by, (2) Deploying what we call ‘antagonist politics’ meant to polarize and create an impression that compromise was impossible, and (3) Employing ‘thin proceduralism’, where procedural rules were expediently used to prevent discussions about the Report. Antagonist politics polarized centrists, and mobilized politicians otherwise disengaged with the topic, while thin proceduralism became a convenient and apparently rational solution to end a seemingly emotional and unresolvable debate.

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KEYWORDS Populism; conservatism; European parliament; polarization; democracy; anti-Gender

Introduction

The European Parliament (EP) was once considered a parliament with a high degree of deliberation and compromise. Yet, it has not been immune to populist politics and polarization. A canary in the European coalmine was the successful torpedoing of a 2013 Report on Sexual and Reproductive Health and Rights (SRHR, also referred as the Estrela Report in reference to Edite Estrela, the rapporteur in charge of the text). Its aim had

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been to promote sexual health and rights, along with reproductive health and reproductive rights within the European Union (EU), and internationally through European Union development programs. During parliamentary negotiations of the text between March and December 2013, intense and unprecedented public pressure campaigns combining ‘email bombing’ and the stigmatization of pro-SRHR positions through falsehoods and exaggerations led disoriented Members of the European Parliament (MEPs – see [Appendix I](#) for a glossary of EU and EP terms used in this paper) to abandon the Report.

Our analysis of the Estrela Report’s downfall reveals the nature of populist strategy in a deliberative parliamentary body. We understand populist strategy as manoeuvres to hamper deliberation and consensus-seeking behaviour in the public sphere, including in parliamentary bodies, the media, and society at large. While much scholarship on populism treats it as a performance, and relatedly, a discourse, with a ‘thin ideology’; and therefore focuses often on the discursive content of highly visible leaders, or on media output of political parties (Engesser et al., 2017; Hawkins, 2009; Mudde, 2004; e.g. Wodak, 2015), we look at populism as a set of tactics whose strategic goal is polarization. Populism sabotages deliberation, and dissolves centrist compromise along with consensus-seeking behaviour. This strategy does not always take place in highly mediated settings, and is consequential in democratic arenas that often are out of the spotlight. We break down populist strategy into a series of discrete tactics that together produce polarization.

We trace two types of tactics aimed at hampering deliberation: *antagonistic* and *thin procedural* tactics. As the pro-SRHR caucus had included moderate conservative MEPs, deliberation was fundamental to approve any report. Any negotiation had to assure that all ideological groupings in the coalition were comfortable with the outcome, particularly considering that moderate conservatives often had to go against the vote recommended by their political group. Populist strategists deployed antagonist tactics, and less intuitively, what we call thin procedural tactics, to displace deliberation, compromise, and consensus, and to achieve their political ends.

The Estrela Report did not gain much attention outside of Brussels. Yet, it represented a transformational moment in the EP’s political landscape on matters related to gender and sexual equality. The text called for European states to provide age-appropriate and comprehensive sex education in schools, to provide treatment for sexually transmitted diseases,

as well as safe access to contraception methods and abortion. Negotiations of the report took place at the same time as the ‘pro-life’ *One of Us* Citizens’ Initiative, an EU petition system, which, in this case, was coordinated with street mobilizations and collected more than one million signatures. This mobilisation later continued as an organized platform for conservatives to coordinate their activities against SRHR.¹ It also galvanised a counter-response through the creation of pro-SRHR platforms such as *All of Us*, seeking to coordinate pro-SRHR MEPS, and *High Ground*, which assembled pro-SRHR civil society organizations.²

The mobilisation against the Estrela report was unique inasmuch as it destroyed a carefully crafted cross-group consensus in favour of SRHR and women’s rights in the European Parliament. For the first time in over a decade, the pro-SRHR coalition lost the vote on a report. The Estrela report represented a milestone for the anti-feminist and anti-LGBTQ rights caucus, as it was their first victory, which paved the way to a cycle of anti-gender politics which continue at the time of writing this paper (Kuhar & Paternotte, 2017).

We combine several sources to trace the process through which rightwing populist actors succeeded in blocking the deliberation and approval of the Estrela report. Firstly, we analyzed public information generated by ultra-conservative groups. Secondly, we interviewed key stakeholders involved in the negotiations of the report. Finally, some of these informants provided us with internal policy and advocacy documents generated by ultra-conservative groups. Through a triangulation of the information contained in these sources, we were able to identify the tactics deployed by anti-gender groups and decipher their impact.

We review first how populism has been treated as a political performance with a thin ideology. We note that little attention has been given to the role it plays in parliamentary politics. We then outline our conceptual tools for identifying populism as a strategy to achieve polarization in deliberative bodies occupied by a variety of political actors. We introduce our analytic categories of deliberative, antagonist, and thin procedural tactics, and empirically dissect the chronological sequencing of the populist strategy which defeated the Estrela Report. Our triangulation method enables us to show that while many MEPS did not identify themselves as anti-gender radicals or populists, they were nonetheless swept into a polarized dynamic generated by populist strategists.

Populist rhetoric, populist tactics, and polarization

Scholars underscore that populist rhetoric combines claims to be against elites, claims to represent ‘the people’, and strongly polarizing us/them representations (see reviews by Berezin, 2019; and Urbinati, 2019). While some political theorists argue that populism can revive agonistic democratic pluralism and popular sovereignty (Mouffe, 2018), as populists have formed governments like in Hungary (Gonda, 2019), scholars now highlight how populism undermines democratic institutions. Empirical analyses suggest that rightwing populists, once in power, undermine democracy by reducing pluralism (Müller, 2016), and by narrowing state sovereignty to a representation of only part of the people (Urbinati, 2019). There is also growing evidence that rightwing populists in power tend to undermine the rule of law (Lacey, 2019).

Political polarization is widely recognized as a dominant feature of contemporary politics in Europe and beyond. With increased competition between ideological blocs (see Lisi, 2019), some small entrepreneurial parties, which had once been considered at the extreme fringes, have been able to capture a considerable share of voter support. Populist politics entered the European Parliament hand-in-hand with parties that appeared as a reaction to the economic and democratic crisis that followed the collapse of the financial system in 2008, often associated with the radical left such as Syriza in Greece and Podemos in Spain, but also with more eclectic host ideologies such as is the case of the Five Star Movement in Italy (Flesher Fominaya, 2020; Font et al., 2021; Mosca & Tronconi, 2019; Stavrakakis & Katsambekis, 2014). Nevertheless, populist politics have been the rule across Latin America since the 1990s (Conniff, 1999; de la Torre, 2013; Knight, 1998; Roberts, 2006). Party system polarization (Pellikaan et al., 2018), ideological polarization among voters (Carroll & Kubo, 2018), and their interaction (Silva, 2018), each contribute to a polarized party system.

Mobilisation through social and digital media can exacerbate polarization. Internet or email tactics such as ‘neutrollization’, a type of counterfeit internet activism which gives the appearance of expressing the will of the citizenry (Kurowska & Reshetnikov, 2018), or rumor bombs, ‘an emotionally and attentionally strategic claim of questionable veracity, common to post-truth politics’ (Harsin, 2018, p. 11), are communicative strategies which produce disorientation, and confusion about what is fact and fiction. These tactics also produce the appearance of mass political pressure.

Although polarization is becoming a regular feature of political life in and outside parliaments, there is still little understanding of the strategy and tactics deployed by populist actors that are often unnoticed by scholars and the media, and how these populist strategies affect deliberative politics within representative democratic institutions. This gap is exacerbated by the growing divide between university-based production of knowledge and rightwing populist politics (see Geva, 2019; Paternotte & Verloo, 2021). It is nearly impossible now to study strategies from within such movements and how they achieve polarization.

Anti-gender movements in Europe crystallized at the beginning of the 2000s. Since then, anti-genderism has transformed into a broad political project with similar strategies and tactics mobilized across Europe (Darakchi, 2019; Graff, 2014; Paternotte & Kuhar, 2018). Some anti-gender movements exemplify populist tendencies, and several rightwing populist leaders, like Hungary's Viktor Orbán, have supported anti-gender politics (Vida, 2019). Anti-gender politics include opposition to the legalisation of sexual and gender equality, opposition to LGBTQ rights, and hostility to teaching about gender at all levels of education, from primary school to university.

While scholars caution that not all anti-gender actors should be categorised as populist (see Geva, 2019), some anti-gender mobilizations have criticised 'elites' for supposedly forcing 'gender ideology' onto 'the people' (Graff, 2014). Studies have shown how opposition to gender politics can act as a malleable 'empty signifier' (Mayer & Sauer, 2017), linking together numerous putative social ills (see Kováts & Pető, 2017). The anti-Estrela mobilisation was an anti-gender mobilisation that deployed a populist strategy. Therefore, we analyze the mobilisation to gain knowledge of how populist strategy works, and its polarizing effects. We expect that other 'pet' topics which preoccupy rightwing populists, such as anti-migration politics, would likewise generate a similar set of tactics, with a strategic goal of creating polarization and blocking deliberation.

We analyze the EP as an elected assembly that, until recent years, scored well in comparative indexes measuring the quality of deliberation and respect in legislative bodies (Lord & Tamvaki, 2013). Political actors are split through numerous ideological and geographical cleavages, paving the way to a multiplicity of coalitions that vary from one issue to another. This situation used to lead MEPs to engage in long processes of policy deliberation and consensus-seeking that could result in commonly-agreeable solutions which would not mirror the specific views of any stakeholder or political group (Puetter, 2016).

Like many political arenas in Europe today, the EP has undergone changes in recent years. Following the 2014 EP elections, Eurosceptic and populist rightwing parties increased their representation in the EP (Hobolt, 2015). Not-surprisingly, issue polarization has increased since 2014, on topics such as climate policy (Petri & Biedenkopf, 2021), and gender and sexual equality (Ahrens, 2019; Ahrens & Woodward, 2021; Kantola & Lombardo, 2021). The Estrela report was debated prior to the increased party polarization in the EP following the 2014 EP elections. Scrutinizing its passage through the EP is therefore informative in gaining insights on how populist strategies put pressure on consensus politics and bring the centre to unravel.

Through our analysis, we seek two objectives. Firstly, we show how populist strategies originating outside parliaments affect parliamentary politics. We map how this strategy eliminates the possibility of engaging in deliberative democratic politics. Secondly, we unravel how actors produce polarization. Through antagonist tactics, populists are able to divide political actors into two camps and stigmatize antagonists. This new situation forces consensus-seeking moderates to return to the protective trenches of their political group. Actors with little investment in the issue are also eager to conclude the topic and move on to issues of higher importance to them. Thin procedural tactics provide those uncomfortable with the new polarized setting with an easy escape that allows them to vote on procedural matters and avoid substantive political positions. We conclude that populist strategists are able to block deliberation on policy issues they oppose through a combination of polarizing tactics and thin procedural arguments.

The populist tactical arsenal: From deliberative to antagonist and procedural tactics

Actors engage in deliberative politics when they justify their positions giving one another mutually acceptable arguments. Deliberative politics aim at convincing interlocutors through reasoning and, ultimately, strive to reach compromise. Key to deliberation is the will of all interlocutors to 'reach an understanding over problematic validity claims' (Habermas, 1996, p. 107). Participants in a discussion must agree on which information is true for effective deliberation to follow. For deliberative politics to work, all participants need to be ready to convince, and be convinced, by the better argument, aim at integrity and sincerity, and have confidence that their peers in the debate do the same (Heath,

1998). Hence, deliberative politics do not only consist in convincing each other through argumentation, but also aim to find a common ground of compromise.

Deliberative politics, however, can be impeded by antagonist and procedural tactics. Actors engage in antagonist tactics when they try to exclude certain positions from the political debate, separating political actors into two antagonistic camps. One is presented as the ordinary people, a homogenous demos whose views must be represented, and another is stigmatized and depicted as the enemy. Similarly to the agonistic model of politics developed by the Essex School (Laclau & Mouffe, 1985; Mouffe, 1993, 2000), antagonist tactics seek the construction of an 'us' and a 'them', often utilizing passions to mobilize individuals and groups. However, unlike antagonist politics, the agonistic model of politics attempts to establish the us vs. them distinction while simultaneously recognizing the antagonistic other within the context of a 'radical and plural democracy' (Laclau & Mouffe, 1985, p. 167).

Antagonist tactics mobilize conflict and affect, with the objective of expelling the opponent from the democratic debate. As Mouffe (Mouffe, 2018, p. 40) highlights in her reading of Schmitt's thesis, 'What matters is the possibility of tracing a line of demarcation between those who belong to the demos – and therefore have equal rights – and those who, in the political domain, cannot have the same rights because they are not part of the demos.' With the collapse of a deliberative foundation catalysed by antagonist tactics, actors who would otherwise engage in debate, negotiation, and possibly compromise are silenced, or forced to choose a side.

Thin procedural tactics consist in strategies aimed at imposing rules and formal procedures in political debates. The EU is generally seen as a polity that encourages this form of politics, and some have even defined it as a 'representative' (Gravier, 2008) or 'transnational' (Ellinas & Suleiman, 2011) bureaucracy. In line with Weber's (Weber, 1978) depiction of the civil servant, bureaucratic procedures are often seen as a way to rationalize politics, eliminating some of its emotional components. Procedural arguments can serve as a pragmatic tool to enable deliberation and compromise (Habermas, 1996). Theorists of deliberative democracy thus see proceduralism as a precondition for successful deliberation (Benhabib, 1996).

Others caution that, taken to the extreme, bureaucracy and sheer application of rules produce a view of society as a 'garden to be designed and kept in the planned shape by force (the gardening posture divides

vegetation into ‘cultured plants’ to be taken care of, and weeds to be exterminated)’ (Bauman, 1989, p. 19). The proceduralism we observe as part of the populist strategic arsenal does not compare to the kind of genocidal atrocities Bauman analyzed. However, we draw from Bauman’s implicit observation that while the mere application of rules might appear in Weberian terms, like formal rationality (see Geva, 2015), they can be a tool for achieving antagonist ends. Proceduralism in parliamentary bodies can be mobilized to transform substantive debates into procedural manoeuvres, with the effect of ending deliberation. We call this ‘thin proceduralism’ because it is a type of formal rationality that, instead of seeking to respect institutional rules, attempts to undermine deliberation and pluralism.

Sexual and reproductive health and rights in the European parliament: From deliberative compromise to polarization

Although there is debate about whether the EU has the competence to legislate on issues to do with SRHR, it has a long track record of passing laws on this matter. Articles 2–6 of the Treaty of the Functioning of the European Union (TFEU) delineate the policy areas where the EU can legislate. During our research, we found two types of arguments about EU’s competences regarding SRHR. Some argued that SRHR falls in the realm of education, where the EU has only supportive and coordinating competences; or health, where the EU has shared competences on some matters limited by the treaties and supportive and coordinating competences on others. For these voices, SRHR should be legislated strictly by Member States and the EU should only intervene to support national-level initiatives and facilitate their coordinated action. For others, topics related to SRHR, such as access to safe and legal abortion and promoting gender-awareness education in schools, are a matter of public health and Human Rights, where the EU should legislate.

Regardless of the EU’s competences, the EP can use ‘non-legislative reports’ (INIs) to express its opinion about any policy issues. INI’s are texts adopted by the EP, by its own initiative, addressing other European or national bodies to draw their attention to issues it believes should be addressed.³ In 2001, the EP approved its last text on SRHR prior to the Estrela Report known as the ‘Anne Van Lancker Report’, named after its rapporteur, a Belgian MEP from the Socialists and Democrats (S&D) group. This Report recommended that EU Member States

should ‘develop a high-quality national policy on sexual and reproductive health’, that safe abortion should be accessible, and that, ‘sexuality education should be provided in a gender-sensitive way’ (European Parliament, 2002). The text was approved in a single reading in the Committee on Women’s Rights and Gender Equality (FEMM) and in the Plenary.

Methodology

Since we could not directly access rightwing populist actors, and when we tried, found that access was barred,⁴ we employ a triangulation method suitable for scholars studying movements which are difficult to approach through interviews or ethnography. We trace the movement’s strategy through three steps. Firstly, we identified tactics and discourses from available public information generated by rightwing populist actors during the negotiations of the Estrela report (March and December 2013). Secondly, we interviewed the targets of the 2013 anti-Estrela mobilisation, some of whom gave us access to internal policy and advocacy documentation produced by rightwing populist actors. Semi-structured interviews took place during November and December 2017, both in Brussels and online, and their length ranged between 25 and 73 min. [Table 1](#) provides further details about these interviewees.

Finally, we traced the process through which populist strategy that originated in ultra-conservative civil society groups generated polarization in the European Parliament. This eventually succeeded in blocking deliberation over, and approval of, the Estrela report. All together, we analyzed

Table 1. Summary of interviews.

| Position | Sex | Location |
|--|--------|----------|
| MEP, EPP | Female | Brussels |
| MEP, Greens/EFA | Female | Online |
| Policy advisor, ALDE | Male | Online |
| Policy advisor, ALDE | Male | Brussels |
| Policy advisor, ALDE | Female | Brussels |
| Policy advisor, ALDE | Female | Brussels |
| Policy advisor, EPP | Female | Brussels |
| Policy advisor, Greens/EFA | Female | Brussels |
| Policy advisor, Greens/EFA | Female | Brussels |
| Policy advisor, GUE/NGL | Female | Brussels |
| Policy advisor, S&D | Female | Brussels |
| Policy advocate, Human Rights organization | Female | Online |
| Policy advocate, SRHR organization | Female | Online |
| Policy advocate, SRHR organization | Female | Brussels |
| Policy advocate, SRHR organization | Male | Online |
| Policy advocate, women’s rights organization | Female | Brussels |

publicly accessible, as well as internal policy and advocacy documents from 39 ultra-conservative organizations that mobilized in relation to the Estrela Report (see [Appendix II](#)), 16 elite interviews with key actors in the negotiations, including MEPs, EP policy advisors, and civil society advocates, as well as parliamentary debate transcripts, and vote analyses. This triangulation method enabled us to identify rightwing populist strategies and decipher their impact, while confirming the information gathered from interviewees with data produced by the movement itself.

The Estrela Report

During autumn 2013, the FEMM Committee discussed the Report on Sexual Health and Reproductive Rights, most commonly known as the ‘Estrela Report’, named after its rapporteur Edite Estrela, a Portuguese MEP from the S&D. The Estrela Report sought to issue a strong endorsement in favour of women’s health and reproductive rights. The text called upon European states to provide age-appropriate comprehensive sex education at schools, to provide treatment for sexually transmitted diseases, as well as safe access to contraception methods and abortion. The report also condemned teen pregnancy and gender-based violence, and asserted that women’s rights should be considered Human Rights.

This text had the form of an INI. INIs are initiated by a European Parliamentary Committee,⁵ which appoints a *rapporteur* from a political group, while the other groups select *shadow rapporteurs*. The rapporteur and shadow rapporteurs need to negotiate a text that will have a majority of votes in a committee so it can move to a vote by all MEPs in the Plenary. Even if a committee has approved a report, the Plenary may reject it. Committees are smaller groupings of MEPs who share an interest in a policy area. During a Plenary, all MEPs vote on an INI introduced by a committee, although MEPs work on different topics within numerous distinct committees. Even if MEPs tend to vote following group lines, splits are common, generally driven by ideological disagreements among national parties belonging to the same European political group (Coman, 2009).

For gender policies, two groups tended to break group discipline. According to a gender-progressive policy advisor we interviewed, Nordic, French, Belgian, Dutch and Luxembourg centre-right EPP members would often break the group line and support more progressive policies. Conversely, French, German, and Irish members from ALDE, and MEPs from Poland, Hungary, the Czech Republic, Slovakia, and

Malta from all four groups of the gender-progressive coalition often voted with the conservatives on gender issues.⁶

Beyond approving or rejecting a report, the Plenary can vote on two other actions. Firstly, it can return a report to a committee for further negotiations and modifications. This situation happened the first time the Estrela Report was presented. Secondly, a political group can propose an alternative resolution which, if approved, would replace the report and come into force.⁷ This became the fate of the Estrela Report when it reached the Plenary the second time.

No conciliation without deliberation: The need for compromise to advance sexual and reproductive health and rights

During the 2009–2014 legislature, the FEMM Committee had a weak but stable gender-progressive majority that was not reflected in the Plenary. In FEMM, the votes from S&D, ALDE, Greens-European Free Alliance (Greens/EFA) and European United Left-Nordic Green Left (GUE/NGL) were enough to approve a report.⁸ These four groups shared a common progressive position on SRHR, to the extent that they created in 2015 the *All of Us* platform aimed at strengthening cooperation. However, numbers were less favourable in the Plenary, where the political groups of the gender-progressive coalition had 371 seats out of 765 MEPs.⁹ Given the national disparities mentioned above, they could not count on all the votes from within their own groups.

The distribution of forces meant that the gender-progressive coalition had to be willing to reach compromises with other MEPs on several levels. They had to first consider the concerns of their group members sitting in other committees to ensure that they would respect group-voting discipline. Additionally, gender-progressive MEPs needed to accommodate moderate conservatives in FEMM so they could convince their peers to vote for the report in the Plenary, or break the group discipline and vote in favour of the report. Aware of this situation, the FEMM progressive coalition arrived at fifteen compromise amendments supported by moderate conservatives from the EPP.¹⁰

This early stage of the Estrela Report reflected a parliamentary committee capable of deliberation and compromise. The Report was approved within FEMM on 18 September 2013, with 17 votes in favour, 7 against, and 7 abstentions. The high number of abstentions illustrates the influence of compromise-oriented negotiations. Many

moderate conservatives chose not to oppose the report while not standing out with a vote in favour.

MEPs against the text then collaborated with conservative civil society groups to unravel the capacity for consensus in the Plenary. They generated a climate of tension and pressure on MEPs in the middle, forcing them to pick sides. They created confusion and polarization through false claims that stigmatized pro-SRHR positions and defenders, and forced MEPs to choose one of two antagonist camps. Anti-SRHR MEPs then proposed an alternative resolution solely focused on procedural matters. Alternative resolutions are voted on before the report they seek to replace. If approved, the vote on the actual report is cancelled. This process allowed MEPs that were not comfortable with polarization to take a position without aligning with any of the sides, thereby preventing the report from even being voted on.

While antagonist tactics were a constant feature of the debates over the Estrela Report, episodic procedural manoeuvres were used at two key moments when the EP Plenary met to vote on the Report and its alternatives. The first occasion was when the Plenary voted to refer the text back to FEMM on 22 October 2013. The FEMM Committee approved the new Report on 26 November 2013, and sent it back to the Plenary, which finally voted for a 'void' alternative resolution that replaced the Report on 10 December 2013. As we elaborate below, we refer to the alternative resolution finally voted in the Plenary as void because it consisted of two short and vague paragraphs that reiterate some of the competences of the EU.

Antagonist politics in the European parliament: Hampering consensus-oriented deliberation through misinformation and stigmatization

Ultra-conservatives' misinformation campaign focused on stigmatizing pro-SRHR positions by misrepresenting the Report and smearing its supporters. The main line of distortion focused on equating SRHR with social pathologies and sexual 'deviations'. Some of the most radical claims were that the Report promoted 'compulsory child abuse', or that the text would impose a school curriculum teaching children to masturbate.¹¹ Other voices claimed that the Estrela Report would utilize minors as instruments of propaganda for pro-abortion and radical feminist 'lobbies',¹² and that the text would contribute to 'making abortion and population control the political priority of international development policy after 2015'.¹³

The second set of actions consisted in slandering messages targeting SRHR supporters. Some of this communication referred to FEMM as a residual committee in which no ‘political big shot’ wants to take part, leaving ‘lightweight’ politicians to implement their ‘lunatic plans’.¹⁴ Another line of framing presented it as a cynical, money-seeking endeavour. Some ultra-conservative messages assigned authorship of the Report not to MEP Edite Estrela, but to the International Planned Parenthood Federation (IPPF), portraying it as a commercial enterprise that provides abortions.¹⁵

The ultra-conservative campaign also used classically populist claims such as juxtaposing the supposedly private interests of a ‘fringe’ group to those of the silenced majority:

Crucial family law issues are predominantly dealt with by ultra-radical gay-rights activists or by childless female full-time politicians, many of them divorced or lesbian, who have never had the experience of living in a functioning family or of raising children. By contrast, people with real families and real jobs simply don’t have the time to get involved and make their voice heard. The ‘normal’ members of society are never allowed to have an equal say on marriage and family, even though they represent 90% of society or more.¹⁶

On other occasions, these comparisons had an anti-elitist framing, referring to the World Health Organization (WHO), whose reports were mentioned in the Estrela Report, as a body of experts with little understanding of the needs of common parents:

The influence of the radical agenda promoted by IPPF and the WHO, amongst others, does not fit with what parents want for their children. They know better than the WHO ‘experts’ what is good for their children.¹⁷

Attacks were also directed to specific people supporting the Report. Edite Estrela was denounced as a liar and accused of ‘only muster[ing] support for her abortionist-pansexualist agenda by bullying and insulting all those who happen to have other views than hers.’¹⁸ Perhaps the most inflammatory language was in referring to Michael Cashman, British MEP from the S&D, as a ‘morally discredited man, who uses Nazi jargon to describe his own political activities’.¹⁹

Ultra-conservative groups assured that those MEPs who did not feel addressed by their messages were nevertheless impacted by their antagonist tactics through a spamming campaign. Ahead of the debate and vote of the Estrela Report in the EP Plenary on 21–22 October 2013, MEPs each received between 80,000 and 100,000 emails urging them to oppose the Estrela Report and equating support for SRHR with

support for abortion. A study commissioned by the Greens/EFA concluded that the campaign's purpose had been to 'flood [MEPs'] inboxes and demonstrate a large-scale opposition to the Report', and it achieved the objective by making representatives who did not sit in the FEMM Committee aware of the Report (Zacharenko, 2016, p. 54). While there are disagreements among our interview partners about whether the high volume of emails MEPs received were genuinely authored by concerned citizens or by bots, they all agreed that, at the time, it created an enormous sense of pressure. One interviewee explained:

MEPs were just doing their normal job and then, all of a sudden, because of this one report in the course of one day they got 20,000 emails by people who were angry about it. This had not happened before. And so, MEPs reacted to that online mobilization.²⁰

While the spamming campaign was underway, MEPs were mailed plastic dolls in the shape of a tiny baby sucking its thumb, representing what ultra-conservatives claimed was a 10-week human fetus (European Parliamentary Forum on Population and Development, 2013).

This campaign pressured moderate conservatives who did not oppose the Report, as well as MEPs who were not aware of its existence since they worked on issues unrelated to SRHR. An MEP from the EPP noted especially the effect of the campaign on MEPs from conservative constituencies:

You have this kind of recommendation by your religious background on how to vote, and then it is published how you voted, and your home constituency sees this. So, if you are from an ultra-conservative constituency and getting lots of religious votes, you may be very stuck in the issue, you know? Then you cannot go back home and vote 'against' the Church's recommendations.²¹

A policy advocate we interviewed had the same impression when trying to convince MEPs to support the report.

[Y]ou have several political groups within the EPP such as the Nordics, some quite considerable parts of the French delegation, for example, who were more or less progressive, and, in many ways, on our side with regards to progressive language on SRHR. On this report, interestingly, there was a large break away to the other side. The French delegation almost unanimously voted against Estrela [...] Then you had the swing people, who said, 'in principle I am fine, but I am not very comfortable speaking out loud. I will vote on the safe side so I will not be compromised in any way'.²²

The spamming campaign confronted moderate conservatives with the dilemma of voting against their conscience or against what they perceived

was the position of their constituencies. As we elaborate in the next sections, ultra-conservative MEPs solved this impasse for them, carving out a third option that consisted in avoiding taking a political position through thin procedural politics.

Thin proceduralism against deliberative politics

Beyond managing to impose a climate of polarization throughout negotiations of the Estrela Report, populist strategists successfully used procedural arguments to avoid discussions about the content of the Report. We call their use of procedures ‘thin’ because their priority was not to assure respect of the legal foundation of the EP, but rather to find procedural rules that would expediently help them block a progressive report on SRHR. Even if these groups used procedural arguments to claim that the EP should take no position in relation to SRHR, they first attempted to push for a position according to their ideology. Populist strategists used procedural arguments as a second-best option, only when they did not manage to obtain a majority supporting their substantive positions.

A delay that led to a defeat

The first time the Estrela Report was put to vote in the EP Plenary was 22 October 2013. In addition to the Report, there were 52 separate split and roll call votes, as well as an alternative resolution introduced by the rightwing EFD group. Based on some of our interviews and internal documentation we obtained, this was an unusually high amount of activity for any bill, especially for non-legislative texts such as the Estrela Report.

The high activity and division, together with the tense atmosphere generated by conservative MEPs during the debate, give a good picture of the confusion and polarization generated by populist strategists.²³ During the deliberation of the text, there were constant interruptions, and the President of the EP chairing the debate asked for silence on several occasions. Some interviewees even recall conservatives insulting Estrela and those speaking in favour of SRHR.²⁴

Rightwing MEPs used this situation to avoid a vote, requesting that, given the confusion and disagreements, the report would be returned for further discussion in the Committee. Ashley Fox, a British Conservative MEP who had scarcely before been preoccupied with issues like SRHR requested:

Madame President, on behalf of the ECR Group I would like you to exercise your discretion under Rule 162 and refer this matter back to Committee. There are 71 requests for splits and separate votes, as well as an alternative motion for resolution. There is clearly no agreement on this Report, and I would say that, as there is no majority position, it is right that this goes back to Committee.²⁵

Fox, however, made a mistake on the Rule he used to request a vote on a referral back to the Committee, leading Anni Podimata, Vice President of the EP chairing the debate, to reject his request.

This event triggered the intervention of three other male MEPs from rightwing groups; Bruno Gollnisch from the French National Front, which was not part of any EP political group at the time, Sergio Paolo Francesco Silvestris from the EPP, and Martin Callanan, leader of the ECR. The thin nature of their proceduralism is evidenced by the fact that none of the four male MEPs enumerated the correct Rule to send the Report back to Committee.²⁶ Nonetheless, the Vice President of the EP agreed to let the Plenary vote on whether to refer the Report back to FEMM.

An analysis presented in an internal document shared with us by one European political group shows the effectiveness of moving from substantive arguments to procedural ones. While an alternative stridently anti-SRHR resolution from EFD received a clear rejection from the Plenary (486 votes against, 135 in favour, and 44 abstentions), MEPs shifted their position when voting for the thin-procedural motion to refer the Report back to FEMM, which received the support of 351 votes, 319 against, and 18 abstentions. Two groups show how deliberative versus thin procedural arguments shifted votes. While the EPP was split during the vote of the EFD alternative resolution, it was very cohesive in voting in favour of the delay. Conversely, while ALDE was largely united in voting against the EFD resolution, it had 33 members voting to refer the Report back to FEMM, which was against the group line of opposing the delay.

While it is clear that anti-SRHR positions were a minority in the Plenary, the combination of antagonist and thin procedural tactics allowed populist strategists to block the approval of the text. In the eyes of an ALDE policy advisor, after the creation of confusion and a sense of chaos at the Plenary, pushing the Report back to the FEMM Committee was preferable for MEP's who were not interested in the issue at hand:

We are a group in the middle, so we have quite right-wing members, usually more focused on the economy. [...] There was quite a lot of chaos in the vote and the FEMM Committee, for these right-wing members ... you know, they consider it a joke [...] And because there was all this chaos in the vote, they

probably thought, all this is a mess from FEMM, let's vote against FEMM. Let's get rid of it and postpone it.²⁷

The 'chaos', however, was generated precisely by the campaign against the Estrela Report, and MEPs who were trying to force the Report back to FEMM. Thin proceduralism was proving to be a winning strategy.

(A)voiding gender rights

The Estrela Report was adopted again within FEMM on 26 November 2013, with 19 votes in favour, 15 votes against, and zero abstentions. This result shows the effects of the polarizing campaign. While the first time the Estrela Report was approved in FEMM there had been 7 abstentions, by this time everyone felt compelled to take a position.

When the Estrela Report returned to the Plenary on 10 December 2013, MEPs introduced two alternative resolutions. EFD presented a strongly worded text that called not only for anti-SRHR measures but also for restrictions to abortion. The second alternative resolution was put forth by the EPP and the ECR, and at its core consisted of two paragraphs that stated that SRHR was a competence of the Member States and that the EU only had the right to promote best practices.²⁸ This alternative resolution could be considered a void resolution, because it did not consist of any position regarding anything related to SRHR, but it just stated content already present in the TFEU regarding EU's competences. Hence, MEPs concerned with the possibility that the report was against the EU's Principle of Subsidiarity could have simply voted against the text. Moreover, the content of the alternative resolution did not contradict anything that was present in the Estrela Report, which was an attempt to promote best practices and had no policy directives.

The content of the alternative resolution was not aimed at replacing any substantive position, but rather provided a vague text that could be supported by as many MEPs as possible without compromising any of their political positionings or electoral chances. This thin procedural strategy allowed everyone uncomfortable with the polarized atmosphere to avoid choosing one of the two antagonistic camps fostered by antagonist politics.

Based on the EP's rules and procedures, alternative resolutions are voted upon first, and, if approved, they automatically replace the main resolution, which consequently is not voted upon. The EFD alternative resolution was soundly rejected by 548 votes against, 95 in favour, and 48 abstentions.²⁹ Strong anti-SRHR positions were a clear minority in

the EP. However, the void alternative resolution was adopted by 334 votes in favour, 327 against, and 35 abstentions. This meant that the EPP-ECR alternative resolution replaced the Estrela Report.³⁰

Populists' combination of antagonist and thin procedural politics successfully blocked deliberation, as they prevented the Estrela Report from ever being voted on in the Plenary. During the first Plenary, MEPs voted on the referral back to the FEMM Committee and, during the second Plenary, MEPs voted only on the alternative resolution. During both occasions, the Plenary voted over procedural matters and never expressed its opinion about the content of the Report.

Populist tactics and democratic crisis

In addition to being a discourse and a performative style with a thin ideology (Moffitt, 2016), populism is a political strategy aimed at polarization. The tactics we observe reveal two paradoxes. Firstly, whereas Schmitt (1985) criticised proceduralism as a problematic feature of liberal democracy, and argued that friend/enemy politics were a means of overcoming the representational paucity of proceduralism, we find that populist strategy may also mobilize proceduralist tactics for antagonist ends. Populists used procedural arguments to produce us/them camps and end deliberation which could have led to compromise.

The second paradox is that while populists thrive on criticising established politicians for adhering to out of touch 'politics as usual' (Geva, 2020), we find that populist strategists also turn to obscure procedural rules familiar to seasoned politicians to achieve their political goals. Just as populism is a thin ideology (Stanley, 2008), populist actors also deploy 'thin proceduralism' to their own ends. It is thin in that it is not deeply committed to rule of law and maintaining the norms and legitimacy of a deliberative body, but rather expediently deploys rules for achieving antagonist ends.

Populist strategy is not only a path towards polarization. They can also hollow out the importance of the procedural rules underpinning deliberative politics necessary for parliamentary democracy. Populist strategists in parliamentary politics can destroy deliberation and generate legal and policy outcomes from within legislative bodies where they are a numeric minority. They can deploy thin procedural tactics to polarize, exhaust, and mobilize actors who would not consider themselves to be extremists or inspired by populism.

Delivering her assessment of the apparently proceduralist referral of the Report back to Committee in October 2013, MEP Edite Estrela expressed concern that dynamics within the EP were changing. The Plenary was no longer respecting the specialized knowledge and careful negotiations of parliamentary committees, undermining norms of how the EP is supposed to operate. The crisis around the report, she claimed, was a crisis of legitimacy:

We must respect the votes that are taken in the specialist parliamentary committees. And it is not by disrespecting the mandate that we have that we are respected by our citizens. Madame President, this Parliament has given evidence here today that we often do not deserve the confidence of our voters.³¹

As both the object of populist manoeuvres, and a perceptive observer, Estrela identified that populist strategy was changing how the EP was operating. In her view, this dynamic could undermine voter confidence throughout Europe.

Estrela was responding to the type of manoeuvre that had just been initiated by MEP Ashley Fox. When trying to refer the Report back to the FEMM Committee, Fox made one brief statement which can also be seen as a bellwether of our populist present: ‘There is clearly no agreement on this report, and I would say that, as there is no majority position, it is right that this goes back to Committee.’³² The conservative politician from the UK put forth that deliberation was futile and moved the debate from substantive policy issues to procedural matters.

An apparently dispassionate parliamentary manoeuvre by a parliamentarian who cared little about gender and sexual equality encapsulates how populist strategy achieves polarization. Non-populist actors are pulled into the swirling currents produced by antagonist and thin procedural tactics, and, perhaps unwittingly, can help finish their job. Neither on the outside, nor necessarily in power, populist strategy transforms parliamentary democracy from within.

Notes

1. See: <https://oneofus.eu/about-us/initiative-explanation>. European Citizens’ Initiatives are a form of direct democracy within the EU where if at least one million citizens from at least seven EU member states sign an Initiative, they can directly ask the European Commission to propose a law.
2. See: <https://www.ippfen.org/news/launch-high-ground-alliance-choice-and-dignity-europe>.

3. See: Rule 46 of the Rules of Procedure of the European Parliament. https://www.europarl.europa.eu/doceo/document/RULES-9-2020-02-03-RULE-046_EN.html.
4. Our queries went unanswered, or meetings were canceled last minute.
5. See: Rules 52 (https://www.europarl.europa.eu/doceo/document/RULES-9-2020-02-03-RULE-052_EN.html) and 54 (https://www.europarl.europa.eu/doceo/document/RULES-9-2020-02-03-RULE-054_EN.html) of the Rules of Procedure of the European Parliament.
6. Interviewed December 15, 2017.
7. See: Rule 170 of the Rules of Procedure of the European Parliament. https://www.europarl.europa.eu/doceo/document/RULES-8-2019-03-05-RULE-170_EN.html.
8. See: <https://www.europarl.europa.eu/committees/en/archives/7/femm/members>.
9. See: <https://europarl.europa.eu/election-results-2019/en/seats-political-group-country/2009-2014/outgoing-parliament/>.
10. For the full list of amendments to the Report see: [https://parltrack.org/dossier/2013/2040\(INI\)#/ams](https://parltrack.org/dossier/2013/2040(INI)#/ams).
11. European Dignity Watch. ‘The Estrela Report: Promoting Compulsory Sex Education for Toddlers and a Right to Abortion, and Calling for Restrictions on Conscientious Objection,’ November 23, 2013. http://www.europeandignitywatch.org/the_estrela_report_sex_education/.
12. CitizenGO. ‘Reject the Estrela Report!’, December 6, 2013. <https://citizengo.org/en/1150-reject-estrela-report>. See Geva, ‘Non Au Gender’ on conservative ‘lobby talk.’
13. Ibid.
14. J.C. von Krempach. ‘EU: While 1.3 Million Sign the pro-Life Petition, Radical pro-Abortion-Politicians Don’t Want to Learn the Lesson.’ Turtle Bay and Beyond, 17 October 2013. https://c-fam.org/turtle_bay/eu-while-1-3-million-sign-the-pro-life-petition-radical-pro-abortion-politicians-dont-want-to-learn-the-lesson/.
15. (1) Corrispondenza Romana. ‘European Parliament Rejects Resolution Declaring Abortion a Fundamental ‘Human Right.’’ October 23, 2013. <https://www.corrispondenzaromana.it/international-news/european-parliament-rejects-resolution-declaring-abortion-a-fundamental-human-right/>. (2) Ann Marie Foley. ‘MEPs Reject Proposal Declaring Abortion a Human Right.’ Catholic Ireland, October 24, 2013. <https://www.catholicireland.net/europe-rejects-proposal-declare-abortion-human/>.
16. J.C. von Krempach. ‘EU: While 1.3 Million Sign the pro-Life Petition, Radical pro-Abortion-Politicians Don’t Want to Learn the Lesson.’ Turtle Bay and Beyond, 17 October 2013. https://c-fam.org/turtle_bay/eu-while-1-3-million-sign-the-pro-life-petition-radical-pro-abortion-politicians-dont-want-to-learn-the-lesson/.
17. FAFCE. ‘The ‘Estrela Report’ Adopted Once Again: The Rights of Parents and the Protection of Children at Risk Due to Pressure from Radical Lobbies,’ November 26, 2013. http://www.fafce.org/index.php?option=com_content&view=article&id=97:the-estrela-report-adopted-once-again-the-rights

of-parents-and-the-protection-of-children-at-risk-due-to-pressure-from-radical-lobbies&catid=54:european-union&lang=en&Itemid=160&highlight=WyJlc3RyZWxhIl0 = .

18. J.C. von Krempach. 'Praising herself, insulting her opponents, telling lies: Edite Estrela makes a second attempt to get her report on 'sexual rights' adopted.' Turtle Bay and Beyond, 12 November 2013. <https://c-fam.org/turtlebay/praising-herself-insulting-her-opponents-telling-lies-edite-estrela-makes-a-second-attempt-to-get-her-report-on-sexual-rights-adopted/>.
19. *Ibid.* These comments were a reaction to an interview given by Mr Cashman where he stated that to advance SRHR in Europe, 'it's crucial that you take a kind of 'blitzkrieg' approach where you lobby through your supporters to members of the national parliaments of all parties. Never make it a party-political issue - it's a rights issue and rights must run horizontally through the serious mainstream political parties'. See: <https://www.devex.com/news/michael-cashman-take-a-blitzkrieg-approach-to-srhr-81416>.
20. Policy advocate, interviewed December 8, 2017.
21. MEP from the EPP group, interviewed February 21, 2018.
22. Policy advocate, interviewed December 19, 2017.
23. For the videos of the Plenary debates, see: <https://www.europarl.europa.eu/plenary/EN/vod.html?mode=unit&vodLanguage=EN&startTime=20131021-21:16:59-692&date=20131021#> for the 21 November 2013 Plenary, <https://www.europarl.europa.eu/plenary/EN/vod.html?mode=unit&vodLanguage=EN&startTime=20131210-12:49:07-000&date=20131210#> as well as <https://www.europarl.europa.eu/plenary/EN/vod.html?mode=unit&vodLanguage=EN&startTime=20131210-14:17:32-410&date=20131210#> for the 10 December 2013 Plenary.
24. Policy advocate, interviewed 6 November 2017 and policy advocate, interviewed December 8, 2017.
25. See: <https://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+CRE+20131022+ITEM-008-03+DOC+XML+V0//EN&language=EN&query=INTERV&detail=2-150-000>.
26. The correct Rule was Rule 198. See: https://www.europarl.europa.eu/doceo/document/RULES-9-2020-02-03-RULE-198_EN.html.
27. Policy advisor, interviewed 15 December 2017.
28. For the full text of the EPP-ECR alternative resolution, see: <https://www.europarl.europa.eu/sides/getDoc.do?reference=P7-TA-2013-0548&type=TA&language=EN&redirect>.
29. For the full list of votes during the Plenary session of 10 December 2013, see: <https://www.europarl.europa.eu/sides/getDoc.do?pubRef=-%2f%2fEP%2f%2fNONSGML%2bPV%2b20131210%2bRES-RCV%2bDOC%2bPDF%2bV0%2f%2fEN&language=EN>.
30. For the full list of votes during the plenary session of 10 December, 2013, see: <https://www.europarl.europa.eu/sides/getDoc.do?pubRef=-%2f%2fEP%2f%2fNONSGML%2bPV%2b20131210%2bRES-RCV%2bDOC%2bPDF%2bV0%2f%2fEN&language=EN>.

31. See: <https://www.europarl.europa.eu/sides/getDoc.do?type=CRE&reference=20131022&secondRef=ITEM-008-03&language=EN&ring=A7-2013-0306>.
32. See: <https://www.europarl.europa.eu/sides/getDoc.do?type=CRE&reference=20131022&secondRef=ITEM-008-03&language=EN&ring=A7-2013-0306>.

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Appendices

Appendix I: Glossary of European Union and European Parliament terms

- ALDE: Alliances of Liberals and Democrats for Europe group in the European Parliament (liberals, centre).
- Amendment: Change in a legislative text proposed by a MEP or political group.
- Committee: sub-legislative body focused on specific topics where a restricted group of MEPs draft and negotiate legislative texts to be proposed at the Plenary.
- Compromise amendment: Change in a legislative text proposed by two or more MEPs from different political groups.
- ECR: European Conservative and Reformists group in the European Parliament (conservatives and national sovereignists, rightwing).
- EFD: Europe of Freedom and Democracy group in the European Parliament (euro-skeptics, rightwing).
- EPP: European People's Party group in the European Parliament (Christian-Democrats, centre-right).
- FEMM: Committee on Women's Rights and Gender Equality of the European Parliament
- Greens/EFA: The Greens/European Free Alliance group in the European Parliament (greens and regional independentists, left/centre-left).
- GUE/NGL: European United Left–Nordic Green Left group in the European Parliament (left).
- INI: Own-Initiative Reports. Non-legislative text through which the European Parliament expresses its opinion about a certain policy topic.
- MEP: Member of the European Parliament
- Plenary: Body where MEPs vote for legislative texts. Sits one week a month.
- Political group: Formal alliances among like-minded national political parties and individual MEPs in the European Parliament that work together.
- Rapporteur: MEP in charge of drafting a report.
- Report: A document that formulates Parliament's position about a specific topic. It can be legislative or non-legislative.
- S&D: Socialists and Democrats group in the European Parliament (Social-Democrats, centre-left).
- SRHR: Sexual Reproductive Health and Rights

Appendix II: List of ultra-conservative organizations included in the study (in alphabetical order)

- AFC: Les Associations Familiales Catholiques Aleteia
- Alliance Defending Freedom Alliance VITA
- Catholic Ireland
- Catholic World Report
- C-Fam: Centre for Family and Human Rights
- CitizenGO!

Corrispondenza Romana Dignitatis
Humanae Institute
Estrela No – Respect Subsidiarity (Facebook page)
European Centre for Law and Justice
European Christian Political Movement
European Dignity Watch
European Life Network
FAFCE: Federation of Catholic Family Associations in Europe
Familienschutz.de
Fédération Pro Europa Christiana
Foro de la Familia
Forum delle Famiglie
Forum Libertas
Hazte Oir
henryklahola.nazory.cz
Iona Institute
Le Salon Beige
Life Site News
LMPT: La Manif pour Tous
makarska-danas.com
Mercatornet
Mojakomunita.sk
My Christian Daily
New Women for Europe
Novae Terrae Foundation
One of Us
Ordo Iuris Institute
Profesionales por la Ética
SPUC: Society for the Protection of Unborn Children
The Turtle Bay and Beyond
World Youth Alliance