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To cite this article: Valentine Berthet (she/her/hers) (2022): Norm under fire: support for and opposition to the European Union's ratification of the Istanbul Convention in the European Parliament, International Feminist Journal of Politics, DOI: [10.1080/14616742.2022.2034510](https://doi.org/10.1080/14616742.2022.2034510)

To link to this article: <https://doi.org/10.1080/14616742.2022.2034510>



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Published online: 19 Feb 2022.



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Norm under fire: support for and opposition to the European Union's ratification of the Istanbul Convention in the European Parliament

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ABSTRACT

The Istanbul Convention on preventing and combating violence against women and domestic violence is contested across Europe by a strong anti-gender rhetoric, posing a direct threat to gender equality progress. Together with opposition to gender equality, attacks on the Convention have the effect of delegitimizing the norm that it embodies – namely, ending gender violence. Opposition is also visible in the European Parliament and shapes the discourse concerning possible ratification by the European Union (EU). Initially perceived by supporters in the European Parliament as a milestone for the advancement of women's rights and gender equality, the Convention soon became a norm “under fire” as the target of vehement anti-gender contestations. Using a unique set of interview data with key parliamentary actors and Members of the European Parliament, this article analyzes the discursive politics of contestation between norm promoters and norm “antipreneurs” regarding the EU's ratification of the Convention. The analysis shows how ratification is constructed in oppositional terms, with the findings illuminating direct and indirect forms of opposition to gender equality.

RÉSUMÉ

La Convention d'Istanbul sur la prévention et la lutte contre la violence à l'égard des femmes et la violence domestique est contestée en Europe par une forte rhétorique antiféministe, représentant une menace directe sur les acquis de l'égalité des genres. Cette opposition délégitime les normes internationales que la Convention promeut afin d'éradiquer les violences basées sur le genre. Cette opposition est visible au Parlement européen, notamment dans les différentes conceptions, exprimées par les parlementaires, de l'égalité des genres et d'une éventuelle ratification de la Convention par l'Union Européenne. D'abord perçue comme une étape importante pour l'égalité des genres, la Convention est rapidement devenue la cible des contestations antiféministes. Utilisant une base de données unique composée d'entretiens individuels avec des députés du Parlement européen et autres acteurs parlementaires, cet article analyse les mécanismes de contestation entre les

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partisans et les opposants à la ratification de la Convention par l'Union Européenne. À travers l'analyse des différentes conceptions, exprimées au sein du Parlement, sur l'égalité des genres et sur les conséquences d'une éventuelle ratification pour l'Union Européenne, l'article montre l'entremêlement d'une opposition indirecte, imperceptibles mais qui joue beaucoup sur les chances de ratification, et une opposition déclarée qui attaque directement l'égalité des genres.

KEYWORDS Istanbul Convention; European Parliament; opposition to gender equality; norm contestation; norm antipreneurs

MOTS CLÉS Convention d'Istanbul; Parlement Européen; opposition à l'égalité des genres; opposition aux normes internationales; normes "antipreneurs"

Introduction

The Istanbul Convention ("the Convention") on preventing and combating violence against women and domestic violence is the most comprehensive international and legally binding text of its kind. Negotiated in the Council of Europe, which counts 47 states as members, it entered into force in 34 of those states. The Convention defines violence against women as gender-based violence enshrined in structural gendered inequalities between women and men, making it the first legally binding international instrument to consider feminist claims about violence (Niemi, Peroni, and Stoyanova 2020). Specifically, Article 3(c) defines gender as "the socially constructed roles, behavior, activities, and attributes that a given society considers appropriate for women and men."

Simultaneously, gender equality has become an increasingly contested concept, and anti-gender activists have attacked the Convention by defining it as a "gender ideology" and a threat to the traditional division of roles between women and men in society (Korolczuk and Graff 2018; Roggeband and Krizsán 2018). Some states such as Bulgaria subsequently determined that the ratification of the Convention was unconstitutional, Turkey officially withdrew from the Convention in July 2021, and Poland recently announced its wish to follow suit. In turn, the European Union (EU), the core values of which include democracy and fundamental rights, and which had a remarkable effect in developing policies against gender violence (Montoya 2013; Zippel 2006), now includes within its institutions – as heads of state in the European Council or as Members of the European Parliament (MEPs) – opponents to the Convention.

Frequently described as a champion for gender equality (van der Vleuten 2019), the European Parliament (EP) currently has a record-breaking representation of women MEPs (40.4 percent). Despite a setback in the 2010s (Jacquot 2015), the EP has shown steady support for gender equality (Ahrens and Rolandsen Agustín 2019). Nonetheless, the prevalent masculine

norms and gendered practices still shape MEPs' work as representatives (Berthet and Kantola 2021; Kantola and Rolandsen Agustín 2019; Lühiste and Kenny 2016).

As is the case with other gender issues, the Convention is contested in the EP. In this article, I scrutinize the EP, the role of which is to shape and politicize core issues such as gender equality and engage specifically with political groups as key players. The current EP (2019–2024) includes seven political groups ranging from the largest Christian-democratic European People's Party (EPP), the Progressive Alliance of Socialists and Democrats (S&D), the liberal group Renew Europe (Renew), the radical-right Eurosceptic Identity and Democracy group (ID), the Greens/European Free Alliance (Greens/EFA), and the European Conservatives and Reformists (ECR) to the far-left group European United Left/Nordic Green Left (GUE/NGL).

This article analyzes the discursive politics of contestation, between support and opposition, that characterize MEPs' debates about the EU's ratification of the Convention. It approaches contestations as part of a broader project to delegitimize the EU's supranational gender equality norms. Opposition to the Convention has previously been researched in the Council of Europe and in member states (Acar and Popa 2016; Krizsán and Roggeband 2018) but not in the EP in relation to the EU's ratification. This article fills this gap and contributes to the emerging literature on norm contestation by theoretically bridging feminist international relations (IR) concepts (Krook and True 2012) and concepts of support for and opposition to gender equality in the field of gender and politics (Kantola and Lombardo 2021; Verloo 2018). Theoretically, norms are "processes" (Krook and True 2012), and their meanings are continuously shaped by support, resistance, and opposition (Roggeband 2019).

Methodologically, my approach includes analyzing the framings used by agents acting either as norm promoters (Finnemore and Sikkink 1998) or norm "antipreneurs" (Bloomfield 2016). I pay particular attention to direct and indirect forms of opposition to gender equality, well known among gender and politics scholars (Ahrens 2018; Kantola and Lombardo 2021). The article employs a discursive approach that regards norms as sense-making practices, thus providing better leverage to understand the mechanisms involved in norm contestation and opposition to gender equality (Lombardo, Meier, and Verloo 2009). These objectives underpin the following research questions: how are support for and opposition to the EU's ratification of the Convention constructed discursively by MEPs, and what are the effects of this cleavage on ratification and gender equality in the EP?

The research material consists of a total of 122 interviews with MEPs and parliamentary staff collected during the 8th and 9th legislative terms, as further explained below. Additionally, an examination of seven EP plenary debates about the EU's ratification complements the analysis. The findings show that, in an increasingly polarized EP (Kantola and Lombardo 2021),

MEPs either act as norm promoters or norm antipreneurs by framing their support for or opposition to ratification in ways that are heavily influenced by political considerations. In doing so, they reduce the space for considering the legal implications of such ratification. Four discursive constructions emerge from the analysis: ratification through ideas, ratification through legal considerations, ratification at the national level, and outright rejection. The effects of these discursive constructions for debating gender equality in the EP are highlighted through a discussion of both the internal and the external dynamics of contestation visible in discourse (Krook and True 2012), which are connected with direct and indirect forms of opposition to gender equality (Ahrens 2018; Kantola and Lombardo 2021).

Norm promoters and antipreneurs: studying support for and opposition to gender equality

Constructivist approaches to norms, influenced by the concept of a “norm life cycle,” are preoccupied with the dynamics of norm continuity and change (Finnemore and Sikkink 1998) and treat norms as fairly stable “things” (Krook and True 2012). On these approaches, successful norms can reach a final stage of internalization, but contestation is only understood as a mechanism that tailors new norms to a pre-existing normative environment (Finnemore and Sikkink 1998). By contrast, a discursive approach to norms regards them as “processes” that are constantly produced, contested, and reproduced in a dynamic of support, compliance, opposition, and rejection in discourse (Krook and True 2012). This approach allows us to study forms of contestation with more precision than previously possible. In the literature, little is said about unsuccessful norms, other than concerning the few exceptions of non-existent norm entrepreneurship (Carpenter 2007), norms not achieving their intended effects (Krook and True 2012), norm resistance (Ün 2019), and the undermining strategy of norm “spoiling” (Sanders 2018). By contrast, scholars have extensively researched successful gender equality norms in the EU context, such as norms opposing sexual harassment (Zippel 2004, 2006) and trafficking (Locher 2007).

This article approaches norms as ongoing discursive constructions (Krook and True 2012), characterized by instability (Zwingel 2017). It explains why some norms, such as gender equality, are exposed to resistance repeatedly rather than at one particular moment (Chappell 2015; Roggeband 2019). Studying gender equality through norm theory reveals the politics of contestation and furthers our understandings of opposition to gender equality by considering “the oppositional dynamics between norm promoters and their counterforces that promote competing norms” (Roggeband 2019, 12). Thus, contestation lies in the discursive politics of norm competition (Krook and True 2012), which is central to the analysis of support for and opposition to the EU’s ratification of the Convention.

Using gender as an analytical category, feminist IR scholars show that norms and gender are constructed, contested, and reconstructed concepts (Kardam 2004). This approach highlights the processes underlying gender equality norm diffusion, transformation, and contestation. In this literature, contestation can serve to challenge the *status quo* for institutional change toward greater gender equality (Raymond et al. 2014) or can revert, change, or block gender equality norms (Roggeband 2019; Ün 2019). For instance, contestation can lead to less ambitious framings of gender equality in relation to reproductive rights (Zwingel 2017), gender mainstreaming (True and Mintrom 2001), and gender quotas (Franceschet, Krook, and Piscopo 2012). Likewise, a globally adopted norm, such as support for quotas, may be blocked by political actors mobilizing tools that delegitimize or justify non-compliance in ways that make resistance understandable and desirable (Krook 2016). Debating the meaning of gender equality is central to the discursive politics of gender equality norm contestation and draws attention to the gendered power relations underlying resistance (Kardam 2004).

In this article, the contestation processes are key to understanding the discursive construction of a norm, particularly when actors attempt to block it. During contestation, norms can be not only reshaped but also distorted, emptied of their content (Krook and True 2012), and morally delegitimized by “justificatory discourses” (Deitelhoff and Zimmermann 2013). Such discourses question the fundamental validity of norms and typically emerge when actors belong to different normative communities (Bloomfield 2016). Here, the role of the norm antipreneur is pivotal to understanding the processes by which actors seek to block a norm (Bloomfield 2016). For them, the norm challenges the *status quo* in unacceptable ways, and by questioning the norm’s moral validity, they question its *raison d’être*. This highlights the norm antipreneur’s agency to discursively attack a norm, seeking its destruction.

From the existing scholarship, this article borrows the concept of norm promoters – or entrepreneurs (Finnemore and Sikkink 1998) – to describe EP actors supporting ratification of the Convention and that of norm antipreneurs (Bloomfield 2016) to describe its opponents. This choice is motivated by the similarities observed between norm contestation research in IR and opposition to gender equality as identified in gender and politics research. While IR scholars speak of norm contestation when norm antipreneurs seek to undermine a norm, gender and politics scholars speak of opposition to gender equality when anti-gender actors seek to undermine gender equality policies.

Gender and politics scholars extensively document how anti-gender movements in Europe became a threat to existing gender equality policies and the development of new ones (Kováts 2017; Kováts and Põim 2015; Kuhar and Paternotte 2017; Verloo and Paternotte 2018). Verloo (2018, 6)

defines opposition to gender equality as “any activity in which a perspective opposing feminist politics and gender + equality policy is articulated in a way that can be expected to influence or is actually influencing politics or policy-making at any stage.” This definition suggests that opposition is an activity or a process, similar to the processes of norm contestation studied in IR. Furthermore, gender and politics scholars discuss resistance in terms of struggles over the meanings of gender equality. They greatly contribute to the debate by adopting a deconstructive approach that shows how political discourses engender subjects through different meanings of gender equality (Lombardo, Meier, and Verloo 2009; Verloo and Lombardo 2007). The different meanings attributed to gender equality, as an “empty signifier,” can be stretched, bent, and fixed to match particular political objectives (Lombardo, Meier, and Verloo 2009). Thus, it is important to ask who has or should have a voice in the debate that defines what gender equality is and that determines how to solve gender inequalities. It is also important to look at how power clusters around certain meanings (Bacchi 2017). For instance, when studying developments in domestic violence policy in Poland, Hungary, and Romania, Krizsán and Roggeband (2017) find that struggles over the definition of domestic violence reveal forms of opposition to gender equality, with outcomes far removed from gender equality concerns. In subsequent work, they demonstrate how gender equality often collides with other pre-existing norms, such as democracy, within a normative environment. Said differently, opposition to gender equality norms is stronger in states where sovereignty and subsidiarity, rather than respect for human rights, define democracy (Roggeband and Krizsán 2018). In Poland, Hungary, and Romania, the official political discourse shifted from being supportive or silent on gender equality to “openly challenging previously adopted and accepted gender equality policy positions” (Krizsán and Roggeband 2018, 91). These developments followed a shift in the political landscape toward an increasing presence of radical-right populists. This finding suggests that power tends to cluster more around the norm of sovereignty than the norm of gender equality when democracy is most threatened (Lombardo and Kantola 2019). The rising number of radical-right populists throughout EU member states is also visible in the EP and shapes MEPs’ gender equality discourse.

Like discourses, processes of contestation do not occur in a vacuum but are embedded in their institutional and political contexts. First, IR scholars suggest that norm antipreneurs are strategically advantaged when political considerations weigh more heavily in their deliberations than legal considerations (Bloomfield 2016, 15), and norm sense-making processes in parliaments are loaded with competing political agendas. Second, the form of the opposition can be difficult to argue against. For instance, the sovereignty argument used to dismantle claims for a global norm is powerful because

sovereignty is the foundational norm upon which transnational relations, including the EU, rely. On the one hand, sovereignty rejects interference; on the other hand, it reinforces the position of states, albeit as autonomous, in a transnational system. Hence, it becomes almost impossible for norm promoters to argue against the sovereignty principle without risking undermining the very system that allows those norms to spread in the first place (Bloomfield 2016). This strategy of opposition is highlighted in the present analysis and partly explains why norm promoters fail to successfully counter norm antipreneurs. Third, EU institutions themselves comprise anti-gender actors that then shape the institutions. Ahrens (2018) extensively researched forms of direct and indirect opposition to gender equality in the daily functioning of EU institutions. Her findings show that indirect forms of opposition dominate EU institutions as political correctness mostly prevails. However, direct forms of opposition are encouraged by the adversarial style of argumentation in the EP (Ahrens 2018), and the rising number of radical-right populist MEPs leads to an increasing rejection of gender equality norms (Kantola and Lombardo 2021).

The most illustrative attack against gender equality is through the rhetoric of gender ideology, used by anti-gender actors to depict the norm as a foreign ideology and norm promoters as ideologues (Korolczuk 2021). This anti-feminist rhetoric claims to defend the heteronormative and traditional family where the sexual division of labor, education, and reproductive rights are based on conservative and gendered expectations (Kováts 2017; Kuhar and Paternotte 2017). This rhetoric is a justificatory discourse as it questions the fundamental validity of the norm (Deitelhoff and Zimmermann 2013).

Studying the contestation of norms in the European Parliament

The Convention was born in the Council of Europe and emerged in the EP as an international legally binding text to which the EU was offered accession. The Council of Europe is an independent international organization, of which EU member states are parties. In October 2015, the EU took the initiative by beginning to set out a legislative roadmap for the EU's ratification of the Convention. The EU can be bound by the provisions of an international text to the extent of its competence (Craig and de Búrca 2020). In case of agreement, ratification would *de facto* only cover those provisions within its competences – namely, judicial cooperation in criminal matters, and asylum and non-refoulement. Yet, the European Council, representing heads of member states in the EU, specified the legal basis for ratification in two separate decisions. This choice sparked criticism in the EP among norm promoters because it unnecessarily emphasized the narrowness of the EU's commitment to the Convention. In particular, the Council's decision diverged

from the EU's accession to the United Nations (UN) Convention on the Rights of Persons with Disabilities, to which the EU acceded as a bloc following its commitment to non-discrimination. The analysis shows that the scope of ratification was misunderstood by most norm antipreneur MEPs.

The European Commission, the EP, and the European Council have distinct roles and responsibilities in the decision-making process. In 2014, the EP introduced a legislative procedure on "Combating Violence against Women," requesting the Commission initiate the EU's ratification of the Convention. Regarding international agreements, the European Council takes the final decision following the EP's consent. At the time of writing, there is no agreement upon ratification. However, in anticipation, the EP has since 2014 supported ratification by adopting various resolutions on behalf of the parliamentary committees Civil Liberties, Justice and Home Affairs, and Women's Rights and Gender Equality. Although non-binding, these resolutions politicize specific issues (Corbett, Jacobs, and Neville 2016), and because they are debated, they shape the official EU discourse on ratification. As a result, the resolutions not only urge other EU institutions to pursue ratification but also help to test the waters and assess reactions within the EP.

The discourse on ratification is shaped by MEPs belonging to different political groups in the EP. Political groups are distinct from national political parties because they conglomerate MEPs from different national party delegations, making the EP unique. There were eight political groups in the 8th legislative term (2014–2019) when the issue of ratification first reached the EP. By order of size, the political groups comprised the diverse and conservative EPP, the socialist S&D, the traditional and conservative ECR, the liberal Alliance for Liberals and Democrats for Europe (ALDE), the Greens/EFA, the left GUE-NGL, and two smaller radical-right populist groups Europe of Freedom and Direct Democracy (EFDD) and Europe of Nations and Freedom (ENF).

In the 9th legislative term (2019–2024), ALDE became Renew, ENF became the radical-right populist group ID, and grew to rank fourth after the Greens/EFA and EFDD dissolved. Political groups are key to understanding the normative environment in which the EU's ratification of the Convention is analyzed. In particular, the groups constitute diverse and heterogeneous normative communities because MEPs from the same group come from different national contexts. The radical-right and populist groups ECR, EFDD, and ENF/ID had the most vocal MEP antipreneurs, who also came from member states where the Convention was contested.

With regards to gender equality norms, the EP is often described as a defender (van der Vleuten 2019). However, recent publications that precisely differentiate between political groups suggest that gender equality is increasingly contested and politicized (Kantola and Lombardo 2021; Kantola and Rolandsen Agustín 2019). For instance, gender equality norms were tested

when issues of sexual harassment surfaced in the EP, forcing political groups to position themselves as either supporting or opposing new anti-harassment policies (Berthet and Kantola 2021). By challenging the representation of the EP as a unified actor, these studies reveal instances of contestation within and between political groups, which gives nuance to previous understandings of supranational norm dynamics. Indeed, if supranational actors were previously seen as promoters of norms (such as Western understandings of democracy and human dignity), we now see instances of norm contestation and outright rejection within those institutions.

In this article, particular attention is paid to political groups because they comprise either different or similar normative communities (Wiener 2004) in which MEPs frame their support for or opposition to ratification. Additionally, the article shows that while MEPs may belong to the same political group, they may also have different understandings of a norm, or on the contrary, they may share the understanding of MEPs belonging to different political groups.

Methodology, methods, and research material

This article employs a discursive approach to analyze support and opposition by norm promoters and norm antipreneurs, respectively, in relation to the EU's ratification of the Convention. A feminist discursive approach to norms (Krook and True 2012) helps to understand these not as "things" but as processes constantly (re)produced in discourses. It allows us to study the underlying mechanisms in the politics of support or opposition and to assert that framings of gender equality norms matter in discourse (Lombardo, Meier, and Verloo 2009).

The analysis adopts a Foucauldian understanding of power (Foucault 1972, 1980) in which norms are not fixed but constantly constructed, deconstructed, and reproduced through discourse. The analysis takes into account the level of institutionalization of MEPs and staff and addresses the dynamics of contestation through their internal and external dimensions (Krook and True 2012) in the EU context. While agents powerfully frame the norms' content in ways that either expand or reverse them (internal dynamism), they are themselves also embedded in institutional contexts that provide either favorable or unfavorable political opportunities (external dynamism). These internal and external understandings of norm dynamisms helped methodologically in identifying and analyzing the four discursive constructions relevant to this article in ways that highlight the gendered structures at stake when debating gender equality in the EP. These constructions include opponents' direct and indirect strategies.

The research material consists of 122 interviews with MEPs and staff conducted during the 8th and 9th legislative terms in Brussels. The interviews are

part of a EUGenDem project on the gendered practices and policies of the EP's political groups,¹ which provides a necessary broader context to this research, particularly concerning unequal gendered practices in the EP. Interviews were semi-structured and followed a guide with questions about gender equality policies and practices of opposition to gender equality. Interviewees were MEPs, their assistants, and parliamentary and political group staff, and were representative of all political groups existing before and after the elections, covering both the 8th and 9th legislative terms, and of a full gender balance.

The Convention explicitly came up in 27 interviews, yet all 122 interviews helped to contextualize political groups and MEPs' support for and contestation of the EU's ratification. Interviews were recorded, transcribed, anonymized, and coded by members of the research team using Atlas.ti software, a computer-assisted tool for qualitative data analysis. Codes were developed deductively and inductively in several periodic team meetings, and research diaries were systematically used to ensure consistent interpretation of codes for all interviews. For the purposes of this article, the codes "Opposition to gender equality," "Opposition to gender equality gender ideology," and "Istanbul Convention" were selected and analyzed separately. Interviews are cited with the following pattern: (1) political group, (2) position in the EP, (3) gender, (4) Atlas.ti number (for example, S&D MEP F 56:8).

The analysis also includes a review of all EP debates in which the EU's ratification of the Convention was debated by all political groups to provide a fuller account of the issue. Unlike interviews, debates are public, and anonymization of MEPs is not required (EP 2016a, 2016b, 2017, 2018a, 2018b, 2019a, 2019b). Thus, MEPs are named and quoted following this pattern: (1) political group, (2) specific debate (for example, EPP, EP 2017). Studying the debates required analyzing the frames of more than 533 oral and written interventions, in which MEPs use their own language. Translation of speeches relied on multi-lingual collaboration between members of the EUGenDem project, where meanings attributed in different languages to concepts such as gender equality were discussed. Analyzing both interviews and debates provides a more accurate representation of the full scope of support and opposition in the EP, and debates particularly help to illustrate radical-right populist MEPs' rhetoric (Brack 2017; Kantola and Lombardo 2021). Public debates are arenas in which norm antipreneurs can express their anti-gender views in ways that are visible to the electorate.

This large set of qualitative data allows a thorough analysis of the discursive politics of support for and opposition to the ratification of the Convention by drawing attention to the existence of gendered power relations within the EP's political groups. The analysis uses feminist theories of norm contestation and opposition to gender equality to identify four discursive constructions: ratification through ideas, ratification through legal

considerations, ratification at the national level, and outright rejection. The processes underlying and the actors behind them constitute the analytical focus of this article and are further developed in the following section.

Different forms of support among norm promoters

Ratification through ideas

In this discursive construction of ratification through ideas, MEPs legitimized the EU's ratification of the Convention in two main arguments: one stressing a "symbolic frame" whereby the EU should act as a role model, and one stressing a "substantive frame" in which the Convention is a significant achievement for gender equality.

First, the analysis shows that norm promoter MEPs constructed a symbolic frame to encourage the EU to act as a role model. This construction had the effect of supporting ratification by framing it in ways that aligned with the EU's values (external dimension). For instance, socialist MEP Christine Revault d'Allonnes Bonnefoy described ratification as "a strong commitment to protect women across Europe" (S&D, EP 2017). In 2016, most MEPs from the three largest political groups (the conservative EPP, socialist S&D, and liberal ALDE) assigned responsibility to the EU for leading the way. For instance, MEPs Catarina Chinnici from S&D, Gesine Meissner from ALDE, and Constance Le Grip from EPP all characterized ratification as sending "a clear message" (S&D, EP 2016a) and "a very strong signal" (ALDE, EP 2016a) to the member states, and putting "an additional pressure" on those delaying ratification (EPP, EP 2016a). In 2016, all member states had signed the Convention, but a few had yet to ratify. Likewise, conservative MEP Michel Dantin used strong words, saying that "the EU has a duty to implement exemplary standards for women's rights" (EPP, EP 2016b); he thus effectively supported ratification by associating it with the EU's commitment to gender equality (external dimension).

Second, support for ratification was shaped by a substantive frame in which the Convention was presented as progressive (internal dimension) because it linked violence against women with a deeply ingrained gendered power imbalance in society. For instance, MEP Manuel Bompard from GUE/NGL explained how ratification would encourage the EU "to be firmly committed to feminism and to fight patriarchy," and added that the Convention "recalls the systemic nature of violence against women," including against "migrant women, refugees, Roma, asylum-seekers, women with disabilities, trans and lesbians" (GUE/NGL, EP 2019b). This quotation stresses an intersectional awareness of the Convention's content, thereby strengthening the norm's meaning (internal dimension).

Furthermore, the use of human rights and anti-discrimination frames – known for ensuring the inclusion of issues of violence against women on

the international political agenda in the past (Montoya 2013) – were also visible in the EP and translated into the right to be free from violence. For instance, conservative MEP Anna Maria Corazza Bildt said that the Convention “is the first and only international legally binding act that criminalizes violence against women and recognizes gender-based violence as a breach of human rights and a form of discrimination” (EPP, EP 2017). This construction strengthened the definition of the norm (internal dimension) by legitimizing the content of the Convention and its focus on gendered inequalities. It also extended the scope of what it is possible to discuss when debating gender equality; for instance, it allowed discussing an intersectional approach.

By contrast, other MEPs from similar political groups (EPP and ALDE) resisted these views by framing the violence in gender-neutral terms (internal dimension), thus reducing the space for discussing gendered inequalities. For instance, conservative MEP Michaela Šojdřová supported ratification but stressed the importance of protecting the elderly, children, and the unborn from violence (EPP, EP 2016a). Liberal MEP María Teresa Giménez Barbat noted the danger of “underestim[ing] domestic violence directed at men and boys” (ALDE, EP 2017). The discursive construction of ratification through ideas, which defined ratification in ways that align it with pre-existing norms of gender equality, democracy, and other EU values, had the effect of legitimizing the existence of the norm both internally and externally (Krook and True 2012). However, another effect of this construction was to inflate the Convention’s scope in ways that did not resonate well with the normative environments of other MEPs.

Indeed, interviewees described how ratification was first received in the EP as a “watershed moment” among women’s rights supporters (Greens/EFA Staff F 1:11), and how it led to a situation in which optimistic promoters overlooked antipreneurs, still sidelined in the EP in 2016. One interviewee told us that ratification “was a dossier the Parliament had expected to be easy” (S&D Staff F 2:7). Thus, norm promoters, known for their commitment to gender equality, used ratification as an opportunity to put on the agenda other issues, far less established, such as abortion rights. One interviewee told us:

When we first started on the dossier ... we absolutely wanted to have an official EP position on abortion. It would say that preventing access to safe abortion was a form of violence against women. ... We were very enthusiastic. (S&D Staff F 2:7)

Arguably, early framings of ratification by norm promoters who sought to expand the meaning of the norm (internal dimension), combined with an external context of rising opposition to the Convention in member states (Krizsán and Roggeband 2018), had the effect of providing antipreneurs an avenue for resistance in the EP (Fejerskov and Cold-Ravnkilde 2019). The above interviewee added that, in retrospect, “we feel the backlash because

we sort of inflated the real effects” (S&D Staff F 2:15). Thus, constructing ratification through ideas had the effect of amplifying, in discourse, the real effects of ratification in ways that catalyzed opposition to gender equality. This contrasts with the following construction, in which norm promoters supported ratification through legal rather than political considerations.

Ratification through legal considerations

This discursive construction marks a shift from the previous one because in this case ratification is constructed by assessing and legitimizing the scope of accession under EU law. Norm promoters used a “procedural frame” to center debates on the limited – but real – scope of ratification. Less ambitious than the previous one, in this construction, promoters framed their support by pinpointing only the elements of the Convention’s content that ratification would cover (internal dimension) and by describing those as within EU competences (external dimension). The analysis found that this construction carried the best chance of convincing reluctant MEPs by lifting debates above disagreements based on gender. However, in doing so, it reduced the space to debate the gendered structures responsible for gendered violence.

Some examples of this were visible in plenary debates and included specific mentions of the two areas in which EU competences apply: judicial cooperation in criminal matters, and asylum and non-refoulement. For instance, far-right Belgian MEP Helga Stevens specified that member states were responsible for protecting women against violence but supported ratification because “the EU can take additional action in this regard, for example in ... the field of judicial cooperation in criminal matters” (ECR, EP 2016a). Similarly, conservative Polish MEP Tadeusz Zwiefka said that he supported “accession of the EU ... which concerns its competences, i.e., cooperation in the field of justice and asylum” (EPP, EP 2017). These excerpts show how for some MEPs in right-wing conservative groups, this procedural frame allowed them to support ratification while staying away from contested claims about gendered inequalities that may have existed in their political groups.

Other MEPs, known in the EP for their involvement with gender equality issues, condemned the limited scope of ratification in ways that stressed its real effects. For instance, liberal MEP Angelika Mlinar said that she regretted “the Council’s decision not to accede to the Convention as much as possible, but to limit it to just a few chapters” (ALDE, EP 2017). Similarly, Polish MEP Agnieszka Kozłowska-Rajewicz expressed her disbelief “that the European Union, which is a world leader in promoting equality between women and men, has signed this convention to a very narrow extent” (EPP, EP 2018a). These quotations show that while most norm promoter MEPs followed a discourse of ratification through ideas, thereby magnifying the effect of ratification, others chose to acknowledge its limits in ways that made it more acceptable to

MEPs holding different normative views (Krook and True 2012). An effect of this construction was that norm promoters had to limit their claims against gendered inequalities in order to not appear as a threat to norm antipreneurs.

Similarly, the interview material showed that using legal mechanisms helped norm promoters to avoid appearing as a threat after the emergence of strong opposition. One interviewee said, “We might’ve made a mistake in how we took charge of the issue. ... We presented it as a true victory, whereas it’s only a legal step ... whose effects are thin” (S&D Staff F 2:15). This quotation is evidence of the fact that early framings of ratification inflated its real impact on EU law and were met with strong resistance. It led to a situation where ratification could not be debated through feminist claims of gendered inequalities. It forced norms promoters to retreat down the legal road, notably in 2019 by petitioning the Court of Justice of the EU for its opinion on ratification. This is reflected in the following quotation: “I prefer to be the one that freezes the negotiation for a year in order to know, at least, whether we are legally sound or not, before continuing the discussions” (S&D Staff F 2:2). This quotation indicates that the EU’s role in promoting gender equality through ratification could not be debated anymore. By 2019, the issue was out of control as member states, such as Poland, started to voice their intent to withdraw from the Convention, and the polarization of debates in the EP justified bringing the issue to court. The threat of member states withdrawing immediately delegitimized debating the issue in the EP. The Court adopted its decision in October 2021.²

Lastly, the interview material stressed the existence of institutional resistance within the Parliament in relation to ratification. In the following quotation, one interviewee explained how the administration seemed reluctant to approach the Court and refused to share documents with MEPs in charge of ratification:

It is a real administrative resistance. ... It’s up to them to officially request an opinion from the Court ... I was told “The legal services are on it” – so I thought, fine! And now I hear ... that ... they completely refuse to let us see what documents were actually sent to the Court. (S&D Staff F 2:5)

This quotation illustrates a form of indirect opposition to gender equality, in the shape of inertia, well known among gender and politics scholars, in the sense that norm promoters often face covert but deeply ingrained institutional resistance, blocking changes and contributing to implementation gaps more efficiently than overt resistance (Ahrens 2018).

Different forms of opposition among norm antipreneurs

Ratification at the national level

The discursive construction of ratification at the national level was one of two constructions that opposed the EU’s ratification of the Convention. In this

case, MEPs were norm antipreneurs. They did not question the Convention's content nor its moral validity (internal dimension), as other MEPs did in outright rejection, but instead disagreed with supranational ratification (external dimension). This resistance opposed EU integration and was thus mostly visible among far-right and Eurosceptic political groups. Among gender and politics scholars, these groups are known for using indirect forms of opposition to gender equality by invoking subsidiarity (Ahrens and van der Vleuten 2019; Kantola and Lombardo 2021).

The principle of subsidiarity allows for EU actions only if and when action at the national level is less preferable. The findings show that MEPs opposed the norm in its external dimensions by deliberately choosing to emphasize a competing norm: the subsidiarity principle. They articulated either an illegitimacy frame, where the EU was portrayed as not being able to legitimately ratify the Convention, or a redundancy frame, where supranational ratification was unnecessary because national legislation sufficed. Both constructions were indirect forms of opposition to gender equality, where subsidiarity or views of achieved equality prevailed (Ahrens 2018; Kantola and Lombardo 2021).

This indirect form of opposition contrasted with outright rejection because in this case norm antipreneurs did not use anti-gender arguments but instead questioned the EU's legitimacy in ratifying the Convention. To some extent, they agreed with the internal dimensions of the norm (in other words, its content) but not with its ratification at the EU level. For instance, in the following quotations, MEPs from the three far-right Eurosceptic EP groups sought to undermine the EU from within. Brexiteer MEP Jonathan Arnott from EFDD said, "Whilst I fully support the aims of the Convention, I do not believe I should legitimize the [EU] in signing international conventions" (EFDD, EP 2016b). Likewise, German MEP Arne Gericke from ECR said, "It is not up to the EU to sign such an agreement on behalf of its member states – regardless of the accuracy of its content" (ECR, EP 2016b). MEP Nicolas Bay from ENF added, "Although the resolution's objectives are admirable ... the EU has no diplomatic legitimacy to ratify such a convention" (ENF, EP 2016b). These quotations show that MEPs powerfully and strategically constructed the norm's external dimensions in ways that did not allow for either ratification or debating it. These groups prioritized a competing norm, that of subsidiarity. Notably, this was the result of a choice made by powerful actors; it was not "inevitable or straightforward" (Krook and True 2012, 111). By contrast, MEP Jean Arthuis from ALDE believed that "guaranteeing and promoting equality between women and men is an indisputable objective of the EU, guaranteed by the Treaties" (ALDE, EP 2016b).

Additionally, norm antipreneurs framed a redundancy argument. They contested ratification by arguing that member states either had already ratified or had similar legislation, which automatically made supranational

ratification unnecessary. For instance, Hungarian MEP Kinga Gál from the conservative EPP opposed ratification because Hungary had stricter regulation (EPP, EP 2019b). Austrian MEP Georg Mayer from ID argued against the EU's ratification because Austria had already ratified it (ID, EP 2019b).

As explained above, both frames of illegitimacy and frames of redundancy contested the external dimensions of the norm and suggested that gender equality is best achieved at the national level. However, an effect of this construction was to reduce the space for debates on gender equality in the EP and to disguise opposition to gender equality behind Eurosceptic arguments. Indeed, one MEP said that “the subsidiarity principle says very clearly where are the EU competences” to justify her opposition to ratification, before adding that if MEPs “drafting these resolutions in the EP” really wanted “to defend women, to defend children, to defend victims of whatever violations,” they should not do this by drawing attention to such “controversial” issues, before concluding “This is the only way how we can keep the EU together” (EPP MEP F 64:22). Thus, framing resistance through the subsidiarity principle enabled norm antipreneurs to oppose ratification without being perceived as opponents of gender equality. It constituted an indirect form of opposition to gender equality (Ahrens 2018) and confirmed that the boundaries between a norm's internal and external dimensions are blurred (Krook and True 2012). Indirect forms of opposition to a “controversial” norm (internal dynamism) can be materialized in discourse by questioning its validity within its normative environment (external dynamism).

Outright rejection

This discursive construction was the second and most explicit of the two constructions opposing the EU's ratification. In this case, norm antipreneurs attacked the norm by arguing that it represented a gender ideology (internal dimension). It was a direct form of opposition to gender equality (Kantola and Lombardo 2021).

Processes of contestation were clearly and indisputably opposed to the norm itself, not merely its ratification by the EU. Forms of contestation were gendered and racialized. They ranged from accusing the Convention of introducing a gender ideology into society to accusing it of opening the floods of migrants into Europe (Bardella ID, EP 2019b). By attacking the Convention's content, MEPs delegitimized its validity (Deitelhoff and Zimmermann 2013) with the aim of destroying it. This construction highlighted a misunderstanding of the Convention and of the meaning of “gender” as MEPs rarely justified their claim with a content-based reading of the text. Their objective was exclusively to distort, reverse, and empty the norm of its content (Krook and True 2012).

Contestation was framed in various ways and often through extreme and confusing terms. For instance, German populist MEP Beatrix von Storch from EFDD said, “Whoever agrees to this nonsense is probably on drugs” (EFDD, EP 2016a). In the interviews, the Convention was described as “a stupid paper” (Renew MEP F 39:26, referring to a discussion with a male Bulgarian MEP from ECR), “a mental framework” (ECR MEP M 36:24), and “a door opener for gender mainstreaming” (ID Staff M 56:7). These were manifest illustrations of how the Convention was unequivocally dismissed as too feminist, “too militant, too political” (ECR MEP M 36:24), and as having the aim of destroying “the traditional Christian society” (MEP Tomašić ECR, EP 2017). Yet, MEPs never justified their claims with reference to the text. Their aim was to reject the norm entirely and end debates on gender-related topics in the EP.

Gender and politics scholars have extensively contextualized gender policy progress and regress in ways that highlight the influence of conservative and religious actors, who often mobilize against transnational definitions of gender (Chappell 2015) by reinforcing traditional gendered family values (Ayoub 2014). As the Convention establishes a link between gender and violence against women, it is particularly prone to producing such contestation (Krizsán and Roggeband 2018), in particular by radical-right populist groups (Berthet and Kantola 2021).

Notably, in this discourse, most norm antipreneurs first exposed their support for ending violence against women before expressing their opposition to the Convention, thus ignoring rooted gendered inequalities as a cause of violence. For instance, Polish MEP Jadwiga Wiśniewska from far-right ECR said, “We are all against violence against women,” before adding that “the definition of crimes covered by the Convention will be contaminated by gender ideology” (ECR, EP 2016a). Similarly, Bulgarian far-right MEP Angel Dzhabazki said, “We are against violence against women, of course,” and added, “but quite obviously in this document there is... a gender ideology” (ECR, EP 2018a). Likewise, Croatian MEP Ivana Maletić from EPP said, “We need to fight violence against women by all means and to achieve full equality,” and then added, “but I abstained ... in view of the gender ideology” (EPP, EP 2016b).

These quotations highlight a paradox: while MEPs, including those of the far right, acknowledged the imperative to tackle violence against women, thereby strengthening it as an established policy field in the EP, their framings not only silenced but removed the gendered aspects of such violence. As a result, this construction strengthened the established norm of ending violence against women by reinforcing it as a respected norm in the international arena (Raymond et al. 2014) but refuted its gendered dimensions.

Additionally, this construction displayed misunderstandings of “gender,” with some MEPs denying the existence of gendered violence. For instance, some far-right populist MEPs believed that gender “is a part of science”

(ECR MEP F 82:10) – a biological fact, not a political issue to be debated (Kantola and Lombardo 2021). Croatian MEP Ruža Tomašić from ECR said that ratification would already be enacted if the Convention “focused only on protecting women from violence, without promoting gender ideology” (ECR, EP 2018a). Likewise, Croatian conservative MEP Ivica Tolić from EPP suggested that “in the implementation of the protection of women, it is not necessary to emphasize the notion of gender” (EPP, EP 2016b) since this notion contradicted his beliefs. In EPP, some had doubts that gender violence existed at all since men are victims too (EPP MEP F 49:9). These quotations show how some far-right MEPs advocated a gender-neutral definition of the violence (internal dimension), thereby disconnecting it from gendered inequalities and delegitimizing the norm.

As the largest group in the Parliament, EPP is diverse and comprises heterogeneous MEPs who do not necessarily belong to the same normative community. MEP Anna Maria Corazza Bildt from EPP carefully attended to these internal divisions:

I understand ... the controversy surrounding the word “gender.” You know how much, throughout the process, I reached out with genuine goodwill to clarify, bridge the gap, and leave no misunderstanding. ... It is not an ideology; it has no hidden agenda; there is definitely nothing against Christian or family values. (EPP, EP 2017)

Similarly, the interview material also revealed internal disagreements in the socialist group. While most S&D MEPs were supportive, one interviewee recalled a disagreement that she had had with a Bulgarian colleague: “Over and over again, there were attacks that the Convention would destroy the core family. And this ... showed among us, too ... [Named MEP] ... from Bulgaria – he said he cannot ... agree, because this destroys the healthy family” (S&D MEP F 34:37).

These quotations show that internal disagreements within political groups are common, and that gender issues shed light on the different normative communities within one political group. In that sense, MEPs’ national party delegations are important because they may indicate the presence of anti-gender actors, such as in Romania, Poland, and Hungary (Krizsán and Roggeband 2018).

Conclusion

This article has contributed to feminist IR debates on norm contestation and to discussion by gender and politics scholars of opposition to gender equality by analyzing the discursive politics of contestation between norm promoters and norm antipreneurs regarding the EU’s ratification of the Convention in the EP. The findings have offered insights about MEPs and political groups’

approaches to gendered violence policies by stressing their discursive strategies in support and opposition.

First, the analysis identified and analyzed four discursive constructions to show the different levels of support among norm promoters and different levels of opposition among norm antipreneurs. Second, the analysis highlighted norm sense-making processes by analyzing MEPs' framings through the internal and external dimensions framework (Krook and True 2012) in the EU context, which helped to draw conclusions on the effect of these on debating gender equality in the EP. Internally, we saw MEPs debating the content of the norm as progressive in the case of ratification through ideas and as controversial in the case of outright rejection. Externally, we saw MEPs debating EU competences and the scope of ratification in the case of ratification through legal considerations, and MEPs representing ratification as illegitimate in the case of ratification at the national level. The findings have shown that ratification through ideas encapsulated a symbolic discourse that put forward the EU as a role model, while ratification at the national level encapsulated a discourse of illegitimacy in which the subsidiarity principle prevailed. The outright rejection construction expressed opposition at its strongest as the Convention was perceived as pure "gender ideology." Finally, ratification through legal considerations was a procedural frame where ratification was legally assessed through the scope of accession. This construction's lack of visibility showed how political considerations dominated debates in the EP about the EU's ratification of the Convention.

The findings have shown that, in an increasingly polarized EP, the discursive constructions of support for ratification included ratification through ideas and ratification through legal considerations; and the discursive constructions of opposition included ratification at the national level and outright rejection, which were analyzed as part of a broader project to contest and delegitimize EU supranational gender equality norms. Focusing on the EP's political groups, the article has considered MEPs' different normative communities. It has found striking differences *between* political groups, with, on the one hand, the socialist S&D, liberal ALDE or Renew, the Greens/EFA, and the far-left GUE/NGL largely supporting ratification, and on the other, the far-right, nationalist, populist, and Eurosceptic groups such as ECR, ENF, EFDD, and ID largely opposing it. The findings have also highlighted differences *within* political groups. In particular, the biggest, most diverse, and heterogeneous group, the conservative EPP, comprises MEPs with different views on ratification. Within EPP, the analysis found both norm promoters supporting ratification through ideas and norm antipreneurs opposing ratification by outright rejection. This finding suggested that beyond political groups, national party delegations shape MEPs' normative community in relation to the Convention. As we know

from gender and politics scholars' research, anti-gender rhetoric mostly developed in Central Eastern Europe countries (Krizsán and Roggeband 2018), and within one political group MEPs from some national party delegations may belong to a different normative community than the rest of the group.

The article has noted a significant shift between 2016 and 2019. In 2016, most MEPs called for EU action, and opposition was sidelined. Between 2017 and 2018, opposition grew, and the strategy of norm promoters shifted to stress the real but thin effects of ratification. By 2019, the opposition was out of control, with member states threatening to withdraw. In the same year, norm promoters brought the issue to court to freeze political debate. This shift demonstrates the power of the opposition to gender equality and the need to further research the processes behind the discursive politics of contestation in the field of gender and politics. Considering that the rhetoric of gender ideology was not observed as a strategy to oppose the Convention during its drafting process (Acar and Popa 2016), future research could incorporate the discursive shift, as noted in the present article, in a broader comparative analysis of the debates in the Council of Europe and the EP before and after 2016.

Notes

1. "Gender, Party Politics and Democracy in Europe: A Study of the European Parliament's Party Groups." See <https://projects.tuni.fi/eugendem/>.
2. For more, see Court of Justice of the European Union, Opinion 1/19, October 6, 2021, Luxembourg.

Acknowledgments

I would like to thank my wonderful EUGenDem colleagues Petra Ahrens, Anna Elomäki, Barbara Gaweda, Johanna Kantola, and Cherry Miller for their work in data gathering and coding and for their helpful suggestions on earlier versions during our project's research seminars. I also thank the interviewees for sharing their valuable time and ideas, and the anonymous reviewers for their constructive feedback.

Disclosure statement

No potential conflict of interest was reported by the author.

Funding

This work was supported by H2020 European Research Council: [Grant Number 771676].

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