

Netherlands

The Netherlands is a democratic, constitutional monarchy in Western Europe, generally recognised as a liberal country that formally has an evenhanded policy towards religious and non-religious views.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<u>The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief</u>	<u>No formal discrimination in education</u>	<u>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</u>	<u>No fundamental restrictions on freedom of expression or advocacy of humanist values</u>

Legend

Constitution and government

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of opinion and expression. These rights are generally upheld.

In the constitution of 1982 the equal treatment of religion and non-religious beliefs (*life-stance* or "philosophy of life") is made explicit. In public debate, however, reference to 'freedom of religion' is more common than reference to the equal freedom of non-religious beliefs. In public debate, however, reference to 'freedom of religion' is more common than reference to "religion or belief", or the equal freedom of non-religious beliefs. Among civil servants and authorities, and in foreign diplomacy, there is sometimes a lack of knowledge and urgency to acknowledge that non-religious beliefs, and the right to express them, are as important to address and protect.

Education and children's rights

The formal educational system is divided between public and so called 'special' ("bijzondere") schools. Both are funded by the state. Special schools may be based on a religious worldview or a secular pedagogical system. Approximately two-thirds of all primary schools are 'special' schools, most of which are inclusive schools, where the 'religious' identity is more or less an historic relic. A minority are orthodox Christian, conservative-Islamic, strict-Hindu or Jewish schools. In the past these schools were allowed by law to refuse pupils and teachers on the basis of their lifestyle and beliefs and to be secretive about their financial situation and funding. Since 1st of July 2015 the law no longer permits schools to discriminate in the employment of teachers. However the reality is that teachers may still be put under pressure to leave.

In 2015, the Secretary of Education further reformed the educational system, with the intention of better adapting education to the contemporary, secular society of the Netherlands. As part of this process, various proposals have been made to make more room to incorporate the present and actual wishes of parents, as opposed to assuming classical religious divisions. In this light, a number of public initiatives have been taken to achieve acceptance of humanism as a visible and important lifestance.

In 2014 humanism was recognised by the state as a lifestance upon which a special school can be based and in 2016 the first humanist secondary school was opened in Amsterdam.

[<deamsterdamsemao.nl/>](http://deamsterdamsemao.nl/)

In 2016 the Dutch parliament voted for structural finance of both humanist and religious education in public primary schools. In 2017 the Dutch Senate voted for structural finance as well.

[<https://www.poraad.nl/nieuws-en-achtergronden/structurele-bekostiging-voor-levensbeschouwelijk-onderwijs-openbare-scholen>](https://www.poraad.nl/nieuws-en-achtergronden/structurele-bekostiging-voor-levensbeschouwelijk-onderwijs-openbare-scholen)

Humanist or religious education are not automatically provided for: parents have to ask the school to provide for it.

In the countryside, due to shrinking population, many schools – both public and religious schools – have to close their doors or merge. Due to the mergers of public and religious schools, the availability of pure public, non-religious education is at risk in these areas.

In July 2019, the news reported that several strict-religious schools and informal strict-Islamic mosques had been educed based on the accusation that they systematically rejected important values such as equality and tolerance. The Inspectorate of Education also released a report on the shortcomings of an Islamic secondary school – the “Cornelius Haga Lyceum” – in Amsterdam, pointing out that the latter was not sufficiently or satisfactorily educating students on issues such as discrimination towards people with other religions or beliefs, and homophobia.

In September 2019, thanks to a joint investigation conducted by the Dutch TV programme Nieuwsuur and the newspaper NRC, it was found that around thirty informal Islamic (weekend) schools in the Netherlands were educating children to intolerance and hate towards non-Muslims, non-strict Muslims and non-believers, as well as encouraging children to distance themselves from Dutch society and to refuse and reject homosexuality. Earlier investigations also showed that these schools were either being financed by or had required funding from the Gulf states.

[<dutchnews.nl/news/2019/09/mosque-run-salafist-schools-are-teaching-children-sharia-law-report/>](http://dutchnews.nl/news/2019/09/mosque-run-salafist-schools-are-teaching-children-sharia-law-report/)

[<dutchnews.nl/news/2018/04/30-islamic-organisations-in-nl-have-requested-funding-from-kuwait-saudi-arabia/>](http://dutchnews.nl/news/2018/04/30-islamic-organisations-in-nl-have-requested-funding-from-kuwait-saudi-arabia/)

Moreover, in 2019 a Orthodox-Jewish and a Hindu school were also criticised due to their teaching falling below national standard, particularly on subjects such as sexuality and other related issues.

[<dutchnews.nl/news/2019/07/education-minister-calls-for-board-of-hindu-school-in-the-hague-to-step-down/>](http://dutchnews.nl/news/2019/07/education-minister-calls-for-board-of-hindu-school-in-the-hague-to-step-down/)

[<dutchnews.nl/news/2019/09/minister-warns-jewish-school-for-putting-jewish-codices-above-dutch-law/>](http://dutchnews.nl/news/2019/09/minister-warns-jewish-school-for-putting-jewish-codices-above-dutch-law/)

These events have caused much debate in the Netherlands about the role of the state in ‘special schools’, leading to a renewed discussion of the law providing equal funding of special (religious) and public schools.

Family, community and society

The government provides no direct financial support for religious or secular/philosophical (including humanist) organizations. But counsellors (both religious and humanists) in the army, the penal and health-system are equally financed by the government (in the army and penal system this funding is made on the basis of requests and needs).

There is a growing proportion of individuals that identify as non-religious, which according to the

latest pools correspond to more than half of the Dutch population.

<[cbs.nl/en-gb/news/2018/43/over-half-of-the-dutch-population-are-not-religious](https://www.cbs.nl/en-gb/news/2018/43/over-half-of-the-dutch-population-are-not-religious)>

However, government research initiatives are still failing to update social measures and classifications; for example, Christians are sometimes subdivided into Protestant and Catholic denominations, while the majority of non-religious citizens in the Netherlands are usually identified as 'other'. The Dutch Humanist Association, *Humanistisch Verbond*, has requested an update of these research categories, in which the lifespans and worldviews of the non-religious are being taken more seriously. These suggested changes have not yet been implemented, but are expected to take place in 2020.

Social pressure inside conservative religious groups — against for instance the rights of women, sexual minorities and more liberal religious views — is of ongoing and growing concern. The new coalition government of the Netherlands, in which an orthodox-protestant party is represented, has frozen new policies considering reproductive rights for women.

In 2018, the Dutch Humanist Association successfully lobbied against granting government subsidies to Siriz, an anti-abortion organization that supports women who face unwanted pregnancies.

<<https://www.nrc.nl/nieuws/2018/08/31/geen-subsidie-voor-anti-abortuslobby-a1614913>>

In 2019, anti-abortion activists consistently organised manifestations in front of abortion clinics, showing aggressive behaviour towards women. Due to the intensity of the protests, the Dutch Health Minister Hugo de Jonge decided to support municipalities in creating buffer zones for protesters around the clinics. The Dutch Humanist Association also initiated a petition which gathered more than 10,000 signatures against the harassment of women at clinics.

<[nltimes.nl/2019/03/29/create-buffer-zones-protesters-around-abortion-clinics-dutch-health-minister](https://nl.times.nl/2019/03/29/create-buffer-zones-protesters-around-abortion-clinics-dutch-health-minister)>

Moreover, in 2019 the political leader of the Reformed Political Party in the Netherlands also signed the so-called 'Nashville Statement'. This document provides a Christian orthodox-conservative stance on marriage and sexuality, women rights, the position of a man in society, speaking out against LGBT+ issues and 'sexual impurity'. The Statement was supported by a group of 250 Christian leaders, pastors and scholars, as well as members of the Dutch public. In reaction to the Nashville Statement, the Dutch Humanist Association initiated the 'Love Statement' which was signed by 54,000 people and presented to the chair of the Ministry of Education, Culture and Science at the Dutch Parliament.

<economist.com/erasmus/2019/01/09/in-the-easy-going-netherlands-two-worlds-have-clashed>

<humanistischverbond.nl/watwedoet/onze-programmas/leven-liefde-en-dood/de-liefdesverklaring/>

Freedom of expression, advocacy of humanist values

In the Netherlands, freedom of expression covers both thought and religion and is guaranteed by constitutional law in the Netherlands.

In recent years, the Dutch Ministry of Foreign Affairs has prioritized the freedom of religion or belief in its human rights policy, while omitting non-religious views. At the time of writing (October 2019), the coalition party D66 is initiating an operating policy to explicitly protect the rights of the oppressed non-religious people. The SOP furthermore provides that a Dutch representative should be present in legal proceedings against the Dutch non-believers abroad.

As for LGBT rights, same-sex marriages have been legal in the Netherlands since 2001. It is

guaranteed that in every town a same-sex marriage can be registered and civil servants may not refuse same-sex marriages. Humanists are now lobbying for equal treatment for alternative parenting, and equal inheritance tax for alternative family forms and for single persons.

Ex-Muslims from home and abroad

In 2016, the Dutch Humanist Association created the New Freethinkers platform, which aims to provide assistance to individuals who have left religion. It is mainly oriented towards ex-Muslims. The platform reports hesitance amongst Ex-Muslims to express their sceptical views of their former religion publicly or to publicly announce their atheism. This is especially true among Ex-Muslims who were born and raised in the Netherlands, while ex-Muslims with a refugee background are more likely to live openly as humanist or atheists, having already chosen to move abroad precisely because of their humanist or atheist life-stance, whereas in their home country they risked discrimination, physical threats of violence, prosecution or persecution. People who apply for asylum are all housed in asylum seeker centres in the Netherlands. This includes asylum seekers who applied for asylum in relation to their atheism, agnosticism secular activism or criticism of religion. Such asylum seekers often don't feel safe in these asylum seekers centres where the majority of the population is Muslim. When lodging a complaint, some have been advised by official police personnel to remain silent about their beliefs for safety reasons.

<nieuwevrijdenkers.nl>

People who ask for asylum because they have been threatened in relation to their atheism, agnosticism or secular activists critical of religion, often don't feel safe in asylum centers where the majority of the population is Muslim. The Dutch Humanist Association and the Humanist Broadcasting Corporation HUMAN made a documentary about the life of nonbelievers on the run in asylum centres. They report receiving insufficient support from the Dutch authorities in free exercise of their non-religious worldview. Some of them have been advised to remain silent about what they do or don't believe for safety reasons after they made complaints to personnel or the police. The Dutch government does not have a clear policy for the protection of atheist and other secular asylum seekers in the centers.

<human.nl/2doc/2016/ongelovig.html>

In 2015, the government urged asylum centers to familiarize all new asylum seekers with human rights, among which is the right to freedom of religion or belief. The Dutch Humanist Association has lobbied to make sure the information provided expressly includes the right to hold a humanist, atheist or secular life-stance, and produced a digital brochure 'Free not to believe' in eleven languages, which explains the rights of the non-religious. The information campaign was due to begin at the end of 2016. In 2018, information about the campaign was uploaded on a website for both personnel and asylum-seekers to see and although only partially, some asylum centers discussed it. The Dutch Humanist Association continues to advocate for the topic of freedom of religion and belief, including the right not to believe, to be discussed with everyone entering the Netherlands.

In 2018, the Dutch Ministry of Safety and Justice researched, in the Netherlands and other European countries, the assessments methods used to authenticate the narratives used by asylum seekers who claimed to be persecuted or who feared persecution for changing or abandoning their religion. On the basis of this research, and also thanks to the inputs of the Dutch Humanist Association, the Immigration and Naturalisation Service adjusted its refugee status determination method: in fact, while in the past the latter mainly considered cases of conversion to another religion, it now also includes more substantive and procedural perspectives for apostasy or conversion to atheism.

Blasphemy abolished

Since 2014, the Dutch Penal Code no longer criminalizes “blasphemy”. Humanist and freedom of expression campaigners in the Netherlands do not, for the moment, foresee any further attempts to reintroduce anti-blasphemy laws.

It is a crime to engage in public speech that incites hatred against persons on the ground of their race, religion or non-religious belief, gender, sexual orientation and (dis)abilities. The Dutch Penal Code also penalizes defamation of groups because of their race, religion or conviction, sexual orientation and (dis)abilities. Neither of these laws prohibits criticism per se of persons, ideas or institutions and they do not constitute ‘blasphemy’-type restrictions.