Oppressive Neutrality?

An examination of the current secular humanitarian discourse and its effect on religion, religious minorities, and policy practice in the Netherlands

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Abstract

The steep increase in sectarian violence in Western European refugee centers caused uproar throughout the continent. European citizens wondered how this could happen in their backyard. Even though policy changes have been implemented to counter this threat, problems persist. The dominant secular discourse on humanitarianism seeks to address these challenges through a materialist approach. An analysis of the current discourse and its effect on humanitarian policy practice both internationally and at the national level reveals its limitations, suggesting that a reassessment of religion within humanitarianism is of paramount importance.

Keywords secularism, humanitarianism, religion, religious minorities, Dutch refugee centers, refugee policy, FoRB.

1. Introduction

Ever since the escalation of the Middle Eastern conflicts at the beginning of the 21st century, there has been a steep increase in sectarian violence at refugee camps, especially in the Middle Eastern and North African region. Religious minorities suffered similar targeted violence at Western European refugee centers as well, causing public uproar and disbelief throughout the continent (Open Doors 2017; Fox 2015; Volk 2016; Amnesty International 2016). Having this type of violence in one's own backyard caught many Europeans by surprise, and both international and national focus groups were assembled to tackle this issue. Yet even after multiple reforms, problems persisted. Why?

As secularism has undergirded Western policymaking for centuries, its limits within humanitarianism have become clearer. Through its values of neutrality and

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universality, secularism is expected to provide a neutral basis on which pluralism can be maintained. However, rather than doing so, it prescribes what ought to be the appropriate response for humanitarian organizations. Instead of providing an *absence*, or a void left after the disappearance of religion, secularism can more accurately be described as a prescriptive presence, assigning the "appropriate" place religion should have in the field.

Religious minorities often suffer extreme persecution (CHR 2002); in fact, religion is frequently the main factor causing them to abandon their homes. The secular discourse in humanitarianism promotes a material approach to aid, undermining and even omitting the religious needs of refugees. But reality is more complex and goes beyond what the secular notions encompass, and an environment of religious pluralism demands a deeper understanding of religion for human rights standards to be fully met. By looking at policy practice on the international, national and local level, in particular in the Dutch context, the structural shortcomings of the current dominant discourse become apparent. For example, the safety of religious minorities remains a major challenge, and the conflation of freedom of religion and belief (FoRB) and LGBTQ-related issues is resulting in inadequate and unbalanced policy practice. In a recent study, the Research and Documentation Centre of the Dutch Ministry of Justice and Security calls the religious neutrality of these centers a galvanizing issue, recognizing that the current discourse offers no easy solutions (WODC 2021). On all three policy levels, similar issues were found, originating from a one-dimensional understanding of religion. This suggests that it can be useful to critically assess secular assumptions within humanitarianism, so that more adequate solutions for humanitarian challenges can be found.

2. Secularism and humanitarianism

To make sense of the current challenges, this study looks at the issue of discourse, or the language and framing that are used to analyze and understand issues (Fairclough 1992). I do so without accepting the far-reaching ontological assumptions of critical theory, which – drawing from Marx and Gramsci through Bourdieu – denies the existence of truth outside one's subjective perception and reduces language to sheer power dynamics, a notion especially pursued by Foucault. Even though this study departs from that line of thinking, the analytical approach of critical theory is useful in showing how secular framing has created a dichotomy between faith and reason that reaches beyond its intended legal responsibility of creating a neutral shared space and into a much broader range of social contexts. Modern Western society is best characterized by the ascendence of secularism at the expense of religion in public and private life. Religious beliefs have ceased to be considered *functional,* as science's insistence on

naturalistic explanations rendered the acceptability of religions' reliance on the divine as an explanation unacceptable (Barnett and Stein 2012). There are different discourses by which we can consider the relationship between religion and the humanitarian needs of displaced persons, the motivations of humanitarian actors, and the appropriate responses. A frame, then, that incorporates religion when considering these questions would be very different from a materialistic one. A growing body of research has suggested that within humanitarianism, a conceptual structure called *functional secularism* is maintained to accommodate these differing frames (Ager and Ager 2011; Eghdamian 2014).

The chief aim of secularism can be described as the separation of religion and politics. Not only should the two be kept separate according to secularism, but religion ought also to be relegated to the private realm, rendered irrelevant to politics and other aspects of the public (Wilson 2012:28). Jakobsen (2010:34) describes secularism as "providing a framework for general interaction, through the protocols of universal reason, under terms universally shared, regardless of the religious commitments of participants." Ideological neutrality is then seen as the legal basis on which terms can be set and by which pluralism can function (Bender and Klassen 2010). Even though this secular framework is intended for application within the context of the legal responsibilities of the state, in practice this is not the only realm in which its premises are enforced. Beyond its constitutional function of regulating public life, the secular framework is constructing public institutions demarcated from spiritual engagements, which sometimes explicitly restrict religious practices. A good example is the economic market, where actors might also have religious motivations, praying for success and forming alliances with fellow religionists. But their practice is set by explicit secular terms (Calhoun et al. 2011). As will be shown, this is also the case for humanitarianism and its actors.

Politically, we can find the roots of secularism in the Peace of Westphalia. In the Westphalian presumption, the system of secular nation-states is portrayed as the ultimate solution to war, devastation and upheaval fueled by differing worldviews (Scott 2004). Hurd (2004) describes the development of secularism within modern politics as a powerful influence and fundamental organizing principle. Without going into further detail of the well-known secularization thesis, the emergence of the post-secular has been acknowledged and has received attention throughout social theory for some time now. For example, Casanova (1994:11), in his seminal work on religion in the modern world, referred to the secularization thesis itself as a myth. Even though it still carries some explanatory power, and even though there is still little evidence of religious revival among the European population apart from the increase in immigrant religions, he later on states that there seems to be a significant shift in the European Zeitgeist. Even the French *laïcité* is ready to make

some concessions (Casanova 2008). Nevertheless, within the field of international relations and humanitarianism this process has been rather slow, and the privatization and marginalization of belief are still seen as essential building blocks for modern international politics (Mavelli and Petito 2012).

As a social model that seeks to provide a common purpose within a pluralistic context, secularism is a noble endeavor and has indeed brought about the aforementioned space for plurality. It does, however, face many challenges and is politically complex. With regard to humanitarianism, where for example can we find the boundary between secular assumptions and religious legitimacy on issues such as schooling, identity or public worship, as mentioned in article 4 of the 1951 Refugee Convention? The way in which secularism serves to legitimize and delegitimize certain discourses on questions such as these occurs constantly yet is hardly acknowledged. This will be demonstrated later when we look at how issues concerning the LGBTQ community and religious minorities, respectively, are handled.

A key source of this tension can be found in the secularist appeal to "the protocols of universal reason" (Ager and Ager 2011). When reason informed by the naturalistic worldview is expected to regulate participation in the public sphere, as posited by secularism, this by definition excludes participants "for whom reason alone does not arbitrate truth" (Ager and Ager 2011:459). The consequence of reducing truth to the secular definition of universal reason, is that we are left with a materialistic focus. Often, secularization narratives present religion as merely an illusory solution to problems that could be solved more adequately by modern secular approaches (Calhoun 2011). In other words, only that which is materially measurable is seen as reasonable. This materialism, in turn, has become the determining ideology for functional secularism (Ager and Ager 2011).

3. Functional secularism, religion and the humanitarian agenda

Now that we have outlined the philosophical and conceptual implications of functional secularism following Ager and Ager, a clearer view of the tensions experienced by religious minorities within the humanitarian system can be gained. Ager and Ager state, "In contexts where open dialogue is crucial, functional secularism disables necessary discussion by requiring the separation, indeed hermetic insulation, of the public discourse of humanitarianism from the discourse of faith" (Ager and Ager 2011:460).

Functional secularism does not provide the neutral framework it claims to offer, but rather acts as a judge deciding whether anything is of value by what it can offer in materialistic terms (Ager and Ager 2011). Within the field of international relations, religion mostly falls prey to a reductionist, utilitarian worldview. Its material merits are considered, its dynamics reduced to behaviors. Within humanitarianism,

this process is similar. Barnett and Stein describe the separation of politics from religion as reaching its height in the 1970s. The International Committee of the Red Cross's definition of humanitarianism as impartial, independent, and neutral provision of lifesaving relief in emergency settings exhibits a restrictive material focus. Although many favor this definition, some critiques point out that this focus on lifesaving relief is an unnecessary limitation. After all, there are multiple ways in which people attempt to relieve suffering of others, and material relief is merely a treatment of symptoms rather than addressing the underlying, long-term causes of suffering (Barnett and Stein 2012). The secularist humanitarian agenda considers religion in terms of what it can contribute to the material agenda, such as social cohesion, structure, and social capital (Ager and Ager 2011:461). Indeed, the one-dimensionality of this approach is apparent. Although these factors might be fruits of religious affiliation, faith carries a much broader, profoundly existential value. Since worldview, truth claims, and identity are foundational aspects of religion, considering only the fruit rather than the tree from which it stems would be inadequate.

The secular frame also obscures the tendency to impose materialist values. Through its call to universal reason, functional secularism posits a dichotomy between faith and reason. Secularism's normative view that religion must be relegated to the private domain impedes the possibility for the sacred and secular to meet in a meaningful way. As noted earlier, secularism does not merely facilitate an equal playing field for diverse beliefs; rather, it is an ideology that goes beyond affirming the virtues of the ostensibly neutral. It is not merely an *absence*, as it is often understood – or what is left if religion fades. It is very much a presence. It informs our material practices and how we build institutions in the world (Calhoun et al. 2011). These practices shape the humanitarian discourse and render humanitarianism resistant to faith-based agendas. The lack of awareness of the ideological nature of secularism can easily facilitate an imposition of its materialistic values by humanitarian organizations (Ager and Ager 2011).

4. The international level

Currently, within the humanitarian field, there are two widespread assumptions pertaining to religion. The first sees it as a form of identity politics, used to push one's own agenda (Eghdamian 2017). Second, as previously established, it is seen as a non-essential part of humanitarianism. Drawing on these two prevalent ideas, humanitarian actors seek no in-depth engagement with religion in the practicalities of their work, referring to neutrality and universality as core aims of humanitarianism (Eghdamian 2017:6). Institutional engagement by faith-based organizations (FBOs) is seen as acceptable, yet it is always evaluated through the secular lens.

This leads most FBOs to employ so-called self-framing, where their work is validated only in materialistic terms. This practice circumvents religion and omits its many roles, still seeing it as a questionable asset in the field (Fiddian-Qasmiyeh 2011).

Eghdamian (2017) illustrates the perceived obsolescence of religion by pointing out that the UN High Commissioner for Refugees' resilience report (UNHCR 2016), launched during the height of the Syrian refugee challenge, cited eight categories as essential, none of which made any reference to religion. Since the secularist frame favors the materially verifiable, more complex and immaterial issues are omitted. The UNHCR keeps a comparatively complete dataset on registered refugees. These gathered data entail details such as age, gender and material and health needs, whereas the presence and experiences of religious minorities have been omitted (UNHCR 2016). In an interview, the chief (at that time) of refugee status determination for the UNHCR's Division of Protection (DIP) stated, "After having completed the take-in done by the UNHCR, religion is a question we ask yet we don't make it a compulsory one. Sometimes, our host country asks for our gathered data, so we need to be conscious about what we gather" (B. Tax[2], personal communication 2016).

This is an important point, as the neutral aspiration of the secular notion promotes security. Because the UNHCR is often asked to disclose its dataset with host countries, having one's religious affiliation known by the local authorities can be dangerous and compromising for the refugee. Nevertheless, camp enrollment is an intimidating process in which members of a religious minority group often find it difficult to trust the UNHCR officers, who typically belong to the majority group in the host country (Eghdamian 2017). Fear is said to be an important factor in refugees' decisions not to enter a camp (Tax, personal communication 2016). This fear is substantiated as the former UNHCR director of DIP stated: "As is the case with most causes for people to flee, be it natural disasters or conflict situations, most religious minorities face the same persecution in their new place of refuge as typically the social context and relationships remain similar for them" (Batchelor 2016).

The UNHCR has increasingly been taking substantial steps to address these problems, as was confirmed by a UNHCR's senior legal counsel in an interview (Anonymous[3], personal communication 2022). One recent such step is the adoption of the Global Compact on Refugees, in which a holistic approach to refugee communities is pursued, including religious minorities (UNHCR 2022). In it, one can find the culmination of the three main initiatives pertaining to religious minorities: the Age, Gender and Diversity policy, which addresses the needs of minority groups in general, including members of the LGBTQ-community (UNHCR 2011);

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[2]   Chief of Refugee Status Determination Section of the UNHCR Division of International Protection (DIP).

[3]   Senior law advisor to the UNHCR.

the High Commissioner's Faith and Protection Dialogue of 2012; and the Welcoming the Stranger initiative launched in 2013, in which religious leaders of the five major faiths launched a joint statement on hospitality to refugees (UNHCR 2013). Even though religious issues have not been a priority for the UNHCR, this increased attention signifies a shift towards a post-secular understanding of humanitarianism (Anonymous[4], personal communication 2022).

5. The national and local levels

Moving on from the international setting, the challenges posed by functional secularism can be seen on the national and local levels as well. The Dutch refugee centers maintain a strictly secular discourse, and problems pertaining to the use of the functional secularist discourse in this humanitarian setting are readily apparent.

The Central Agency for the Reception of Asylum Seekers (COA) is the Dutch agency responsible for the reception and supervision of asylum seekers coming to the Netherlands. As the COA is responsible for receiving all asylum seekers and refugees into Dutch society, it had the duty of providing for the reception, supervision, and departure of refugees. The COA's main mission is to provide a "safe and livable environment" ensuring that the reception of asylum seekers is maintained as manageably as possible for both "politicians and society" and enables the COA to give an account for its acts. The COA also works closely with other organizations, including the Immigration and Naturalization Service (IND),[5] Immigration Police and the Repatriation and Departure Service.[6]

The COA performs a political assignment as an independent administrative body, the duties of which are laid down in the "Wet Centraal Orgaan opvang Asielzoekers" or, in short, the COA Act (Ministry of Justice and Security 2020). Article 3 of this law stipulates that the COA must provide for both the material and the immaterial shelter of asylum seekers. Safety is another focal point for the COA refugee centers. As an organization, the COA answers directly to the Ministry of Justice and Security (Ministry of Justice and Security 2020), which has been established through the COA Act, in which its tasks and responsibilities are stated. The guiding principle for the entire Dutch aliens' chain is the so-called Vreemdelingenwet 2000 (Vw 2000), or the Aliens Act of 2000. Since the Netherlands is a co-signer of the 1951 Refugee

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[4]   Senior law advisor to the UNHCR.

[5]   The IND oversees the Dutch admissions policy. It assesses every application for asylum or Dutch nationality. Besides handling admissions, the IND guards the borders. As an agency, it falls under the Ministry for Justice and Security.

[6]   The Repatriation and Departure Service (DT&V) oversees the departure of asylum seekers whose request has been denied. As the asylum seekers themselves are responsible for their own departure, the DT&V mostly encourages their return to their country of origin. If departure is refused, possibilities for compulsory deportation are considered.

Convention with its 1967 protocol, the Vw2000 acknowledges this document as an integral part of its policy. Other key documents informing the Vw2000 are the European Convention on Human Rights, the UNHCR Handbook, and the European Qualification Directive 2011/95/EU on a uniform status for refugees.

Although the Netherlands specifically supported the inclusion of Article 4 in the 1951 convention, its implementation within the confines of its aliens' chain is at times problematic. The article emphasizes people's right to the practice of their religion and to freedom with regard to the religious education of their children (UN 1951). Yet instead of providing space for both the sacred and the secular, the secular discourse here relegates religion to what it deems the appropriate place. This tendency can be illustrated by a parliamentary debate on religious immigrants, where in the introductory note it is stated that contributions from religious organizations tend to be marginalized or criticized (Tweede Kamer der Staten Generaal 2007). With secular values as guiding principles, religion is explicitly relegated to the private sphere by the COA centers' policy on conduct: "Political and religious activities which intrude into the personal living space of inhabitants are not allowed" (COA 2019a). Although the aim of this rule is to maintain a controllable and safe environment for all inhabitants, a qualitative study on violence and abuse within the COA's centers showed that 88 percent of the minority inhabitants surveyed did not feel safe or had indeed been victims of physical or verbal abuse. This abuse is similar to what has occurred in the UNHCR refugee camps, including ostracism, physical assaults, intimidation and even stabbings. Drawing another parallel with what the UNHCR has found to be the case in their camps, 69 percent of the religious minorities interviewed felt compelled to hide their faith (Deloitte 2011). One inhabitant of a COA center said concerning this problem, "This is Iraq. I thought I fled to a Christian country, but I don't notice anything. It feels exactly the same here" (COA 2012).

While this is sometimes the only viable short-term solution in a more complex local refugee camp, it is never an adequate one. This fact was also emphasized by UNHCR's former DIP director: "Advising religious minorities to hide their faith, a practice used frequently by all humanitarian organizations, is an inadequate solution which does not address the core of the problem" (Batchelor 2016).

Another issue perpetuated by the secular framing of religion pertains to its privatization. Prompted by a news article about violence in the refugee-centers, parliamentary questions were asked as to whether religious minorities were being intimidated by a majority group. In his response, the secretary general of Security and Justice emphasized that within the confines of a COA center, the practice of faith must happen in a private room, with the consent of other inhabitants of that same room. Using public rooms as prayer rooms was not allowed,

as these must be available to anyone (Dijkhoff 2015). This explicit referral of religious practice to the private domain is not necessarily beneficial to all inhabitants. Although, for obvious reasons, fixed confessional places of prayer should not be developed, the temporary use of rooms for communal prayer does render them inherently inaccessible to the public. In both examples, we can see how the secular discourse relegates religion to an obscure space where neither legitimate discussion can take place, nor can its dynamic nature be understood. Moreover, on its website, the COA (2022) specifically prohibits religious gatherings even within private dwellings, the exception being private family Bible or Qur'an studies. This definition is problematic for example for singles who are sharing their room with others. Where does the appropriate space for religion start? This is a clear example of the complex interplay of secular assumptions and religious legitimacy.

This ambiguous and descriptive role assumed by the secularist frame has even led to a volunteer being expelled from the local premises due to violation of the religious neutrality maintained by the COA (Gave 2021). Discrepancies between policy and practice on this issue seem to be prevalent across different COA centers, leaving volunteers at a loss about what is or is not allowed (Van der Helm 2021). This of course is in deep contrast to the freedom of religion and belief in the Netherlands. Lastly, the suggestion by the COA to seek religious edification outside the premises, even though not consistent with its commitment to "immaterial shelter and a livable environment," seems to be a reasonable temporary solution. However, these centers are often extremely isolated, with the nearest preferred church or mosque unreachable by occupants. Requests to be transferred to a center closer to these institutions are not granted. In Article 18 of the International Covenant on Civil and Political Rights, practicing one's faith both privately and publicly is considered a universal human right. The unavailability of communal worship opportunities within an asylum seekers' center does not cater to this need. Also, harkening back to Article 4 of the convention, these practices by the COA are judicially questionable. These issues have been addressed with the COA in 2016, but nothing has been done to sufficiently answer them so far (COA 2019b).

Measures taken by the COA to counter the issue of safety within the centers exhibit a highly materialistic focus. Independent research into these issues finds considerable effort dedicated to dealing with the challenges faced by the LGBTQ community, yet religious issues are dealt with rather concisely. The main advice for centers is to facilitate separate places for worship – advice that is steadily ignored to this day. A further policy of the COA is to maintain very low-threshold reporting levels for inhabitants who wish to report any allegations of discriminatory behavior

(COA 2012). This is necessary because inhabitants indicated feeling vulnerable and unsure whether reporting would make a difference, along with fears that it might possibly ostracize them from others (Deloitte 2011).

Up to now, there is no known data on the number of religiously motivated incidents in COA centers. The COA looks to the nature of the incidents, such as physical abuse, vandalism, and suicide attempts, but it does not seek to understand whether they have been committed out of religious motives (Dijkhoff 2015). Without seeking to value one issue above the other, one can observe that within humanitarianism, LGBTQ issues are pushing the religious challenges to the margins of the debate, both internationally and on the national level. A senior legal advisor to the UNHCR pointed towards the strength of the LGBTQ lobby as one of the main reasons why it enjoys more attention internationally from policymakers and the media (Anonymous[7], personal communication 2022).

On the national level, much attention has been given to finding solutions to the challenges faced by refugees who are members of the LGBTQ community. At the same time, solutions to the issues faced by religious minorities are said to be still in their infancy (WODC 2021). For example, there is now an extensive so-called "pink network," a social network with physical locations where LGBTQ members can go to for support and safety. This service is available throughout the COA centers, and COA staff are actively equipped to deal with LGBTQ-related challenges. At the same time, religious minorities are still advised to seek their community outside the camps, with no substantial effort being made to train staff in much-needed faith literacy. While the value of the LGBTQ-related efforts is obvious and undisputed, this discrepancy is facilitated by the prescriptive character of functional secularism; religion and transcendence are being reduced to a simplistic utilitarian framework, serving its aforementioned material agenda.

Asking people of faith to continue hiding a core part of their identity cuts deep. Yet it is not seen as much of a burden relative to that experienced by the LGBTQ community, because according to secularism, religion should be private anyway and its dynamic aspects are not understood within the current dominant framework.

6. Conclusion

The relationship between humanitarianism and religion is deep and complex. The historical influence of religious traditions and commitments is regularly addressed in the general discourse and accounts of humanitarianism. For example, by references to holy books or to the religious views and backgrounds of key persons such as Henry Dunant or William Booth, faith is acknowledged to be a determining factor and influ-

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[7]   Senior law advisor to the UNHCR.

ence in humanitarian development in thought and practice (Stackhouse 1998). Yet in practice, we have found that through the secularist discourse, these roots are not understood other than in terms of materialist values. Religion is considered as identity politics and therefore a threat to neutrality and universality. The secular understanding of religion has undermined the religious needs of refugees by focusing solely on practical, material aspects while the immaterial, religious side has been omitted. However, reality is more complex and goes beyond what secular notions encompass, and an environment of religious plurality demands a deeper understanding of religion for human rights standards to be fully met. The claim of a value-free discourse through universality and neutrality is not possible, and the prescriptive nature of secularism therefore does not automatically ensure the enhanced well-being of religious minorities. Moreover, often FoRB- and LGBTQ-related issues are conflated, resulting in the most salient issue receiving most attention. LGBTQ issues receive extensive attention throughout all COA research, whereas FoRB issues are dealt with only marginally, to such a remarkably minimal extent that even the government has acknowledged the omission (WODC 2021). This is happening despite the very distinct nature of the two topics, showing that the current secularist discourse prevents adequate solutions. Where the UNHCR must deal with variable contexts and must depend on local governments to facilitate a safe environment for religious minorities, a country with a clear commitment to FoRB enshrined in its constitution and an established rule of law, such as the Netherlands, should be able to do so effectively.

A main lesson to be drawn from this study is that faith literacy among humanitarian workers is of paramount importance. This would foster a deeper understanding among humanitarian workers of the very real needs of a large group of refugees. It would also generate a greater understanding of the implicit articles of faith within humanitarianism, opening the way to more integral policies. In the West, this step would place the policies more in step with the fundamentals of most constitutions. An awareness of the prescriptive nature of functional secularism in the field could serve as a valuable catalyst for these changes, which would make a valuable addition to the already invaluable work done by humanitarian workers and organizations throughout the globe.

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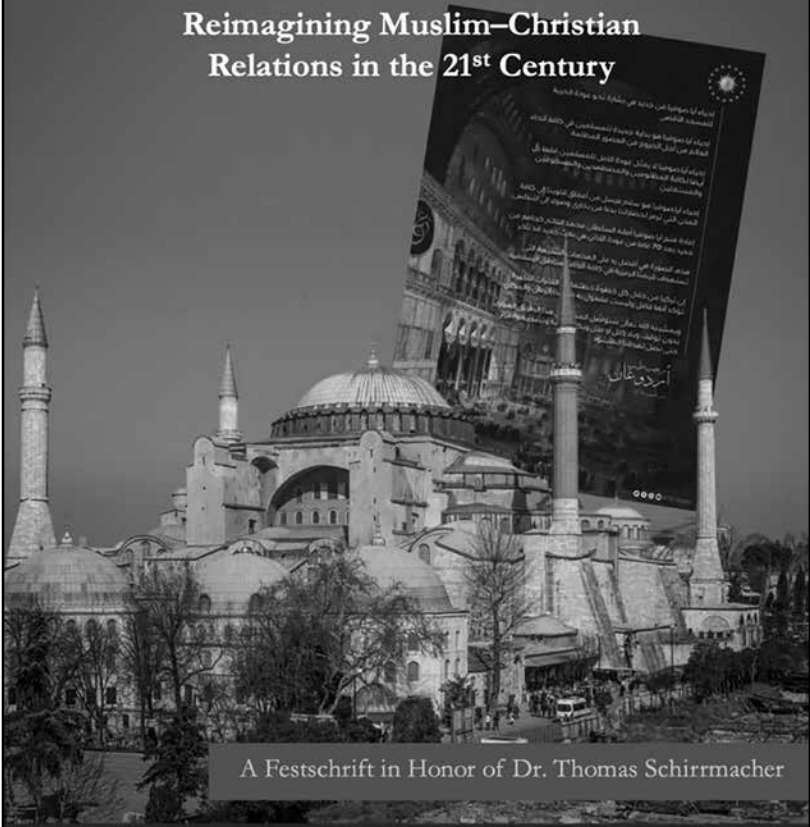
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