

**Racism and Extremism Monitor  
Ninth Report**

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## 1 Introduction

*Peter R. Rodrigues and Jaap van Donselaar*

Should politicians who make statements about ethnic or religious minority groups be answerable before a judge? Or is such accountability exclusively a matter for public debate? The relevance of this question also applies to political cartoonists, columnists and cabaret artists, and it has to do with an important social principle: where does freedom of expression end and the prohibition on discrimination begin?

This border is not static; it changes depending on the time, place and circumstances. In the Netherlands this collision of basic rights is playing a central role in the legal suit being brought against PVV leader Geert Wilders. The suit was ordered by the Amsterdam Court of Appeals in early 2010. This case is of great importance in determining where to draw the line between basic rights in the Netherlands, but it is not all-decisive. Another factor to be considered is that the Netherlands has committed itself to certain international human rights treaties, and that it must comply with the European Union's Charter of Fundamental Rights.

Related to this discussion is the matter of searching for and then defining the border between victim and perpetrator in incidents involving racism and discrimination. In real-life situations the roles are easily reversed. Muslims can be victims of Islamophobic violence, but radical Muslims can also be the perpetrators of terrorist crimes. Sometimes right-wing extremist youths commit acts of violence because they themselves were once victims of violence at the hands of ethnic minorities. This double role is an especially salient feature in the aforementioned example of Geert Wilders. He is being accused of hate-mongering against Muslims, but he is also the victim of threats against his person that have required 24-hour security protection for years.

It is partly because of the developments sketched above that this ninth *Racism & Extremism Monitor* focuses extra attention on victimhood and the possible role reversal that can occur in the case of perpetration. Another thread running through this Monitor is the collision between freedom of expression and the prohibition on discrimination. True to tradition, the aim of this Monitor is to follow and issue periodic reports on different forms of racism and the associated extremism and reactions to these phenomena.

First we will look at the phenomena by themselves: how are racism and extremism manifested in Dutch society? This may involve looking at forms of expression, such as demonstrations, and at methods of exclusion, such as the use of violence. A fixed pattern in our Monitor research is the attempt to identify various kinds of victims and perpetrators as closely as possible. Perpetrators and victims can be found among the native Dutch as well as among ethnic minorities, and the latter can be divided into various minority groups. There is a range of responses to racism and extremism, including educational and juridical. Usually the nature of the response depends on the form of discrimination, the category of the victims and the background of the perpetrators. Some forms of response can function side by side, moreover, or can even reinforce each other.

Conducting Monitor research and issuing periodic reports serves several purposes. First, it contributes to the insight being gained in the fight against racism, extremism and anti-Semitism. In addition, the fixed structure and the periodicity of the reports results in an accumulation of knowledge. Finally, an idea emerges of how things will develop over the long term, and suggestions are made for future solutions based on experiences from the past.

The *Racism & Extremism Monitor* research project was started at Leiden University.<sup>1</sup> In 1997 the first report appeared, and so far – as of December 2010 – nine general, comprehensive reports have been published. Eight so-called ‘cahiers’ have also been issued: smaller research reports on specific topics. All the reports and cahiers can be found on our Racism & Extremism Monitor website.<sup>2</sup> Since the fourth report (2001), the Monitor project has been conducted jointly by Leiden University and the Anne Frank House.

In the current – ninth – Monitor, special attention is paid to:

- racial violence and the extreme right;
- right-wing extremist groups;
- the extreme right and the discriminatory identity of the PVV;
- Islamic radicalism in the Netherlands;
- Islamic radicalism in police practice;
- anti-Semitism;
- antiziganism;
- the consequences of stigma;
- anti-discrimination restrictions.

The Monitor project employs a broad working definition of racism, comprising anti-Semitism, extremism, xenophobia and Islamophobia. Discrimination on the grounds of nationality is also included, as is discrimination on the grounds of religion insofar as there is evidence of an ethnic component. This occurs, for example, in the case of personal spot checks carried out on the basis of a person’s ‘Islamic appearance’. Extremism is included in our research domain only if there is a connection with racism or interethnic relations.

The *Racism & Extremism Monitor* is partly based on our own research. To a certain extent we are also dependent on data collected and analysed by others. Unfortunately, statistical data are not available across the entire expanse of the research field. Data collection in the area of Islamic extremism, for instance, is still in its infancy, at least compared with those older areas of Monitor research.

Several different authors, both inside and outside the Anne Frank House, have contributed to this ninth Monitor.<sup>3</sup> We are particularly grateful to the contributions made by Naomi Ellemers (professor of Social and Organisational Psychology, Leiden University), Colette van Laar (associate professor of Social and Organisational Psychology, Leiden University), Belle Derks (assistant professor, Social and Organisational Psychology, Leiden University), Mark Dechesne (senior researcher, Centre for Terrorism and Counterterrorism, Campus The Hague, Leiden University), Evelien Gans (professor of Contemporary Judaism, its history and its culture, University of Amsterdam).

Monitor work owes its success to collaboration. This ninth report came about thanks to cooperation with a broad network of experts and organisations, both governmental and non-governmental. They are listed here in random order: National Police Services Agency (Korps Landelijke Politie Diensten; KLPD); the National Expertise Centre for Discrimination of the Public Prosecution Service (Landelijk Expertise Centrum Discriminatie van het Openbaar Ministerie; LECD); the National Expertise Centre for Diversity of the police (Landelijk Expertise Centrum Diversiteit; LECDiv); Equal Treatment Commission (Commissie Gelijke Behandeling; CGB); Centre for Terrorism & Counterterrorism (Centrum Terrorisme & Counterterrorisme; CTC); the National Ombudsman; Statistics Netherlands (Centraal Bureau

voor de Statistiek; CBS); the Kafka research group; the Discrimination on the Internet Reporting Centre (Meldpunt Discriminatie Internet; MDI); the Magenta Foundation; Art. 1 – the National Association against Discrimination; FORUM, the Institute for Multicultural Development; RADAR – the agency for equal treatment and against discrimination in the regions of Midden- and West-Brabant, Rotterdam-Rijnmond and Zuid-Holland-Zuid; the Amsterdam Discrimination Reporting Centre (Meldpunt Discriminatie Region Amsterdam); the Discrimination Agency for Hollands Midden and Haaglanden (Bureau Discriminatie Hollands Midden en Haaglanden); the Triana Foundation; and fellow researchers.

Obtaining information goes hand-in-hand with the sharing of knowledge. The publication of the ninth report of the *Racism & Extremism Monitor* would not have been possible without the input of the partners mentioned here.

*Amsterdam, October 2010*

## **Notes**

1 See 'About the Racism & Extremism Monitor Project' elsewhere in this Monitor.

2 <<http://www.monitorracisme.nl>>.

3 See 'About the authors' elsewhere in this Monitor.

## 2 Racial and right-wing extremist violence in 2009

*Willem Wagenaar and Jaap van Donselaar*

Recent research carried on as part of the *Racism & Extremism Monitor* project shows that acts of violence play an important role in the processes of radicalisation and deradicalisation of young right-wing extremists.<sup>1</sup> Group violence was one of the reasons for becoming active or for remaining within a right-wing extremist group. At the same time, it was found that being a victim of violence often led to further radicalisation. Finally, in a few cases it was shown that the use of violence in one's own group can have an impact on the process of deradicalisation. This role played by racial and right-wing extremist violence in processes of radicalisation is one of the many reasons why a systematic investigation of the problem is necessary. But above all, it is obvious that *acts of racial and right-wing extremist violence* are among the most serious forms of racism and extremism, and therefore deserve our attention. Since the mid-nineties we have been gathering data on racial and right-wing extremist violence in the Netherlands in order to gain better insight into this problem.<sup>2</sup> In this ninth report we will focus on racial and right-wing extremist violence for the year 2009. We will also present an overview of figures and trends based on the gathered data.

### 2.1 Definition and scope

Preparing statistical data on racial and right-wing extremist violence is a matter of making choices. Many of these choices have to do with definition and scope, and they are often not easy to make.<sup>3</sup> Opinions differ greatly when it comes to deciding what racial and right-wing extremist violence actually is. A considerable number of problems arise with regard to definition and scope, since violent incidents can have so many different aspects. A racist slogan written on the front door of a house inhabited by an ethnic minority family is an example. One person may see it as a threat, while another sees it as a form of vandalism. Yet another may be of the opinion that the incident isn't worth reporting. Because the identity of the perpetrator is never discovered in many cases, and because information about such incidents is often scanty, it is difficult to assess the perpetrator's motives and background. Perhaps there was another reason behind the graffiti action that was essentially non-racist. And because the perpetrator is unknown, opinions as to the seriousness of his act may differ. Another frequently asked question is whether the act was really a form of racial violence at all, or just a mischievous prank?

Given this array of perspectives – known in sociological jargon as the different 'definitions of the situation' – we believe a broad working definition of racial violence is called for.<sup>4</sup>

Thus violence is understood as:<sup>5</sup>

behaviour in which one party wilfully harms another party, or threatens to do such harm, and in which this behaviour is mainly directed at physical damage to objects and/or persons.

Following on this, racial violence can be understood as:<sup>6</sup>

that form of violence in which the victims or targets are chosen on the basis of their ethnic, racial, ethnic-religious, cultural or national origin.

In addition to racial violence, this chapter will deal with violence with a right-wing extremist dimension. Right-wing extremist violence may be basically racist, but not necessarily. Right-



wing extremist groups traditionally maintain a two-pronged enemy stereotype as a rule.<sup>7</sup> This means they oppose elements that are either ‘alien’ or ‘hostile to the nation’, to use right-wing extremist jargon. In National Socialism from before and during the Second World War, Jews and Roma (gypsies) were regarded as ‘alien to the nation’. Since 1945, ‘alien to the nation’ has been extended in right-wing extremist ideology to include ethnic minorities in general. ‘Hostile to the nation’ – from the right-wing extremist perspective – refers to the political opponents of the extreme right. These may be anti-fascistic activists and demonstrators, but they may also be politicians and government officials who are seen as part of the ‘system’ to be challenged. In short, right-wing extremist violence may be racist, but it may also be aimed at people regarded as opponents.<sup>8</sup>

Our study comprises several different categories of violence. At first it might seem logical to choose categories of violence that correspond with criminal law, such as overt acts of violence, vandalism and assault. For our research purposes, however, such a choice would be insufficiently differentiated. Certain forms of violence are punishable under several different articles of the law. Our Monitor research includes a category of violence called ‘confrontation’, for example. This refers to fights, or attempted fights, involving groups of people – clashes that can differ dramatically in size and ferocity. In addition, such confrontations are often characterised by great uncertainty as to the position of the perpetrators and the victims, the immediate cause and the chronology of events. A confrontation is a well-defined, recognisable and frequently occurring form of violence. In terms of criminal law, however, it could constitute an array of offences, depending on the exact events: threats, assault, overt use of force or, in certain cases, vandalism or even attempted homicide.

In addition, articles of the criminal code are often phrased in general terms, making it difficult to clarify important differences. A swastika daubed on the wall of a synagogue and a swastika daubed inside a public washroom are both cases of vandalism in the context of criminal law. But because of the context, the perception of the two actions is entirely different. In our violence statistics, the first example is included (as targeted graffiti) and the second is not.

Based on our findings over the years, we have devised a classification consisting of nine categories (see box). A few of these categories may require some explanation, which will be provided in the various sections:

- targeted graffiti;
- threats;
- bomb scares;
- confrontations;
- vandalism;
- arson;
- assault;
- bombings;
- homicide.

Besides incidents in which violence was *actually* committed, our study also takes into account incidents in which an obvious *attempt* was made to commit violence. If a stone is thrown at the window of a mosque but the window doesn’t break, it is regarded as attempted vandalism.

## 2.2 Data collection

To shed some light on our methodology, an explanation of data collection and analysis is in order. Collecting data on racial violence is not regarded as a primary responsibility of the government in the Netherlands, as it is in many other countries. For two years, the National Expertise Centre for Diversity (Landelijk Expertise Centrum Diversiteit; LECDiv), an organ of the police, and Radboud University have been constructing an overview and analysis of discriminatory crimes known to the police, including violence aggravated by discriminatory behaviour.<sup>9</sup> This *Poldis* study includes figures for 2008 and 2009.

The data forming the basis for this chapter are taken from various sources.<sup>10</sup> The most important source is the National Police Services Agency (Korps Landelijke Politiediensten; KLPD). Data is also obtained from the news media, from annual reviews issued by the anti-discrimination agencies and reporting centres throughout the country<sup>11</sup> and from the Kafka Anti-Fascist Research Group (Antifascistische Onderzoeksgroep Kafka). This broad approach provides a more comprehensive picture than data from the police registries alone. We also now know from experience that data from several different sources have relatively few overlaps. This ‘proves’ the value and desirability of an integrated database that is based on several sources and not exclusively on data from the government. There have been some frowns of disapproval from the European Union regarding the absence of official statistics on racial violence in the Netherlands – statistical material generated by the government. We cannot agree on this point; we find that an integrated database based on several sources is better than a government database based only on government sources. It goes without saying that there is a role for the government in the creation of an integrated database. This year, data obtained from the police comprise 36% of our registered acts of violence.

The KLPD gathers its own data from the various police systems. This involves data searches using a number of relevant keywords. The raw data are then handed over. After an initial inventory and selection of incidents for the Monitor study, additional information on a number of the incidents is obtained. In most cases this provides a clearer picture of the incidents. Almost exactly the same process takes place with data from other providers. After this selection, all available data are placed in a database for further processing and analysis. It should be noted that one event can fall under several categories. If a synagogue is smeared with graffiti and then set on fire, we register this as one case of targeted graffiti and one case of arson. Or if windows are smashed in the same mosque on two different days, we regard this as two cases of vandalism. Selection, classification and coding are done by us, not by the data providers.

The classification of incidents is complicated somewhat by the available data, which tend to vary in volume and quality. In addition, opinions may differ as to the perpetrator’s motives, since in most cases the perpetrators are unknown. This makes it impossible in many cases to determine the motives underlying a particular action with certainty. Such a problem can occur even if the perpetrators have been properly identified. In such cases, suspects may deny racist or right-wing extremist motives, especially if they suppose that by doing so they can avoid more severe punishment. Confronted by these problems, we take a conservative approach. When there is doubt about the racist or right-wing extremist motives behind a particular incident, the incident is not included, even if it was delivered to us as such. The dataset thus assembled is checked for duplications and overlaps to prevent any distortion of the overall picture. The result is an integrated database for the year in question. The annual figures that follow are based on this database. Despite the advantages of combined data collection mentioned above, there are good reasons to assume that these figures are only a partial

reflection of the actual number of incidents of racial violence.

The statistical data on racial and right-wing extremist violence often give rise to discussions because of the problem of ‘underreporting’: many incidents are not reported and are known only within a small circle, sometimes only to the perpetrator and the victim. In addition, even if the cases *are* reported, it is quite unusual for them to be registered as racial or right-wing extremist incidents. Only a small portion of the phenomenon is visible while a larger part remains hidden. Generally speaking, there are three causes of underreporting: victims fail to report the incidents so they remain unknown, reports are not registered or are registered inadequately, or registered reports are not included in the reviews that are given to us.

The survey study of experiences of discrimination that was carried out in conjunction with the *2009 Racial Discrimination Monitor* provides some results that shed more light on these three aspects and are useful in understanding the scale of the underreporting problem.<sup>12</sup> Among the categories of discriminatory treatment identified by the researchers there are three that are important to this chapter on racial violence: threats; vandalism, damage or desecration; and physical violence. These categories together constitute a picture of the racial violence that was committed – in this case threats, violence against objects and violence against persons – within a period of twelve months in 2008-2009. These results can be compared with the results from an earlier study conducted in 2004-2005.

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Table 2.1 Percentage of Turks, Moroccans, Surinamese and Antilleans who had encounters with racial violence in 2004-2005, according to the categories of threats, violence against objects and violence against persons

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Categories of racial violence	Percentage 2004-2005 (n = 348)	Percentage 2008-2009 (n = 271)
Threats	10%	9%
Violence against objects	7%	10%
Violence against persons	7%	7%

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Correlating these percentages with the actual populations of Turks, Moroccans, Surinamese and Antilleans in the Netherlands gives us an indication of the underreporting inherent in the figures in the following sections.<sup>13</sup> By taking inventories of racial violence – that is, making up registries of incidents that have been reported or have become known – we arrived at numbers of incidents that ran into the hundreds. This survey study (study of victims), however, indicates that such incidents actually run into the thousands, possibly the tens of thousands.

It stands to reason that these statistics should be treated with a certain amount of reserve in view of the type of research being conducted, where people are asked about their experiences of discrimination. The percentages are indicative of the proverbial tip of the iceberg, however, and of the iceberg itself.

The *Poldis* study mentioned earlier shows the figures of incidents with racist overtones that have been reported to the police.<sup>14</sup> These figures were taken from almost all the police regions in which cases of discrimination are being actively registered at the request of the

LECD. One problem with the two *Poldis* studies that have been published so far is that the information is reported in different ways. The report on 2008 includes a review of discrimination based on race or nationality and the kind of discrimination being perpetrated. Information can be drawn from this with regard to the number of incidents of racial violence. This information is not provided in the study on 2009, so the number of incidents of racial violence cannot be broken down according to type of incident.<sup>15</sup> Comparison with our figures is therefore not possible. We are confining ourselves to a comparison with the data from 2008.

The *Poldis* study reported 128 cases of assault with discriminatory overtones in 2008 on the basis of race or nationality, as opposed to 64 cases in our own data from the same year. *Poldis* also reported 42 cases of overt violence against persons, which may have been counted as assaults in our method of categorisation. The *Poldis* study further reports 221 threats (as opposed to 53 in our figures) and 69 cases of vandalism (as opposed to 19). The categories of racial violence that are used in this study are different than the ones we used, which makes it difficult to compare the results of the two studies. The *Poldis* study is based entirely on data from the police, while in our study the police are only one of the sources. It is striking that the figures in the *Poldis* study are much higher than ours. This means that the method of data collection used for our study suffers from underreporting by the police. One possible explanation for this difference is the search method used. For *Poldis*, the various police regions maintained their own registries, and these were delivered to the LECD. The data we received from the KLPD are collected on the basis of search operations in the national databases using relevant keywords, which may be less precise. Another possible explanation is that we are necessarily more conservative when assessing things than the LECD is. We have no knowledge of the data behind the *Poldis* figures or of the underlying police dossiers and we often base our decisions on brief descriptions. As a result, some of the violent incidents that we do not count in our research may be included in the *Poldis* study. It should be noted that the *Poldis* study also calls attention to the possibility of underreporting in its own figures: 'So the figures and results in this report should be interpreted with due caution. To a great extent they constitute a reflection of the priorities of the various police regions and of the methods of registration, which means the results may provide a distorted picture of the actual discrimination taking place.'<sup>16</sup>

### **2.3 Nature and scale of incidents in 2009**

On the basis of our inventories, we have arrived at a total of 148 incidents of racial and right-wing extremist violence for the year 2009. In table 2.2, the number of violent incidents is broken down into various categories. The totals suggest that a gradual drop has been taking place since 2005, with a sharp drop in 2009.

A not unimportant comment should be made at this point. Judging by the *Poldis* study (for 2008), it is quite likely that the inventory of violent incidents on which our findings are based has suffered from underreporting by the police. Then there are results of the survey taken in conjunction with the *2009 Racial Discrimination Monitor*. These do not show a trend of decreasing violence but of stabilisation.

Table 2.2 Racial and right-wing extremist violence, according to category, 2005-2009

Category	2005	2006	2007	2008	2009
Targeted graffiti	54	59	32	49	27
Threats	73	56	49	53	29
Bomb scares	2	0	3	0	0
Confrontations	37	41	36	28	29
Vandalism	42	31	34	19	34
Arson	13	11	11	3	4
Assault	70	60	57	64	25
Bombings	0	0	0	0	0
Homicide	0	1	1	0	0
Total	291	259	223	216	148

### 2.3.1 Targeted graffiti

Targeted graffiti can be regarded as a form of vandalism – usually a light form – in which a racist or right-wing extremist ‘message’ is applied to a physical surface. It can involve anything from drawing a swastika on the wall of a public washroom with a felt-tip pen to large-scale racist graffiti on a war monument. Graffiti, especially in the form of minor vandalism, is an expression of violence that is relatively common. In this study only the more serious cases will be discussed: *targeted graffiti*. These are acts with an explicit target as well as large-scale graffiti. In the case of acts with an explicit target, graffiti may be applied to things owned by ethnic minorities, on houses of worship used by religious minorities or on the buildings of political opponents.<sup>17</sup> In 2009, 27 incidents of targeted graffiti were registered, a steep drop compared with 2008 (49 incidents). The number of registered cases of targeted graffiti appears to have fluctuated more sharply over the years than other forms of violence, for which there is no obvious explanation. The actual practice of applying graffiti may increase or decrease, or efforts taken to investigate it may vary. But a copycat effect may also be at work in response to the media attention paid to a specific case of targeted graffiti.

A few examples from 2009:

- In Uden, swastikas were drawn in the snow covering the cars owned by ethnic minorities.
- Pamphlets were pasted on the walls of a mosque in Twente by the right-wing extremist organisation Voorpost. The pamphlets included the words ‘No jihad in our street!’
- In Hilversum, two boys of 12 and 13 were arrested after having defaced a mosque and other objects with the words ‘Blood and Honour’, referring to a right-wing extremist group.

### 2.3.2 Threats

Threats are a common form of racial and extremist violence. After an increase in the number of registered threats following 2001, a decline has set in since 2005. The 29 threats registered in 2009 are a continuation of this trend.

A few examples:

- In response to the Gaza war between Israel and Hamas in early 2009, Mayor Job Cohen of Amsterdam received an anti-Semitic letter in which other well-known persons from the

- Jewish community were also threatened.
- After the Amsterdam Court of Appeals had decided to institute criminal proceedings against PVV leader Wilders for violating a number of articles of the anti-discrimination laws, some of the people who had submitted reports against Wilders were threatened.
  - An Amsterdam woman who usually wears a burka outside her home says she has grown accustomed to people reacting negatively to her choice of clothing and she no longer responds to these remarks. One day she was walking down the street with her family. An unknown man spoke to her in passing. Because she and her husband did not understand the man, she did not know whether it was an insult or a remark that she should respond to. Her husband therefore asked the man what he had said. The man walked back to them and threatened the family with a knife.

### 2.3.3 Confrontation

A confrontation is often spontaneous, but sometimes it consists of organised street violence of a more or less racist or extremist character. These can often be described as ‘race riots’. Several parties are involved, often young people who get into fights at school or during an evening out. It is often difficult to tell the difference between the perpetrators and the victims. Until 2007 there was a steady increase in the number of such incidents. Since that year, however, a decline has been evident. This declining trend came to a halt in 2009, when there were 29 confrontations as opposed to 28 in 2008.

- At a demonstration of the right-wing extremist animal rights group With the Animals against the Beasts (Met de Dieren tegen de Beesten; MDTB), who were protesting the use of circus animals, a group of left-wing animal rights activist also showed up to demonstrate. The object of their demonstration was not only cruelty to animals but also the extreme right. This sparked a brief but violent fight.
- A racially tinged argument on Hyves (a Dutch social networking website) led to a real life confrontation. A group of ethnic minority youths went to a house where a group of native Dutch youths were staying. Violence resulted.
- A tussle broke out between a group of neo-Nazis and a group of Moroccan youths. The groups were pulled apart by the police, but the atmosphere remained tense.

### 2.3.4 Vandalism

Vandalism is the deliberate infliction of damage with a racist or right-wing extremist motive. In 2009 we registered an increase in the number of cases of vandalism back to the 2007 level: 34.

- During the Gaza war in early 2009 a number of windows were smashed in a vacant synagogue in Oss.
- An empty home intended for Roma was vandalised because no one in the neighbourhood wanted a family from that kind of background.
- A series of acts of vandalism were committed at the construction site of a mosque in Oosterhout. The information board explaining the purpose of the building activities was fired at and the fence was destroyed. Building material was also taken away. The newly built mosque was defaced with graffiti and vandalised.

### 2.3.5 Arson

Arson is a serious form of vandalism. The number of registered cases of arson in 2009 remained at the low level of 2008, with four incidents.

- In Zoetermeer, a firebomb was thrown at the same mosque twice within a six-month period.
- In Amsterdam a synagogue received a letter threatening it with an attack. A few weeks

later an attempt was made to set the building on fire.

### *2.3.6 Assault*

In 2009, the number of assaults with racist or right-wing extremist overtones dropped to 25. The number of assaults had fluctuated at around 60 incidents in recent years, which indicates a strikingly sharp decline.

- The left-wing action group Anti-Fascist Action (Anti-Fascistische Aktie; AFA) had plans to hold a demonstration in Zoetermeer to protest the activities of a right-wing extremist group. The evening before the demonstration, members of the right-wing extremist group went to a youth centre that was known for its left-wing clientele with the intention of roughing up the individual customers. One member of the right-wing extremist group hit a customer on the head with a tile. The victim lapsed into a coma.
- A man assaulted his ethnic-minority neighbour and told him that Muslims should leave the country. He assured him that that is exactly what will happen when Wilders comes to power.
- A youth was called a ‘rotten nigger’ by four youths in Lonsdale clothing and then beaten.

## **2.4 Trends**

In this section we will look at the most salient developments.

### *2.4.1 Sharp decline in incidence of violence*

The most striking trend is the sharp decline in the number of violent incidents with racial or right-wing extremist motives to a total of 148. This decline is a continuation of the downward trend that began in 2005 and is also a ‘historic’ low point, the lowest since 1992 when we began collecting violence statistics. But as already noted, findings from other studies do not corroborate this decrease.

There is no easy explanation for the decline. Developments in the identification of the perpetrators of right-wing extremist and racial violence may provide a few explanations, however.

### *2.4.2 Perpetrators*

Writing about the perpetrators of racial violence is a complicated business. Most of the cases of racial and right-wing extremist violence are never solved, because solving a case involves the uncovering of the identity of a perpetrator. Additional information about the offender(s) can also be distilled from the registration of an incident. A victim of an assault, for example, will be able to supply a lot of information about the offender or offenders without this necessarily resulting in such a clear identification that investigation and arrest are possible. So the notion of ‘known perpetrator’ is rather elastic. This means that even unsolved cases often have a great deal to tell us about the role of the perpetrator.

Sometimes we can tell whether the perpetrator of a registered act of violence was motivated by right-wing extremist sympathies by looking at his background. The total number of violent incidents in 2009 in which right-wing extremist involvement has been confirmed is 34. This is a decrease from the previous year, when there were 54 cases of right-wing extremist involvement. It means that after years of increasing right-wing extremist violence, a decrease has occurred for the first time.

The terms ‘right-wing extremist involvement’ and ‘right-wing extremist violence’ require some explanation. They assume an involvement in right-wing extremist organisations which is by no means indicated in every case. Because many cases are never solved, we can only speculate on the role of right-wing extremist organisations. One thing is clear, however: in

only a fraction of the cases can a link be made between the committing of racist acts and the extreme right. The demonstrable relationship is usually indirect: while the offence cannot be attributed to any particular organisation, it can be attributed to persons who in some way are part of that organisation. There is no consensus as to the level of involvement of right-wing extremist groups in racial violence. It is all a matter of perception and definition. Are we looking at individual perpetrators? At the motives? At the impact? At ideological ties? At the degree of organisation? Or are we looking at what the victims perceive?

Right-wing extremist violence may be racially motivated, but not necessarily. A distinction can be made between racial violence with right-wing extremist motives and right-wing extremist violence that is not racist. As far as the latter is concerned, 22 such cases were registered in 2009, which is also a drop in relation to the previous year. A few examples were given in section 2.3. Except for these cases, the remaining violence in 2009 can be qualified as racist. This brings the total number of cases of racial violence in 2009 to 126.

This decline in right-wing extremist violence may be related to the internal problems occurring within a number of right-wing extremist groups and the drop in the number of right-wing extremist street activists in 2009 (see chapter 3, 'Right-wing extremist groups'). This may also partly explain the decline in the total number of violent incidents.

Another phenomenon that has frequently been linked to right-wing extremist and racial violence is known as the Lonsdale problem.<sup>18</sup> In the 1990s, a youth culture known as the 'gabbers' grew out of the popular gabberhouse (or hardcore) style of music. Over the past decade that culture has undergone a revival, reaching its high point in the period 2004/2005. At that time there were around 100,000 youngsters involved in this youth culture.<sup>19</sup> A minority of them – probably a few thousand – held racist and sometimes right-wing extremist views.<sup>20</sup> During that period the Lonsdale problem was reflected in our registration of violent incidents. The number of incidents involving Lonsdale youths increased at first, with the growth in the number of confrontations being most striking.<sup>21</sup>

Starting in 2006 a decline was observed in the number of incidents in which Lonsdale youths were involved. In 2009 the number fell to two incidents, from 21 in 2008 and 44 in 2007. There are a number of possible explanations to account for this decline. The gabber and hardcore youth culture has decreased in popularity and size over the past period. Naturally this decrease in popularity also had an impact on the number of Lonsdale youths, who are associated with this youth culture. That could be one explanation for the decline.

But other factors may also play a role. Gabbers today have a less clearly recognisable clothing style, the Lonsdale clothing has as good as disappeared within these circles. It may be that because of this lack of external identifying features, fewer fights and confrontations are arising between Lonsdale youths and rival ethnic minority groups. Frequently it was the recognisable appearance of Lonsdale youths that contributed to the escalations of quarrels, since the public associated that appearance with right-wing extremist or racist ideas.<sup>22</sup>

The discernible drop in the number of right-wing extremist perpetrators and the drop in the number of incidents involving Lonsdale youths seem in part to explain the decrease in the total number of violent incidents with right-wing extremist overtones.

In addition to their backgrounds (right-wing extremist or not), the ethnicity of perpetrators of racial violence is also of importance. Racial violence can be committed by native Dutchmen as well as by ethnic minorities. In 81 cases in the 2009 inventory there was enough information available on the ethnic identity of the suspected perpetrators to express it in numbers: in 70 cases the perpetrators were native Dutch and in 11 cases ethnic minorities. In 2008 this was 52 cases of native Dutch perpetrators and 21 cases of ethnic minority perpetrators. In the matter of anti-Semitic violence, we found an ethnic minority perpetrator



in only one incident in 2009.

### 2.4.3 Victims and targets

‘Victimhood’ is a collective term in which finer distinctions can be useful. So it is relevant to distinguish between violence aimed at things and violence aimed at people.

Violence aimed at things includes (religious) buildings, objects that serve as political symbols, such as monuments and war cemeteries, as well as the property of particular individuals, such as ethnic minorities. Violence aimed at people concerns people who have been chosen as targets because of their ethnic, racial, national or religious background. Examples are people of foreign – or Dutch – origin, refugees, Muslims or Jews. Right-wing extremist actions are also aimed at public personalities. These might be persons who are chosen as targets because of their function, office, their activities or the positions they take, such as politicians, critical journalists or left-wing activists.

As we can see in table 2.3, a decline is especially evident in violence against persons. Violence against objects was the same in 2009 as it was the year before. That is a striking deviation from the trend because for years we saw a decline in the number of incidents aimed at objects and an increase in the violence against persons.

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Table 2.3 Violence against persons and objects, 2008-2009

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	2008	2009
Against objects	64	64
Against persons	152	82
Mixed or unspecified	0	0
Total	216	148

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One relevant question has to do with what might be called the ‘ethnic direction’ of racial violence. There are two developments that stand out in table 2.4. The first is the slight rise in the number of anti-Semitic incidents, after a number of years of decline in this category. In this regard it should be noted that more than half the incidents (11 of the 18) took place in the first quarter of 2009. This is probably a reflection of the social commotion regarding the war between Israel and Hamas in the Gaza Strip.

A second striking development is the sudden and substantial drop in violence against Muslims. In previous years, the level of anti-Islamic violence rose every year.

Table 2.4 Racial violence according to 'ethnic direction' and categories of incidents, 2008-2009

	Anti-Semitic		Anti-Islam		Anti-refugee		Anti-'white'	
	2008	2009	2008	2009	2008	2009	2008	2009
Targeted graffiti	9	2	24	18	0	0	0	0
Threats	1	3	24	10	0	1	2	0
Bomb scares	0	0	0	0	0	0	0	0
Confrontation	0	0	7	3	0	0	1	2
Vandalism	1	10	13	12	0	0	0	0
Arson	1	2	2	2	0	0	0	0
Assault	2	1	19	7	0	1	6	2
Bombings	0	0	0	0	0	0	0	0
Homicide	0	0	0	0	0	0	0	0
Total	14	18	89	52	0	2	9	4

#### 2.4.4 Possession of weapons

Since 2005 we have also been registering possession of weapons in the context of right-wing extremism, in addition to violence. In 2007 the AIVD (General Intelligence and Security Service) noted the following:<sup>23</sup>

'Although there is a certain fascination with weapons and violence within right-wing extremist circles, there is no indication that weapons are being obtained with the express purpose of using them against anti-fascists or other perceived political opponents. The possession of weapons within the right-wing extremist scene in the Netherlands is of great symbolic value more than anything else. There is no evidence of a development of right-wing extremist terrorism.'

As far as we have been able to observe, these weapons are not often used in committing acts of right-wing extremist violence. It is not clear how widespread the possession of weapons is among right-wing extremist activists. As long as the weapons are not used, most of the incidents refer to accidental discoveries on the part of the police.

Table 2.5 Possession of weapons by the extreme right, 2005-2009

2005	2006	2007	2008	2009
5	6	15	8	10

A few examples:

- A group of 15 neo-Nazis were causing trouble in the downtown area of a Dutch city. One of them was caught urinating in public, for which he was fined and searched. He was found to be carrying a blackjack.
- Several different suspects were arrested for planning to blow up a mosque. They were found to be in possession of materials that could be used to cause an explosion. The suspects had nationalistic tattoos.

- An off-duty police officer ran into a group of right-wing extremists. One of them aimed an air gun at the officer. After the officer had warned his colleagues, the right-wing extremists were arrested.

## 2.5 Conclusion

The number of violent incidents with racial or right-wing extremist overtones has never been so low in the history of our Monitor research project. The continuing decrease in the number of incidents since 2005 to the present 148 is quite striking in this regard.

One explanation for this decline may lie in the changes that have taken place in the potential *groups of perpetrators* of right-wing extremist and racial violence. In this chapter we drew attention to a drop in the number of violent incidents with right-wing extremist motives. There may be a connection here with the sharp decrease in the number of right-wing extremist street activists during the same period. And fewer activists mean less violence. Another partial explanation is the almost total disappearance of the Lonsdale youth problem. Over the past ten years, Lonsdale youth were responsible for a substantial number of violent incidents, mainly confrontations. Now that this youth culture has largely disappeared, the number of violent offences associated with it has also decreased. Obviously this is another case of a cause-and-effect relationship.

When we look at the *victims* of racial violence, we are struck by the decrease in the violence against Muslims and Muslim targets – although it ought to be noted that this is still the largest category of victims.

In closing, the following and not unimportant comment should be made. Although our research indicates a decrease in the number of violent incidents, two other studies have been conducted from which quite different results can be deduced. An examination of the *Poldis* study (for 2008) suggests that the findings on which our own inventory of violent incidents is based may suffer from underreporting within the police force. Then there are the results of the survey that was carried out in connection with the *2009 Racial Discrimination Monitor*. These do not indicate a trend of decreasing violence but rather a stabilisation. Because of the competing results of these studies, the question of the scale of racial violence in the Netherlands cannot be satisfactorily answered.

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## Notes

<sup>1</sup> I. van der Valk & W. Wagenaar, *Monitor Racisme & Extremisme: In en uit extreemrechts*, Amsterdam: Anne Frank House / Leiden University 2010.

<sup>2</sup> See the Racism & Extremism Monitor website <<http://www.monitorracisme.nl>> for all previous reports. For racial and right-wing extremist violence in 2007 and 2008, see (respectively): W. Wagenaar & J. van Donselaar, 'Racistisch en extreemrechts geweld in 2007', in: J. van Donselaar & P.R. Rodrigues (eds.), *Monitor Racisme & Extremisme: achtste Rapportage*, Amsterdam: Anne Frank House / Leiden University 2010, pp. 17-41 and W. Wagenaar & J. van Donselaar, 'Racistisch en extreem-rechts geweld in 2008', in: I. Boog et al. (eds.), *Monitor Rassendiscriminatie 2009*, Rotterdam: Landelijk Expertisecentrum van Art.1 2010, pp. 139-150, <<http://www.art1.nl/scripts/download.php?document=843>> (30 August 2010).

<sup>3</sup> For a more detailed treatment of conceptual problems concerning right-wing extremism, see the chapter 'Rechts Radicalisme' by J. van Donselaar in: H. Moors et al., *Polarisatie en radicalisering in Nederland: een verkenning van de stand van zaken in 2009*, Tilburg: IVA Beleidsonderzoek en Advies 2010, pp. 77-99, <<http://www.iva.nl/uploads/documents/166.pdf>> (30 August 2010).

<sup>4</sup> For a more detailed treatment, see F.J. Buijs & J. van Donselaar, *Extreem rechts: aanhang, geweld en onderzoek*, Leiden: Leids Instituut voor Sociaal Wetenschappelijk Onderzoek 1994, pp. 55-64.

<sup>5</sup> *Ibid.*, p. 57.

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<sup>6</sup> Ibid.

<sup>7</sup> Also see the chapter 'Rechts Radicalisme' by J. van Donselaar in: H. Moors et al., *Polarisatie en radicalisering in Nederland: een verkenning van de stand van zaken in 2009*.

<sup>8</sup> Ibid.

<sup>9</sup> F. Tas & W. de Wit, *Poldis 2008: criminaliteitsbeeld discriminatie*, Apeldoorn: Politieacademie 2009, <<http://www.rijksoverheid.nl/bestanden/documenten-en-publicaties/rapporten/2009/06/25/criminaliteitsbeeld-discriminatie-2008/criminaliteitsbeelddiscr.pdf>> (30 August 2010); W. de Wit & E. Sombekke, *Poldis 2009: criminaliteitsbeeld discriminatie*, Nijmegen: ITS, Radboud University 2010, <<http://www.rijksoverheid.nl/bestanden/documenten-en-publicaties/rapporten/2010/07/20/Poldis-2009-het-landelijk-criminaliteitsbeeld-discriminatie-van-de-politie/Poldis2009-criminaliteitsbeeld-discriminatie.pdf>> (13 September 2010).

<sup>10</sup> Until a few years ago we also made use of data on anti-Semitic violence from the Centre for Information and Documentation on Israel (Centrum Informatie en Documentatie Israël; CIDI), but since 2006 these data have no longer been available for our reports.

<sup>11</sup> These are part of Art.1, <<http://www.art1.nl>>.

<sup>12</sup> M. Coenders, I. Boog & W. Diensbach, 'Discriminatie-ervaringen: een onderzoek naar ervaren discriminatie op grond van land van herkomst, geloof en huidskleur', in: I. Boog et al. (ed.), *Monitor Rassendiscriminatie 2009*, pp. 33-74.

<sup>13</sup> For a more detailed discussion of these – comparable – figures, see J. van Donselaar, 'Racistisch en extreemrechts geweld', in: I. Boog et al. (ed.), *Monitor Rassendiscriminatie 2005*, Rotterdam: Landelijk Bureau ter Bestrijding van Rassendiscriminatie [etc.] 2005, pp. 119-131, <<http://www.art1.nl/scripts/download.php?document=316>> (30 August 2010).

<sup>14</sup> F. Tas & W. de Wit, *Poldis 2008. criminaliteitsbeeld discriminatie*; W. de Wit & E. Sombekke, *Poldis 2009: criminaliteitsbeeld discriminatie*.

<sup>15</sup> It is unclear why this is no longer being reported. Information on the kind of discrimination is provided with regard to discrimination against homosexuals.

<sup>16</sup> W. de Wit & E. Sombekke, *Poldis 2009: criminaliteitsbeeld discriminatie*, p. 2.

<sup>17</sup> The Supreme Court of the Netherlands also regards to such targeted graffiti as 'violence'. See Supreme Court 16 September 1996, in: E.R. van Eck, A. Kellerman & J. Nieuwboer (eds.), *Rechtspraak rassendiscriminatie: Editie 1995-2000*, Rotterdam: Landelijk Bureau ter bestrijding van Rassendiscriminatie 2001, no. 408. This had to do with large-scale targeted graffiti in a military cemetery.

<sup>18</sup> J. van Donselaar (editor-in-chief), *Monitor Racisme & Extremisme: Het Lonsdalevraagstuk*, Amsterdam: Anne Frank House / Leiden University 2005.

<sup>19</sup> 'Lonsdale-jongeren' in Nederland: feiten en fictie van een vermeende rechts-extremistische subcultuur, The Hague: Algemene Inlichtingen en Veiligheidsdienst 2005, <<http://www.nuansa.nl/documentatie/onderzoeken/lonsdale-jongeren-in-nederland>> (13 September 2010).

<sup>20</sup> J. van Donselaar (editor-in-chief), *Monitor Racisme & Extremisme. Het Lonsdalevraagstuk*, pp. 25-34.

<sup>21</sup> J. van Donselaar & P. R. Rodrigues *Monitor racisme & extreem-rechts: zesde rapportage*, Amsterdam: Anne Frank House / Leiden University, 2004, pp. 29-30.

<sup>22</sup> We cannot rule out the possibility that other kinds of confrontations are still taking place, but that due to the aforementioned lack of recognisable features they are no longer being characterised by external observers (the police, the media) as racist incidents or incidents involving Lonsdale youth.

<sup>23</sup> Algemene Inlichtingen- en Veiligheidsdienst, *Jaarverslag 2007*, The Hague: Ministry of the Interior and Kingdom Relations 2008, <[http://www.jaarverslag.aivd.nl/jaarverslag/Jaargang.2007/cDU360\\_Jaarverslag\\_2008.aspx](http://www.jaarverslag.aivd.nl/jaarverslag/Jaargang.2007/cDU360_Jaarverslag_2008.aspx)> (30 August 2010).

### 3 Right-wing extremist groups

*Willem Wagenaar*

Since before the Second World War, classic right-wing extremist groups have been an almost uninterrupted presence in the Netherlands.<sup>1</sup> But around the time of the millennium, the classical right-wing extremist *parties*, such as the Centre Democrats, dropped out of the picture for the most part.

At that point, new political parties emerged such as the Pim Fortuyn List (Lijst Pim Fortuyn; LPF) and the Party for Freedom (Partij voor de Vrijheid; PVV), parties that were frequently associated with right-wing extremism.<sup>2</sup> Like the classical right-wing extremist parties, these parties are opposed to the multicultural society and deliver their political message in a provocative way. One obvious difference between them, however, is that the new parties are not products of a right-wing extremist tradition. Another difference is that they invoke the freedom of expression much more than the classical right-wing groups ever did. What they represent, therefore, is a new form of right-wing extremism: a *new extreme right*.<sup>3</sup>

The subject of this chapter are the classical right-wing extremist groups. The PVV, a party of the new extreme right, will be discussed in chapter 4.

First I will summarise a few important developments that took place within the classical right-wing extremist groups in the period 2009-2010. Then I will address two themes in two separate sections: right-wing extremist street activist in the Netherlands and trans-border activism. In the interest of readability I will not keep referring to my subject as classical right-wing extremism but simply as right-wing extremism. When discussing representatives of the new movement, I will explicitly speak of the new extreme right.

#### 3.1 Overview, 2009-2010

In this section I will briefly review a few of the relevant events that have taken place since the eighth Monitor report was published in late 2008.

##### 3.1.1 Elections

Three elections were held in the Netherlands during the past Monitor period: the European elections in 2009 and the municipal elections in March 2010, followed three months later by the parliamentary elections. In these elections most of the attention went to participation by the new extreme right PVV and the good results it achieved. Participation by other right-wing extremist parties in these elections was modest. No classical right-wing extremist party has been represented in the Dutch parliament since 1998, and no such party has ever won a seat in the European Parliament.

In the recent European and parliamentary elections, only the Netherlands People's Union (Nederlandse Volks-Unie; NVU) could have participated, theoretically speaking; no other classical right-wing extremist party exists at the moment. But that party's degree of organisation and small electoral base stand in the way of electoral success at the national level. In the almost four decades of its existence the NVU has never been able to win a single seat, so neither it nor any other classical right-wing extremist party participated in the national or the European elections.

Things were different in the 2010 municipal elections. The NVU was present at the polls in a number of towns and cities, along with other right-wing extremist parties: the Free Utrecht Party (Partij Vrij Utrecht; PVU) and the Centre Democrats (Centrum Democraten) of Gelderland.<sup>4</sup> None of these parties managed to win a seat, however.

These results were not surprising. Only once since 1998 has a right-wing extremist party

managed to win a seat in a municipal election. New Right (Nieuw Rechts) gained two seats in a Rotterdam district council in 2002, but it never happened again.<sup>5</sup>

In the last municipal elections there were indications that attitudes had changed with regard to the participation of the far right. In the recent past, parties like the NVU had often been barred from taking part in pre-election activities such as debates and election markets. The local governing council, election organisers and action groups would make sure that such parties did not have the same chance that other parties had to present their platform. It was argued that because of their extremist message these parties had placed themselves outside the democratic process. That debate has subsided for the most part. Now it is taken for granted that right-wing extremist parties should also be allowed to participate in activities such as debates and election markets. Only in Heerlen was the NVU barred from taking part in an election debate in 2010.<sup>6</sup> Hardly a word of protest against the participation of right-wing extremist parties was raised anywhere else.

Evidently, being able to freely take part in campaign activities did not result in more votes.

### *3.1.2 Developments on the internet*

Most right-wing extremist groups make use of the internet, mainly to create and maintain their own websites, which serve as their digital display as well as a sounding board for their own rank and file. More and more possibilities in the realm of digital communication have been developed in recent years, and several right-wing extremist groups have availed themselves of these innovations. A right-wing extremist radio station, Radio Rapaille, has been set up by groups allied with the organisation Voorpost. This station broadcasts continuously via the internet.<sup>7</sup> The range of programmes is varied. There are several music programmes aimed at different youth cultures as well as informative programmes with news and reports on right-wing extremism in the Netherlands and Flanders. But there are also sports programmes and features on modern paganism, for example.

Other interactive possibilities on the internet are also being exploited. Social networking websites like Hyves, YouTube and Facebook are popular among individual right-wing extremists, but they are also used as platforms for right-wing extremist groups.<sup>8</sup> The discussion forum, one of the oldest interactive features on the internet, is still important. A few groups have their own forums, some of them closed to the general public. But more important – at least larger in scale and number of posts – are the various independent right-wing extremist forums. The most well-known is the American Stormfront forum, with a large Dutch-Flemish section. Since 2001, a wide variety of discussions have been carried on on this forum by right-wing extremists from several groups. The messages posted there are also very diverse, although the majority have an overtly right-wing extremist content and frequently seem to exceed the bounds of the legally permissible. In 2009, two persons were summoned to appear in court in Amsterdam on account of their activities on the Stormfront forum. One of them was suspected of posting various anti-Semitic messages on Stormfront and of making threats. The second person was the moderator of the Dutch forum. He was held responsible for the placement of the messages by the first suspect, since he had allowed them to be posted and did not remove them. The Amsterdam court found the poster of the messages guilty. His postings were unquestionably punishable. The moderator, however, was acquitted. The court found that evidence of his responsibility for the placement of the messages was insufficient.<sup>9</sup> A number of Stormfront posters were subjected to a period of extensive investigation, but it became apparent that this full-scale criminal prosecution was only partially successful.<sup>10</sup> On the Stormfront forum itself, however, the effect of the prosecution was quite noticeable. In 2007 the police conducted two house searches in connection with this investigation, in the

home of a former moderator and the home of the only moderator still active. No Dutch right-wing extremist has dared to moderate the forum since then out of fear of being held responsible for the discussions on Stormfront. The job was taken over by an American who was seldom present and who had only a flimsy grasp of the Dutch language. This meant that discussions frequently got terribly out of hand. There were quarrels, abusive language and threats, much to the detriment of the forum's popularity in recent years. In late 2009 a prominent Voorpost follower issued an appeal to abandon the Stormfront forum and to create a separate place on the internet where 'Nazis' could not 'mess things up'.<sup>11</sup> This appeal was largely acted upon by Voorpost followers and sympathisers. Stormfront today has changed from a forum for a broad range of right-wing extremist activists to a meeting place for NVU adherents and anti-Semites. The result has not been greater consensus, however.<sup>12</sup> On the contrary, differences of opinion are frequently fought out there, mainly by NVU adherents. All this has caused the right-wing extremist community in the Netherlands to lose interest in the Stormfront forum.

Another popular discussion forum for right-wing extremists was Holland Hardcore. That forum was created in 2003 by groups of Lonsdale youth and became a place where these young people could make contact with right-wing extremist ideology and groups. Holland Hardcore also ran afoul of the law. In 2008 the police raided the home of the forum's owner because texts with punishable content had appeared on the site, but so far this has not resulted in legal action. Holland Hardcore also had problems with discussions and quarrels going awry, despite active moderation. Discussions between neo-Nazis and other right-wing extremists were often especially vituperative. This plus the dwindling number of visitors led the site administrators to close the forum down.<sup>13</sup> A new discussion site took its place: *Theudisk*.<sup>14</sup> The aim of this site is to issue news reports and support discussions for right-wing extremists who are more or less politically aligned with Voorpost. National socialists are actively kept away.

'This forum does not distribute propaganda for totalitarian ideologies (such as National Socialism, Islam and communism/Marxism and the like). The same holds for organisations that support or distribute such ideas. We refer the followers of such groups to other forums that allow these activities.'<sup>15</sup>

This makes *Theudisk* the one site where right-wing extremists can discuss things without the constant eruption of quarrels. A great deal of effort is required, however. *Theudisk* is so strictly moderated that its range is quite limited.<sup>16</sup>

In the past, internet forums like Stormfront and Holland Hardcore were specifically intended as recruitment instruments for swelling the ranks and directing potentially interested persons to right-wing extremist organisations. Such groups could also use these forums to conduct discussions and create propaganda. The forums were characterised as digital ports of refuge for right-wing extremists who were given more room to manoeuvre in Dutch society, but always on a modest scale.<sup>17</sup> Now these functions seem to be dwindling in importance. Stormfront has become less popular and attractive because of the quarrels and drop-outs. The successor to Holland Hardcover, *Theudisk*, has also become less accessible due to strict monitoring. To what extent the forums' functions have been taken over by other internet communities – such as social networking sites like Hyves and Facebook – is not sufficiently clear to me, but on the basis of our observations it seems likely that this is happening.

### 3.1.3 Lonsdale problem<sup>18</sup>

About ten years ago there was a resurgence of interest in the ‘gabber’ music style. This hard electronic music was introduced for the first time in the early nineties and was extremely popular. After a few years the gabbers disappeared from view. But when the music underwent a revival in 2001 the youth culture came back as well. The culture had changed with respect to the first generation, however. In the nineties the gabbers could be recognised by their uniform appearance and dress (shaved heads, tracksuits). Back then, when gabbers made the news it was for their extreme drug use, anti-social public behaviour and alleged racism. Among the second generation of gabbers a new type of clothing was fashionable, with the Lonsdale brand predominating. As a result they were commonly known as ‘Lonsdale youth’ or ‘Lonsdalers’. The Lonsdale phenomenon as a concept was associated with trouble, harassment and criminality. A substantial number of these Lonsdale youths actually held right-wing extremist ideas, far more than in the nineties. Often the ideas were not particularly profound, but they did serve as a motive or reason to get involved in racist incidents. In the past decade, for instance, numerous interethnic confrontations occurred involving groups of right-wing extremist Lonsdalers.<sup>19</sup> It should be noted that this involvement included victimising ethnic minority young people as well as being the victims of aggression by others, usually groups of ethnic minority young people. Understood this way, the Lonsdale problem formed a substantial part of the broader problem of interethnic tension among young people in the public domain.

In 2001 the problems related to right-wing extremist Lonsdalers began increasing in scale and significance, only to take an even sharper upward turn after the murder of the Islam-critic and filmmaker Theo van Gogh at the end of 2004. Right-wing extremist youths then became involved in a series of racist (violent) incidents, which was covered in detail by the media.

The diversity of the Lonsdale problem was evident not only in its forms of expression but also in the reactions it inspired. While one person believed he was witnessing an extremely dangerous neo-Nazi group, another saw nothing but an age-old phenomenon: a group of youngsters getting into trouble. These diverse perceptions, or different ‘definitions of the situation’, led to correspondingly vigorous or weak forms of response by government authorities.<sup>20</sup>

Another firmly held picture of Lonsdalers was that of a group from which young right-wing extremists were recruited. Recent research on a number of persons who had belonged to the hard core of right-wing extremist street groups shows that half had started out in a youth culture.<sup>21</sup> In a number of cases they came in contact with right-wing extremist groups via the Lonsdale circuit, or they started their own group with like-minded people from that circuit. Another important factor was that they became familiarised with a right-wing extremist or racist discourse within the Lonsdale circuit, so that moving on to a right-wing extremist group was not such a major step.

Now this music and youth culture is on the wane. Lonsdale youths have disappeared from view for the most part. Even the big gabber parties, where tens of thousands of young people came to experience this youth culture together, is decreasing in popularity.<sup>22</sup> The proportion of Lonsdale youths involved in violent right-wing extremist incidents has also dropped dramatically in recent years (see chapter 2 of this report, ‘Racial and right-wing extremist violence in 2009’).



### 3.2 Street activism

The picture we have of right-wing extremism has changed in many ways in the past decade. One of the more striking developments was the emergence of right-wing extremist street activism.<sup>23</sup> This is by no means a new phenomenon. Since the seventies, many groups and parties have periodically strengthened their public image by means of demonstrations and other actions, some of them violent. Often the action was secondary, with the actual goal being publicity and the recruitment of followers. The past decade saw a rise in right-wing extremist groups that were involved almost exclusively in street actions.

One exception is the Netherlands People's Union (the Nederlandse Volks-Unie; NVU). The NVU is indeed a party, but one with an activist character. In this section I will discuss recent developments that have taken place within the various right-wing extremist street groups.

#### 3.2.1 *Netherlands People's Union*

One obvious form of right-wing street activism is the demonstration. Methods of dealing with right-wing demonstrations have changed over the past ten years.<sup>24</sup> From 1977 to the mid-nineties it was impossible for right-wing extremist groups to organise public demonstrations because they were affected by a ban that was based on the expectation that public order would be disturbed. After a short period in the mid-nineties in which demonstrations were permitted, all announced demonstrations were prohibited again as a preventive measure. Since 2001, however, the right for right-wing extremists to demonstrate has been more and more widely respected following a number of court interventions. The most important changes have been due to efforts by the NVU. In 2001 the NVU went through the administrative courts and obtained permission to demonstrate legally. From that moment on, organising demonstrations has become the party's core business. Since 2001, the NVU has expanded the scope of permissible demonstrations by means of legal actions in the administrative courts. For example, local authorities may not place any limitations on the scheduled time or route, which defeats the purpose of a public demonstration.<sup>25</sup>

Consequently, the NVU today can demonstrate in the centre of any city during the busiest hours of the day. Naturally that applies not only to the NVU but also to other right-wing extremist organisations. They make grateful use of this liberalisation of the free speech principle brought about by the NVU.

During the last Monitor period, demonstrations planned by the NVU for the cities of Den Bosch and Venlo were prohibited, but after intervention by the administrative courts the demonstrations were given the green light.<sup>26</sup>

Successfully organising demonstrations is not without risks for the NVU itself, however. Because the NVU's active electoral base is quite small, the party always calls on like-minded groups in the Netherlands and Germany to join in their demonstrations. This dependence on external groups means that they, too, are able to set the tone of such demonstrations under the colours of the NVU. Slogans are shouted and banners are carried with messages that are more radical or different in theme than what the NVU itself would like to display. Not only does this cause internal division but it also increases the risk of legal action being brought against the demonstrators. In addition, these external demonstrators often opt for a consistently black clothing style as well as for face coverings, which imbues the demonstration with a spirit that is less than desirable for the NVU.<sup>27</sup>

All this leads to vehement discussions between the NVU leadership and the demonstrators. How the NVU is going to solve this dilemma – the choice between an undesirable spirit and a small number of demonstrators – is unclear at the moment.

### 3.2.2 *National Socialist Action*

In 2005 in the Haaglanden region some right-wing extremist Lonsdale youth formed a group of their own. They began as a group of White Power hooligans, but under the influence of a few older right-wing extremists they developed into a group with a National Socialist profile.<sup>28</sup> From that moment on the group called itself National Socialist Action (Nationaal-Socialistische Aktie; NSA).<sup>29</sup> The NSA ended up in a network of like-minded people in which many ideological changes had taken place in recent years, changes that had an influence on the NSA. Two sources of inspiration were involved. The first was the Racial Volunteer Force (RVF), to which the NSA is closely allied. RVF is originally from Great Britain and is represented in the Netherlands by Eite Homan of Groningen. Homan is an influential veteran of the European National Socialist circuit. He holds ideas that are controversial within the extreme right. His main motivation is his hatred of Jews, and he regards all Western political and economic structures as 'Jewish'. In fighting these structures Homan looked to other political extremists for inspiration, even those of a leftist or Islamist identity (whenever possible he also sought collaboration, but that is somewhat speculative). He touted himself as a follower of the Iranian president Ahmadinejad, of Osama Bin Laden and of groups like Hamas and Hezbollah, on the assumption that they were carrying out the same fight against international Jewry and Israel that he was.

A second source of inspiration for the NSA are the German Autonomous Nationalists. Followers of this right-wing extremist movement base themselves on National Socialism but are also inspired by left-wing 'autonomous' extremists. The latter are a left-wing movement, especially popular in Germany, who are characterised by violent street actions, an informal structure and a network within the various popular youth cultures. The Autonomous Nationalists copied a number of things from these left-wing groups. On the one hand they were interested in strategies: demonstration tactics, such as wearing uniform-type clothing to prevent identification by the police, as well as involvement in youth cultures in order to recruit the young. On the other hand they also did some 'ideological shopping'. Themes such as the struggle against capitalism, solidarity with the Palestinians and animal rights were prominently featured by the Autonomous Nationalists but were placed in their own right-wing context. The struggle against capitalism, for example, was expressly tied to Jewish financial interests, solidarity with the Palestinians was translated into opposition to Israel, and animal rights often had to do with ritual and kosher slaughtering practices. Because of these two sources of inspiration, the NSA often addresses themes that are not directly associated with the extreme right. Obvious examples are open solidarity with extreme Islamic and left-wing organisations and a positive attitude towards squatting. On one of its websites, the NSA made the following frank statement:

'The NSA as a collective is in solidarity with the RAF (the German Rote Armee Fraktion terrorist group), pro-Islam and a supporter of squatting, and places itself within the tradition of the SA.'

Not all right-wing extremists agree with these views by any means, including within the NSA. Discussions of these themes, along with other differences of opinion, have even resulted in a split.<sup>30</sup> Some of the NSA supporters thought the original racist hooligan character of the group was more important and found the present line too 'left-wing'. The positive attitude towards the squatting of buildings also created discord within the wider right-wing extremist circle. This view led to heated discussions on the Stormfront forum.<sup>31</sup> The split within the NSA, combined with ideological hair-splitting, has not done the organisation any good. The number of NSA activists has dropped sharply. There may be other reasons for this besides internal tension. Some of the NSA supporters were from Lonsdale youth circles. As was stated in section 3.1.3, that youth culture has largely

disappeared. This may make it more difficult to recruit new followers and to keep up the size of the group.

There is also the possible effect of ageing. A recent study shows that right-wing extremist street activists are often in the adolescent phase (15-25 years) and remain active for between one and five years.<sup>32</sup> Since a significant proportion of the activists first became active in the middle of the last decade, they will have reached the age at which many activists leave the right-wing extremist circuit – a factor which may play an important role.

In addition to this decline in followers there is also evidence that the NSA is undergoing a kind of ‘professionalisation’. The remaining key group is now fully acquainted with the ideology as well as with the national and international structures of the extreme right. I will be coming back to this in the next section. There is also a ‘professionalisation’ of organisation and behaviour, which seems to be reflected in the drop in the number of criminal incidents. NSA followers are being arrested less frequently than they once were. In around 2008, incidents and arrests followed each other at high speed and usually involved violence and fights in the context of night-time socialising. NSA members are no longer being arrested for such incidents. It is more common to see them seeking confrontations with police and political opponents during demonstrations, when arrests do take place. So for the NSA there seems to have been a change from quantity to quality.

### *3.2.3 Blood & Honour*

Blood & Honour is an organisation of skinheads with neo-Nazi views. The organisation was established at the end of the eighties in England and now has divisions in many Western countries. It is banned in Germany and Spain.<sup>33</sup>

A few years ago, Blood & Honour in the Netherlands was a group of quite some size. In around 2006/2007 there was evidence of national coordination, with a number of ‘divisions’ spread out across the country. In early 2007 a fight broke out at a gathering of right-wing extremists between Blood & Honour members and left-wing counter-demonstrators. This led to mass arrests and a number of convictions for Blood & Honour members.<sup>34</sup> As a result of the publicity, arrests and convictions, a significant number of key members left the organisation. The national coordination disappeared, and the various divisions are active only regionally. Since then, a few attempts have been made to launch a new national initiative, but so far all of them have failed. This failure has been influenced by both external and internal factors. Several national gatherings of Blood & Honour adherents have been prevented or dissolved in recent years.<sup>35</sup> And in Oost-Groningen, where a Blood & Honour group is active, a deradicalisation programme for followers and potential adherents was successfully introduced.<sup>36</sup> At the same time, internal conflicts and squabbles took place that did the organisation no good. Various internal fights and reprisals, some of which took place in Flanders, cost Blood & Honour both supporters and sympathy from other groups.<sup>37</sup>

At the moment there are three Blood & Honour groups active in the Netherlands: the ‘Nordland Division’ around Winschoten, a small group in the eastern Netherlands and a group in northern Noord-Holland. There is also a mixed Dutch-Flemish group called ‘Combat 18 Nederland & Vlaanderen’ (Combat 18 Netherlands & Flanders) which is among the groups belonging to Blood & Honour. All these groups are relatively marginal and do not appear to be capable of getting a national organisation off the ground.

### *3.2.4 National Youth Netherlands*

In 2009 a new group with a right-wing extremist identity was formed, National Youth Netherlands (Nationale Jeugd Nederland; NJN). The main reason for founding the NJN was the large number of arguments taking place within the other groups. The NJN's profile is less markedly ideological than that of the NSA, but it does belong to the National Socialist corner of the right-wing map. The NJN organised its own actions against paedophiles, against the 'terrorist' Nelson Mandela and against the building of a mosque. NJN followers often participate in other right-wing extremist demonstrations in the Netherlands, Germany and Belgium.

The NJN may be a new group but its recruitment has been limited. Most of the new members are former members of other right-wing extremist groups.

### *3.2.5 Voorpost*

The 'Whole Netherlandish' organisation Voorpost (Outpost) is of Flemish origin and has had a Dutch section since the late seventies. The Dutch section has had its ups and downs. Since 2004, however, the organisation has been going through a stable period.

Voorpost differs ideologically from NSA and Blood & Honour. While NSA and Blood & Honour are decidedly National Socialist organisations, Voorpost places itself more firmly in the 'Diets' tradition of the extreme right and in that of Flemish solidarism. Solidarism is an anti-democratic political ideology that emerged during the 1930s and was inspired by Mussolini's fascism. Voorpost is also known for the well-behaved character of its actions, in which it formally rejects the use of violence. The goal of these actions is to influence public opinion. The themes that are chosen are sometimes of the classical right-wing extremist variety but are also linked to current Dutch topics: opposition to mosques and Islam, opposition to left-wing organisations and parties, opposition to drugs and against paedophilia. One interesting initiative started by Voorpost circles was a series of animal rights actions that involved protesting against circus animals. A separate action group was formed for this theme: With the Animals Against the Beasts (Met de Dieren Tegen de Beesten; MDTB). Voorpost did not change substantially during the most recent Monitor period. Compared with other right-wing extremist groups, Voorpost has a relatively stable management cadre and loyal supporters. The organisation consists of various 'circles' (Kennemerland, Haaglanden, Rijnmond, Midland, Twente and Kempenland). Each circle has a monthly meeting for regulars and conducts its own regional actions. There are also small national actions, and actions and gatherings in Flanders are attended collectively.

In 2009 Voorpost seemed to be changing strategy. A demonstration against soft drugs was organised in Maastricht with support from Belgian Voorpost followers, which greatly swelled the ranks. The demonstration was seen as a big success because of the turnout. A following demonstration was held in Gouda but drew only a handful of people. After that failure, Voorpost has carried out only small-scale actions.

A number of counter-actions have been carried out recently against left-wing initiatives. These included demonstrating at an anti-Wilders event and disturbing an evening discussion on Sharia law being held in Amsterdam.

### *3.2.6 Right-wing extremist street activism: a review*

The previous sections provided an overview of recent developments in right-wing extremist street groups. The picture that emerged is one of marginalisation and fragmentation. I believe that picture is correct. These groups are decreasing in size. In addition, a great deal of energy is being spent within the groups challenging each other and squabbling over internal differences of opinion. One exception to this general picture is Voorpost, which has made a stable impression for a number of years now.

In its 2009 annual report, the Dutch intelligence service AIVD (the General Intelligence and Security Service) stated that active support for the classical extreme right has dropped by fifty percent since 2007, from 600 persons to barely 300.<sup>38</sup> Working with these observations and estimates based on them, I arrive at a lower number with regard to active support (see table 3.1). By ‘active’ I mean visible support. In some groups there is a difference between the number of active members and the number of administrative members. The number of administrative members who do not show up for activities is certainly higher for the NVU and Voorpost, for example, but I am not in a position to make any meaningful statements about the total number of administrative members.

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Table 3.1 Estimated number of active supporters of right-wing extremist groups, mid-2010

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Group	Number of active supporters
NSA – RVF	25
Blood & Honour – Combat 18 (various sections)	50
NJN	15
NVU	20
Voorpost and sister organisations*	60
Total	170

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\* This refers to groups that may be independent from Voorpost but have many ideological points of similarity and a substantial amount of personal overlap (Radio Rapaille, Theudisk, Rijnbok).

Another indication of the current state of right-wing extremist street activism is the number of demonstrations that are held (see table 3.2).

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Table 3.2 Number of right-wing extremist demonstrations held in the Netherlands, 2005-2010

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2005	2006	2007	2008	2009	2010*
7	8	12	29	31	10

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\* until September 2010

After a striking increase in the number of demonstrations in the period 2006-2009, a drop seems to have occurred for the first time in 2010. That drop in activities is true for all the groups discussed here. Only the NVU seems to have held the same number of demonstrations (four) as it did in previous years. But in recent years organising demonstrations has become a *raison d'être* for this party.<sup>39</sup>

Developments within the neo-Nazi street groups, the decreasing numbers of members and the decreasing numbers of demonstrations suggest that interest in such groups is declining. This picture is reinforced by the decline in the number of violent crimes with right-wing extremist

motives that we observed in chapter 2, ‘Racial and right-wing extremist violence in 2009’.

Coincident with this decline, however, is another development marked by a more international orientation for such groups.

### **3.3 Border traffic**

When it comes to international connections, right-wing extremist organisations in the Netherlands have always focused on neighbouring countries Germany, Belgium and, to a lesser extent, England. Besides the fact that these countries are easy to reach, there are also historic and ideological considerations at work. In this section I will look at the current international contacts and activities of right-wing extremist groups, placing them within the context of similar activities in recent decades.

Right-wing extremists with a National Socialist tilt see the Netherlands as part of a ‘Greater German Reich’ in the tradition of Hitler. Naturally this suggests an orientation towards Germany. These groups have traditionally maintained contact with fellow German believers. Most of these contacts were incidental until the mid-nineties, when they began to acquire a more structured character. Ties with neo-Nazi groups in the Ruhr Area and the rest of North Rhine-Westphalia are particularly strong. As the years passed, these contacts have taken many different forms.

The first of these is organisational cooperation. Groups arrange things for each other, for example, that are controversial or prohibited in their own country. When a right-wing extremist was checked at customs at the Dutch-German border in 1991 it became clear that printed matter for the Centre Party ’86 was being printed in Germany. At the same time, Dutch right-wing extremists arranged for a postal address for German right-wing extremist organisations and publications whenever those groups were threatened by criminal prosecution in their own country. Another practical form of cooperation is the organisation of gatherings – as a joint trans-border activity, or because of difficulties encountered in one’s own country in putting together such an event. The NVU organised a few Hitler memorials in the past that were attended by many German visitors. In Germany, such gatherings stand a greater chance of being prohibited, and participants are more in danger of being prosecuted. The most visible form of cooperation is attending each other’s demonstrations. This, too, has been happening since the mid-nineties.<sup>40</sup> In recent years, however, there has been a noticeable rise in the number of Dutch right-wing extremists attending German demonstrations (see table 3.3). A possible explanation for this rise is the emergence of National Socialist street groups in the Netherlands and Germany. The influence of the so-called Autonomous Nationalists is particularly important in this regard (see section 3.2.2). These groups – mainly the NSA in the Netherlands – maintain intensive contact and regularly support each other’s activities.

These visits to each other’s demonstrations may mean many different things. In the Netherlands the demonstrations number between forty and one hundred participants, and sometimes more than half the demonstrators are from Germany.<sup>41</sup> On the other hand, when Dutch right-wing extremists are present in German demonstrations they are clearly in the minority. At these demonstrations it is not unusual to see hundreds, and sometimes thousands, of people taking part, among them a handful of Dutch people. Occasionally they fulfil a particular function – giving a speech, for example – but most of them walk in relative anonymity. From conversations with disengaged right-wing extremists we have learned that participating in these demonstrations serves roughly two purposes.<sup>42</sup> First, people want to acquire international contacts for their own organisation in order to make a better impression

on the rank and file. And second, most people experience demonstrations in Germany as quite special events. Because of the number of participants – large by Dutch standards – as well as the often violent confrontations with the police and with political opponents, these actions are greatly valued by Dutch demonstrators.

One Dutch right-wing extremist who regularly attends demonstrations in Germany seldom disappears into the faceless throng. As he models his appearance on that of Hitler (including the moustache and the lock of hair), he’s always sure to attract media attention.

Table 3.3 Number of times that Dutch right-wing extremists visited German demonstrations per year and vice versa, 2000-2010

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010*
Germans in the Netherlands	1	2	2	3	1	2	3	5	4	4	2
Dutch people in Germany	6	5	2	5	6	6	7	6	9	14	5

\* provisional figures, up to September 2010

There are other right-wing extremists active in the Netherlands besides these German-oriented National Socialist groups. The Dietsers, for example, believe that the Netherlands should be part of a ‘Whole Netherlands’ or a ‘Greater Netherlands’ (Dietsland). This Whole Netherlands covers the entire Dutch language region: the Netherlands, Belgian Flanders and the French *departement* of *Nord* (French Flanders). Such groups are oriented towards Flanders and Belgium, of course. The most well-known example is Voorpost. In these circles, meetings, demonstrations and actions are also held on both sides of the border. The numerical proportions are somewhat similar to the exchanges that take place between Dutch and German right-wing extremists. These are relatively well-attended gatherings in Flanders for the most part where the Dutch are not really needed for numerical reinforcement. The visiting Dutch sometimes have specific functions, such as walking in a flag parade in which they represent the region of the northern Netherlands. But conversations with former Dutch right-wing extremists reveal that for them, visits to Flemish right-wing extremist gatherings were like a cosy day at home<sup>43</sup> – not only because of the number of attendees, large by Dutch standards, but also because most of the attendees are ‘ordinary’ people. The scene is not dominated by skinheads and Lonsdale youth, as it is in the Netherlands, but far more by a cross-section of the Flemish population: families with children and old folks.

On the other hand, the Flemish are needed when Voorpost wants to organise a big action. That happened in 2009 at a Voorpost demonstration in Maastricht. There were more than 200 demonstrators and the majority were from Belgium.

Skinheads constitute a separate category of right-wing extremists. Some of them are active in political groups, such as those mentioned above. Blood & Honour, for example, was originally a British skinhead organisation. Skinheads are mainly interested in participating in a youth culture with an accompanying style of music.<sup>44</sup> For this reason concerts are frequently organised in the Netherlands and abroad for right-wing extremist skinheads. Dutch skinheads visit these concerts regularly.

Until recently it was exceedingly difficult to organise such concerts in the Netherlands because of opposition by local authorities or political opponents. But changes seem to have occurred. In 2008 three attempts were made to organise a right-wing extremist concert in the Netherlands. Two of those three attempts were thwarted because the police intervened or because opponents told the owner of the venue about the character of the concert. In 2009 four concerts were organised, one of which did not take place.

Most concert attendance by right-wing extremist skinheads occurs in other countries – mainly in Belgium, where organisers of these kinds of concerts encounter considerably less opposition than in the neighbouring Netherlands and Germany. So it sometimes happens that German right-wing extremists will organise a concert in Belgium with hundreds of visitors in attendance, most of them from abroad.<sup>1</sup> In addition to Belgium, skinheads also go to England to attend concerts given by the Blood & Honour ‘mother organisation’.

Despite a decline in the significance of neo-Nazi groups, there is evidence of a growing international orientation during the past Monitor period. Two reasons for this can be indicated. The most important reason, but not specific to this period, is that in the surrounding countries there are larger and better organised right-wing extremist formations that develop activities that are attractive to Dutch right-wing extremists. The second reason is that despite the decrease in the size and importance of Dutch right-wing extremist groups, a certain ‘professionalisation’ seems to be taking place, especially within the NSA. The hard core of the NSA has been active for quite some time now and they have been able to build up good international contacts. They are also able to organise travel and accommodations for their members attending foreign actions.

### **3.4 Conclusion**

Interest in the classical extreme right decreased over the past Monitor period. Street groups with a National Socialist orientation saw their following undergo a sharp decline, and the number of right-wing extremist demonstrations also decreased. The organisation Voorpost is an exception to this trend. For a few years now Voorpost has had a relatively stable management cadre and a consistent number of followers.

The causes of the decline in size are not easy to pinpoint. It is known that internal quarrels and conflicts between groups have caused followers from various groups to withdraw. A second cause may have to do with the failure to bring in new followers, which is necessary for maintaining the size of the organisation when other members leave. Over the past decade, new members often came from among the circles of the so-called Lonsdale youth. This youth culture has now largely disappeared, with a consequent drop in inflow.

The disappearance of these visible structures does not mean that right-wing extremism is vanishing completely. We may see new manifestations emerge in the coming period. Activists from the groups discussed here may also crop up in other organisations.

These developments may also explain the decrease in right-wing extremist violence, which we noted in chapter 2. The logical conclusion is that fewer right-wing extremists means less violence. We see at the same time, however, that the decrease in followers of the National Socialist action group NSA goes hand in hand with a form of professionalisation. The NSA’s

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<sup>1</sup> It is also striking that Dutch right-wing extremists were also involved in the organisation of a number of these concerts. See, among others, ‘Vierhonderd neonazi’s van Blood and Honour in Kinrooi’, *De Morgen*, 17 May 2009, ‘Un concert privé pour 350 néonazis’, *Le Soir*, 18 March 2008, Antifascistische onderzoeksgroep Kafka, ‘Patrick de Bruin: idealist of oplichter?’, *Alert!*, 12 (2008) 2, pp. 4-7.



management cadre has acquired better organisational skills. Because NSA members today are no longer involved in blatant fights and violence in cafés and clubs, they are also better at staying out of trouble with the police. Arrests still take place, but people take that risk with greater awareness by deliberating carefully before entering into confrontations with the police or political opponents during demonstrations. These developments, too, may play a role in the decline I have observed in extreme right-wing involvement in violent incidents. The ‘professionalisation’ of the NSA can also be seen in the greater international orientation of the group. Good contacts are being maintained, especially with Germany.

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## Notes

<sup>1</sup> See J. van Donselaar, *De staat paraat? De bestrijding van extreem-rechts in West-Europa*, Amsterdam: Babylon-De Geus 1995 and ‘Kroniek extreemrechts 1945-2003’ on the Racism & Extremism Monitor website, <<http://www.monitorracisme.nl/>> (14 September 2010).

<sup>2</sup> See ‘Het extreem-rechtse en racistische gehalte van LPF/Leefbaar-stroming’, in: J. van Donselaar & P.R. Rodrigues, *Monitor racisme en extreem-rechts: vijfde rapportage*, Amsterdam: Anne Frank House / Leiden University 2002, pp. 59-88 and M. Davidović et al., ‘Het extreemrechtse en discriminatoire gehalte van de PVV’, in: J. van Donselaar & P. R. Rodrigues (eds.), *Monitor Racisme & Extremisme: achtste rapportage*, Amsterdam: Anne Frank House / Leiden University 2008, pp. 167-198.

<sup>3</sup> For a detailed discussion of these developments and related questions of scope and definition see H. Moors et al., *Polarisatie en radicalisering in Nederland: een verkenning van de stand van zaken in 2009*, Tilburg: IVA Beleidsonderzoek en Advies 2009 and J. van Donselaar & W. Wagenaar ‘Extreemrechtse formaties’, in: I. Boog et al. (eds.), *Monitor Rassendiscriminatie 2009*, Rotterdam: Landelijk Expertisecentrum van Art.12010, pp. 151-160, <<http://www.art1.nl/scripts/download.php?document=843>> (30 August 2010).

<sup>4</sup> For a more detailed discussion of these elections see P.R. Rodrigues & W. Wagenaar, ‘Gemeenteraadsverkiezingen 2010’ op de website Monitor Racisme & Extremisme, <<http://www.annefrank.org/nl/Wereldwijd/Monitor-Racisme-Homepage/Onderzoeken/Gemeenteraadsverkiezingen-2010/>> (24 August 2010).

<sup>5</sup> The Nieuwe Nationale Partij (New National Party) won two seats in Rotterdam-Feijenoord, see ‘Extreem-rechts in Nederland, 2001-2002’, in: J. van Donselaar & P.R. Rodrigues, *Monitor racisme en extreem-rechts: vijfde rapportage*, pp. 41-46.

<sup>6</sup> ‘Verkiezingsdebat weert extreemrechts’, *Limburgs Dagblad*, 19 February 2010.

<sup>7</sup> Radio Rapaille, <<http://www.radiorapaille.com>> (26 August 2010).

<sup>8</sup> The NVU Hyves page has 292 members, for example, and that of Voorpost has 133 members (30 August 2010).

<sup>9</sup> Amsterdam District Court 1 October 2009, LJN BK1564 and Amsterdam District Court 1 October 2009, LJN BK1571. (LJN = National Case Law Number; the number under which judgements of Dutch courts are published on the website [www.rechtspraak.nl](http://www.rechtspraak.nl))

<sup>10</sup> House searches were conducted in the homes of four different persons, two of whom were finally prosecuted.

<sup>11</sup> ‘Nationalisten verlaten Stormfront’, <[http://www.theudisk.org/index.php?option=com\\_jfusion&Itemid=105&jfile=viewtopic.php&f=6&t=51](http://www.theudisk.org/index.php?option=com_jfusion&Itemid=105&jfile=viewtopic.php&f=6&t=51)> (30 August 2010).

<sup>12</sup> For recent examples see

<<http://www.stormfront.org/forum/t733831/>> where a forum member was accused of being a Turk

<<http://www.stormfront.org/forum/t728545/>> with a fierce quarrel between NVU members.

<sup>13</sup> ‘Holland Hardcore HouZee!’, <<http://www.holland-hardcore.com/inmemoriam.php>> (26 August 2010).

<sup>14</sup> Theudisk, <<http://www.theudisk.org/>> (30 August 2010).

<sup>15</sup> ‘Peudisk – Gebruikersvoorwaarden’, <[http://www.theudisk.org/index.php?option=com\\_jfusion&Itemid=105&jfile=ucp.php&mode=terms](http://www.theudisk.org/index.php?option=com_jfusion&Itemid=105&jfile=ucp.php&mode=terms)> (30 August 2010).

<sup>16</sup> It is also possible that the criminal prosecution of the owner of the Holland Hardcore forum was a factor in the decision to moderate the site more strictly.

<sup>17</sup> W. de Koster & D. Houtman, ‘Toevluchtsoord voor een bedreigde soort: over virtuele gemeenschapsvorming door rechts-extremisten’, in: *Sociologie*, 2 (2006) 3, pp. 232-248.

<sup>18</sup> For a detailed discussion see J. van Donselaar (editor-in-chief), *Monitor Racisme & Extremisme: Het Lonsdalevraagstuk*, Amsterdam: Anne Frank House / Leiden University 2005.

<sup>19</sup> *Ibid.*, pp. 31-34 and pp. 49-51.

<sup>20</sup> *Ibid.*, pp. 36-52.

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<sup>21</sup> I. van der Valk & W. Wagenaar, *Monitor Racisme & Extremisme: In en uit extreemrechts*, Amsterdam: Anne Frank House / Leiden University 2010, pp. 47-49.

<sup>22</sup> A 'Raveworld' party scheduled for the summer of 2010 was cancelled for lack of interest. See 'Streep door hardcorefeest RaveWorld', *Dagblad van het Noorden*, 19 July 2010.

<sup>23</sup> W. Wagenaar & J. van Donselaar, 'Extreemrechtse formaties', in: J. van Donselaar & P.R. Rodrigues (eds.), *Monitor Racisme & Extremisme: achtste rapportage*, pp. 48-54.

<sup>24</sup> Also see J.P. Loof, 'Demonstraties van rechtsextremistische groeperingen in Nederland en Duitsland', in: J. van Donselaar & P.R. Rodrigues, *Monitor Racisme & Extremisme: achtste rapportage*, pp. 89-123.

<sup>25</sup> Zutphen District Court 26 January 2007, LJN AZ7212 and Arnhem District Court 13 May 2005, LJN AT5504.

<sup>26</sup> Den Bosch District Court 22 May 2009, LJN BI4755 and Roermond District Court 10 June 2010, LJN BM7394.

<sup>27</sup> See, among others, 'Toespraak Mike van der Hoorn over de aanbevelingen van de werkgroep beeldvorming', *Wij Europa*, June 2010, p. 18.

<sup>28</sup> Kafka anti-fascist research group, 'Jeugd Storm Nederland', *Alert!*, 12 (2008) 1, pp. 4-7.

<sup>29</sup> For a detailed discussion of the history of the NSA, see W. Wagenaar & J. van Donselaar, 'Extreemrechtse formaties', in: J. van Donselaar & P.R. Rodrigues (eds.), *Monitor Racisme & Extremisme: achtste rapportage*, pp. 49-51.

<sup>30</sup> See, among others, Algemene Inlichtingen- en Veiligheidsdienst, *Jaarverslag 2009*, The Hague: Ministry of the Interior and Kingdom Relations 2010, p. 23, <[https://www.aivd.nl/asp/dowload.aspx?file=/contents/pages/104712/jaar verslag2009.pdf](https://www.aivd.nl/asp/dowload.aspx?file=/contents/pages/104712/jaar%20verslag2009.pdf)> (30 August 2010).

<sup>31</sup> See, among others, this line of discussion: <<http://www.stormfront.org/forum/t684395/>> (31 August 2010).

<sup>32</sup> See, among others, I. van der Valk & W. Wagenaar, *Monitor Racisme & Extremisme: In en uit extreemrechts*, p. 60. The same peak during the adolescent years is also evident in the age statistics of criminals. See, for example, A. Piquero et al., *Key Issues in criminal career research: new analyses of the Cambridge Study in Delinquent Development*, New York, NY: Cambridge University Press 2007, pp. 7-37.

<sup>33</sup> For details see H. Freires, 'Kriminelle Vereinigung', *Blick nach rechts*, 8 July 2010. <<http://www.bnr.de/content/kriminelle-vereinigung-1>> (27 September 2010) and 'Blood & Honour Division Deutschland und "White Youth" für immer verboten', *123recht.net* 13 June 2001 <<http://www.123recht.net/article.asp?a=1262&ccheck=1>> (27 September 2010).

<sup>34</sup> Haarlem District Court 16 January 2008, cause list numbers 23/000385/08, 23/000397/08, 23/000396/08, 23/000384/08. I do not know the exact details in this case since the Haarlem District Court is unwilling to release transcripts of the judgements. Haarlem District Court 8 October 2008, cause-list numbers 15/710472-07, 15/710473-07, 15/710476-07, 15/710478-07, 15/710480-07, 15/710475-07, 15/700073-07, 15/700074-07, 15/710469-07.

<sup>35</sup> In May 2008 the mayor of Aalten placed a preventive ban on a commemoration of Hitler that Blood & Honour was planning to hold in his town. In January 2009 a Blood & Honour 'New Year's Assembly' in Aa en Hunze was prohibited and terminated. In August 2009 a Blood & Honour barbecue in Nieuw Scheemda was prohibited and terminated.

<sup>36</sup> F. Demant, W. Wagenaar & J. van Donselaar, *Monitor Racisme & Extremisme: De-radicaliseren in de praktijk*, Amsterdam / Leiden: Anne Frank House / Leiden University 2009.

<sup>37</sup> One of the incidents attracted the attention of the media. A group of Dutch Blood & Honour members stormed a motorcycle bar in Belgium where rival Blood & Honour members were present. Property was destroyed and several people were assaulted. See 'Blood & Honour zaait vernieling in café', *Gazet van Antwerpen*, 30 March 2009.

<sup>38</sup> Algemene Inlichtingen- en Veiligheidsdienst, *Jaarverslag 2009*, p. 24.

<sup>39</sup> After the local elections in 2010, which were a disappointment for the party, the chairman announced that no more demonstrations would be held. See, among others, <<http://www.stormfront.org/forum/t655082-10/#post7885065>> (2 September 2010) and A. Karskens, 'NVU zweert nazi-spul en optochten af', *De Pers*, 9 August 2010. Soon afterwards, however, the party reversed its decision and announced a new demonstration, see 'Onze visie n.a.v. de publicatie in De Pers', <<http://www.nvu.info/pers/pers/1.html>> (2 September 2010).

<sup>40</sup> For a detailed discussion of right-wing extremist demonstrations in the Netherlands and Germany see J.P. Loof, 'Demonstraties van rechtsextremistische groeperingen in Nederland en Duitsland', in: J. van Donselaar & P. R. Rodrigues, *Monitor Racisme & Extremisme: achtste rapportage*, pp. 89-123.

<sup>41</sup> The mayor of Venlo discussed this matter following an NVU demonstration: 'Since most of the participants came from Germany, we have to conclude that what we facilitated was a German demonstration', see 'Politieinzet Venlo kost rond de vier ton', *Dagblad De Limburger*, 14 June 2010.

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<sup>42</sup> Talks were held with a number of former right-wing extremists as part of a study of processes of radicalisation and deradicalisation in 2009. See I. van der Valk & W. Wagenaar, *Monitor Racisme & Extremisme: In en uit extreemrechts*.

<sup>43</sup> Ibid.

<sup>44</sup> The skinhead youth culture mostly focuses on Oi! music, but sometimes also on harder metal styles with right-wing extremist lyrics known as 'Hatecore'.

## 4 The right-wing extremist and discriminatory quality of the PVV

*Peter R. Rodrigues and Willem Wagenaar*

The eighth report of the *Racism & Extremism Monitor* came out in December 2008 and contained a study of the right-wing extremist and discriminatory quality of the Party for Freedom (PVV).<sup>1</sup> On the basis of information available at the time, it was concluded that under certain circumstances the PVV can be regarded as a right-wing extremist party. A later study of polarisation and radicalisation in the Netherlands that was made public in January 2010 also focused attention on the PVV. It characterised the PVV as ‘new radical right’, also under certain circumstances.<sup>2</sup> To avoid any misunderstanding: in both studies, ‘radicalism’ and ‘extremism’ are regarded as synonyms.

In this ninth Monitor report we will see to what extent the earlier findings are in need of adjustment. This chapter will also take a closer look at two particular aspects of the PVV. The first concerns an inventory of relations that the party maintains with like-minded political organisations abroad. The second is an examination of the legal context of the criminal proceedings being brought against the party chairman.

### 4.1 The new extreme right

Depending on the definition (see below), the PVV can be seen as the new extreme right (or new radical right). This designation should be preceded by two important comments. First, the PVV cannot be placed within the tradition of neo-Nazism in terms of ideology. Second, not a trace of anti-Semitism can be detected within the PVV’s upper ranks, unlike many ‘classical’ right-wing extremist groups.<sup>3</sup>

Whether a group can be called right-wing extremist or not is a question we will examine on the basis of three indicators: *social genealogy*, *ideology* and *magnet function*.<sup>4</sup> *Social genealogy* has to do with the extent to which a party springs from a right-wing extremist tradition. Unlike the ‘classical’ right-wing extremist parties or movements, the PVV is not a product of a right-wing extremist tradition in terms of personnel. In terms of *ideology*, however, there certainly are elements of right-wing extremist ideology to be encountered in the PVV, such as a positive orientation towards *cultural Sameness*, an aversion to *cultural Otherness* and to political opponents, and predilection for the authoritarian.

The aversion to *Otherness* mostly concerns ‘Islamisation’ and ‘non-Western immigrants’. This is expressed in a series of strongly-worded references to these themes in public debate. These statements have resulted in criminal proceedings, which we will come back to in section 4.3. It should be noted that since the publication of the eighth Monitor report the PVV has not become less brutal in its statements, examples being the ‘head rag tax’ (tax on headscarves) and the demand that tens of millions of Muslims leave Europe on account of criminal activities or burgeoning radical ideology.<sup>5</sup>

Unlike many other right-wing extremist groups, the PVV does not include Jews in its notion of *Otherness*. On the contrary, for the PVV, *Sameness* is a reference to ‘the Judeo-Christian and humanistic culture in the Netherlands’.

The party has also called for expelling the Antilles from the Kingdom and for the unification of the Netherlands and Flanders.<sup>6</sup> This clearly shows that the nationalism of the PVV is not reflected in the *present* political entity of the Netherlands. There are indications that the PVV is striving to create a ‘Whole Netherlands’: a new structure based on a common language, culture and history, the borders of which strikingly coincide with ethnic dividing lines.

The party platform of the PVV reveals that on some points its ideology is at variance with fundamental human rights.<sup>7</sup> A prohibition on the Koran, the desire to close all Islamic schools and a halt on immigration for all Muslims is in violation of the Constitution as well as international human rights treaties. A few of its proposals for limiting immigration ignore European law. One such proposal calls for prohibiting Romanians and Bulgarians from entering the Dutch labour market, and for reversing the measure that allows Poles to do so. The section on security calls for ethnic registration for *everyone*, including the designation ‘Antillean’, which is in violation of the anti-discrimination restrictions.

The *magnet effect* has to do with the appeal exerted by persons or organisations with a known right-wing extremist identity. The PVV exercises a partial magnet effect: right-wing extremists are attracted to the PVV, but this is less true for those with a neo-Nazi orientation.<sup>8</sup> The international magnet effect will be dealt with further in section 4.2.

Finally, the PVV’s party organisation is clearly not democratic and can be described as ‘authoritarian’. The party does not admit any new members and there is no transparency with regard to such concerns as party organisation or party financiers.

Under these conditions, the PVV can be referred to as *new* extreme right. It should be noted that our designation is not shared by everyone and has become a point of discussion<sup>9</sup> – a discussion that we believe is bound to continue.<sup>10</sup>

## **4.2 The international magnet effect**

One of the indicators we use for determining the right-wing extremist ‘quality’ of a group is the magnet effect. This entails looking at the extent to which known right-wing extremists and right-wing extremist groups feel drawn to the PVV. *Nationally* there are indications of a partial magnet effect: some people are attracted while others are repelled. One important – but not decisive – criterion for feeling drawn or repelled to the PVV is the extent to which one is disturbed by the party’s pro-Jewish and pro-Israeli attitude.<sup>11</sup>

In our previous Monitor report we paid little attention to the *international* magnet effect of the PVV. The PVV did not begin to adapt a more discernible international orientation until 2008. Now that we have a better view of the PVV’s international contacts, it is easier to undertake an analysis of this context. In doing so, the following questions arise. On which themes do foreign groups identify with the PVV, and on which do they not identify? Which organisations are these? And to what extent does the PVV welcome this association or distance itself from it?

### *4.2.1 Connecting themes*

In order to see how the magnet effect of the PVV works internationally we should look at the areas in which cooperation has been successful and those in which cooperation is ruled out. Here, four themes are crucial: ‘Islamisation’, freedom of expression, Israel and anti-Semitism.

It goes without saying that the PVV’s fiercely negative attitude towards Islam is important to all forms of cooperation. It is the primary theme that unites the parties participating in the global Wilders network and that attracts people interested in joining. Wilders’ warnings against ‘Islamisation’ and his appeal for a worldwide struggle against ‘the advance of Islam’ constitute the heart of his presence within the network of radical critics of Islam. He has said the following in this regard:

‘It is urgent that our story makes its way beyond the local situation, and I see that happening now. I am getting invitations from all over the world to tell my story, as far away as Australia.’<sup>12</sup>

Not all of Wilders’s viewpoints are undisputed among the circles of his international followers. His fight against Islam is frequently seen as too extreme when it threatens to limit the *freedom of expression*. These differences of opinion are mainly concentrated on Wilders’s desire to ban the Koran in the Netherlands.<sup>13</sup> The appeal for a prohibition on the Koran is striking because Wilders regularly points to freedom of expression as his second priority. It seems, however, that according to Wilders, freedom of expression is not a ‘value neutral’ concept and should not be applied equally to everyone. This has met with resistance among his supporters. Filip Dewinter, the chairman of the Vlaams Belang party (Flemish Interest), thought the plan was not in keeping with the freedom of expression propagated by Wilders, and he dismissed it as an unrealistic demand.<sup>14</sup> But the plan is also being criticised within the network of radical critics of Islam in which Wilders himself is active (see the following section). Daniel Pipes, a prominent representative of this network, has written the following: ‘If he ever becomes prime minister and wants to ban the Koran, I will diametrically oppose him.’<sup>15</sup> Pipes assumes that at some point Wilders will abandon his idea of a Koran prohibition. ‘I don’t want to quote from private conversations, but this is exactly the point I submitted to him. If he were to become prime minister, he would have no other choice than to strengthen moderate Islam and to weaken radical Islam. All the rest is inoperable rhetoric.’<sup>16</sup> In a few cases the desire to ban the Koran has even resulted in a split with Wilders. The American blogger Charles Johnson said the following in *Vrij Nederland*:

‘I admired Wilders because he warned of the danger of Islamisation without linking up with right-wing extremist groups like Vlaams Belang or the British BNP. But I can’t support him any longer. He’s taking extremist positions. He says that Islam is not a religion, he wants to ban the Koran, he wants to deprive citizens of their individual freedom. These are ideas that clash with the Constitution. They’re un-American. I’m against radical Islam, but I’m also against curbing freedoms in the name of anti-Jihad.’<sup>17</sup>

One of the PVV’s main platform points in its international contacts is the unconditional *support of Israel*.<sup>18</sup> The PVV sees Israel as the ‘central front in the defence of the West’ against Islam. According to the PVV, the Israel-Palestine conflict is ‘not a territorial but an ideological conflict, a conflict between the reason of the free West and the barbarism of Islamic ideology’. The PVV also believes that the Palestinians have no right to the occupied territories. According to the PVV, the Palestinians of Israel and the occupied territories can make their home in Jordan, Israel’s neighbour.<sup>19</sup>

Almost the entire network of radical critics of Islam mentioned here support Wilders’s extreme views on these issues. Outside this network, however, they have been the object of criticism. Jean-Marie Dedecker, for example – standard bearer for the Dedecker List party (Lijst Dedecker; LDD) of Flanders – bases his platform on points that are similar to those of the PVV. He’s an interesting conversational partner for the PVV – at least at first glance. But in a double interview with the Flemish newspaper *De Standaard* some differences become apparent. Dedecker was opposed to the Koran prohibition, nor could he endorse Wilders’s plans for the Palestinians. Dedecker called Israel an ‘apartheid state’ and said that Wilders’s idea of sending the Palestinians to Jordan amounts to ‘ethnic cleansing’.<sup>20</sup>

One final point that features prominently in the party’s foreign contacts is the aversion to *anti-Semitism*. Wilders has explicitly stated on many occasions that he excludes groups with an anti-Jewish agenda.<sup>21</sup> This also was one of the problems he encountered in forming a European coalition and an important reason for refusing initially to admit Vlaams Belang.<sup>22</sup>

Later on, however, Wilders declared that ‘different noises’ were being heard from Vlaams Belang and that this party had taken a different course with regard to anti-Semitism.<sup>23</sup>

#### *4.2.2 Attracting and repelling*

The groups that feel attracted to the PVV can be divided into two categories: European groups that see the PVV as a possible political partner, and groups that are interested in international cooperation with the PVV on the basis of common anti-Islamic ideas.

The first category, the Europeans, was mainly important to the PVV in its search for cooperation at the European level in order to form a ‘European Alliance of European Patriots’, to raise common themes for discussion and to build a faction in the European Parliament. The parties that the PVV focused on included the Dansk Folkeparti, the Italian Lega Nord, Vlaams Belang and the Freiheitliche Partei Österreichs (FPÖ) – parties that are considered members of the so-called European right-wing extremist ‘party family’.<sup>24</sup> After a period of orientation, Wilders characterised the parties he had aligned himself with as a ‘hornets’ nest’. There were a few parties such as the Front National and the British National Party (BNP) that he disqualified entirely.<sup>25</sup>

At the moment he seems to be maintaining good relations with only the recently formed Die Freiheit party of Germany and the Dansk Folkeparti of Denmark. Wilders visited the Dansk Folkeparti a few times, and the party’s success in Denmark inspired him in several different areas. His suggestion to offer tacit support to a right-wing minority cabinet in the Netherlands was taken from experiences in Denmark.<sup>26</sup>

The other category has to do with an international group of radical critics of Islam, mainly from the United States and Israel.<sup>27</sup> This is a network of scientists, bloggers, journalists and politicians with radical ideas about Islam. Within those circles, Wilders is seen and valued as a successful politician, a leadership figure and a ‘martyr’ for free speech, the latter owing to his permanent security protection and criminal prosecution.<sup>28</sup> While there are considerable differences of opinion within this group regarding the exact scale of the problem (is the entire body of Islam a problem, or is the problem limited to radical groups alone?) and the solutions (should the Koran be prohibited?), there is general agreement that a worldwide struggle is underway between the civilised Judeo-Christian West and ‘barbarian’ Islam.<sup>29</sup> This is coupled with broad support for an uncritical orientation towards Israel. Radical, violent and ethnic solutions are advocated in dealing with the conflicts between Israel, the Palestinians and other countries in the Middle East. A typical example of this thinking is Knesset member Aryeh Eldad of the Israeli Hatikva Party. Eldad represents an extremist current in Israeli politics. He supports the death penalty for people who cede the ‘Land of Israel’, by which he is referring to Israeli Prime Minister Olmert who negotiated with Syria on the return of occupied territory.<sup>30</sup> Eldad and his party are often characterised as right-wing extremist.<sup>31</sup> Extremist views on Israel and the Middle East can also be found within the PVV.<sup>32</sup>

This international network supports Wilders on many levels: he is held up internationally as an important and visionary politician, he is nourished with ideas, he is given inspiration and he is provided with financial assistance, although it is not known to what extent.

Besides the organisations that the PVV has a good relationship with and those that it explicitly rejects, there are also a few organisations in which the magnet function is somewhat more complicated. Examples are Vlaams Belang, the Lijst Dedecker (LDD) and the English Defence League (EDL). The two Flemish parties, Vlaams Belang and LDD, are seen as right-wing occupants of the political field; Vlaams Belang is labelled as right-wing extremist and the LDD is not. While the image of Vlaams Belang is more moderate than it

once was, the party leadership is largely the same as it was ten years ago and the party has known anti-Semites among its members, although they are now being kept outside the management cadre. The LDD is not only more moderate but it is also comparable to the PVV, especially in terms of programme. When Dedecker left the Vlaamse Liberalen (Flemish Liberals) in 2006 and started his own party one year later, he declared that Fortuyn and Wilders were role models for him now that he was operating on his own. Yet in its contacts the PVV seems to prefer Vlaams Belang. Madlener, the leader of the PVV faction in the European Parliament, admitted that ‘We have grave doubts when it comes to actually cooperating with Vlaams Belang,’<sup>33</sup> but he also felt that Vlaams Belang is less restrained and sympathises more openly with the PVV. On more than one occasion party leader Dewinter has insisted that he sees many similarities between the two parties.<sup>34</sup> While there is no evidence of formal contact, according to Dewinter there is a lot going on behind the scenes. ‘We make sure that Wilders is sufficiently and directly informed about us. [...] Slowly but surely our relationship is improving. We also see this in interviews with Wilders.’<sup>35</sup> Vlaams Belang also organised a solidarity demonstration with Wilders on the first day of the trial against Wilders.<sup>36</sup> Why Vlaams Belang seems to be more and more accepting of the PVV, unlike the LDD, can easily be explained. The LDD probably thought the PVV was too extreme. The double interview with party leader Dedecker, quoted earlier, is very telling in that regard. He explicitly distances himself from the PVV with regard to the ban on the Koran, but even more with regard to Wilders’s views on Israel. For Wilders the opposite is probably true: these views constitute the core of his political message in the international context.

Wilders’s message enhances his popularity not only within his own network but also among followers in other circles. An example is the English Defence League. The EDL was established in 2009 from circles of former football hooligans. Members of the right-wing extremist BNP also seem to be involved in the EDL.<sup>37</sup> The EDL’s most important activities include holding demonstrations at places where opposition can be expected, such as neighbourhoods with large ethnic minority populations. These demonstrations regularly end in violence. Relations between the EDL and the PVV are different than between the PVV and the Flemish parties. The EDL openly supports Wilders. The League held a demonstration for Geert Wilders when he visited London in the spring of 2010.<sup>38</sup> This demonstration confirmed the picture that has been sketched of the EDL: football hooligans are an overriding presence, the demonstrations are aggressive in character and sometimes the occasional Nazi salute is seen.<sup>39</sup> Representatives of the EDL were also present at a pro-Wilders demonstration in Berlin.<sup>40</sup> At the end of October 2010 the EDL announced its plan to hold a demonstration in Amsterdam ‘in support of Geert’.<sup>41</sup>

In terms of content, the EDL and the PVV have much in common. The EDL is primarily opposed to Islam, radical Muslims, mosques and the presence of Sharia courts. The EDL also supports Israel. But the EDL is a different kind of group, with an image that is quite different from that of the PVV. It is an action group that promotes itself mainly by holding provocative demonstrations that frequently end in violence. As far as we know, except for the expressions of support there are no other contacts between the PVV and the EDL. In mid-October 2010 Geert Wilders emphatically distanced himself from the EDL: ‘I only know about them from the newspapers and I have never had contact with them.’<sup>42</sup>

When we line these international contacts up and compare PVV to them, a few things stand out. The PVV seems to exercise a certain attraction on foreign extremists, including right-wing extremist groups. The PVV does not always refuse contact with these groups. It has



with the Front National and the BNP, for example, but not with Vlaams Belang or the Eldad party. Wilders's criteria for accepting a group or keeping it at a distance seem to be anti-Semitism and the group's view of Israel, not its radical or right-wing extremist character. The position of the LDD is quite telling in this regard.

### 4.3 The case against Wilders

In recent years charges have been brought against Wilders based on the anti-discrimination restrictions in the Dutch Penal Code for a number of statements he has made. In June 2008, the Public Prosecution Service decided to dismiss several of these charges. The basis of this decision was that Wilders's statements were critical of a religion without being an affront to the believers themselves. In the chapter on the PVV in the eighth *Racism & Extremism Monitor* it was demonstrated that there is quite a bit to object to this decision.<sup>43</sup> The contested statements by Wilders contain comments in which criminalisation, the application of social distinctions and the exclusion of rights are important themes. It is these themes that previously have resulted in criminal convictions. The disputed comments have to do not only with Islam or Muslims but also with ethnic groups, such as Moroccans. Thus there may be evidence of both religious and racial discrimination. The legal notion of race is also based on skin colour, descent and ethnic or national origins. Finally, the dismissal is at odds with the official instructions in the *Discrimination Instruction*, which state that in the event of a serious charge of discrimination, legal action is to be instituted in principle.<sup>44</sup>

One by one we will deal with the decision of the court in response to the complaint of non-prosecution by the OM, the contents of the summons and the international legal aspects of the case.

#### 4.3.1 The complaint made to the court

A complaints procedure under art. 12 of the Penal Code was brought by a number of parties against the OM's decision to dismiss charges. This procedure is an instrument by which interested parties can raise objections in court to such a dismissal. On 21 January 2009, the Amsterdam Court of Appeals pronounced judgement and ordered that Wilders be prosecuted after all on the grounds of inciting hatred and discrimination (art. 137d of the Penal Code).<sup>45</sup> Thus the court came to a different conclusion than the Public Prosecution Service, and in its decision it stated that Wilders's comments may be punishable when viewed together. The court did not consider the case law of the European Court of Human Rights in its decision. Regarding the offensive character of the comments (art. 137c of the Penal Code), the court ruled that this criminal provision is only applicable in comparisons between Islam and Nazism.

The judgement of the court of appeals was striking in many respects and caused a considerable stir.<sup>46</sup> Normally speaking, the decision of a court of appeals regarding a complaint of non-prosecution consists of a few pages in which it is concluded that there is a ready chance of successful conviction. In this case, the court wrote a detailed statement to justify its decision. For this the court was accused of speaking out of turn. Indeed, dealing with the contents of the case is not the job of the court of appeals but of the Amsterdam District Court. The impression that the court of appeals had already come to a decision concerning criminal liability was reinforced by the strong wording that was used.<sup>47</sup> Criminal law scholar Leijten was led to wonder, 'What happens if an appeal is filed later on and the case appears before the same court?'<sup>48</sup>

An important point of contention among commentators was whether a parliamentarian could be prosecuted for his political message.<sup>49</sup> We take the position that if it can be reasonably

assumed that the charges concern a violation of an anti-discrimination restriction, then the case should be brought to court. The rules concerning the prosecution of cases of discrimination leave almost no room for discretionary dismissal, and this includes parliamentarians. Transaction settlements in cases of discrimination are only possible for minor cases having to do with slight grievances in combination with impulsiveness of action.<sup>50</sup> In this respect it is striking that the Amsterdam Court of Appeals does not refer to the *Discrimination Instruction* in its decision.

It can be reasonably assumed that the charges concern violation of the anti-discrimination restrictions. Whether the comments are punishable, or whether the perpetrator is also subject to punishment, are questions that should be decided by the criminal courts. This also applies to a parliamentarian who makes his comments *outside* parliament.<sup>51</sup> Contrary to what is commonly assumed, a politician does not have licence to discriminate in the public domain.<sup>52</sup> A local politician from the National Alliance was also convicted in court for the discriminatory texts that appeared on the party website.<sup>53</sup> Nevertheless, there is a school of thought among legal experts that would limit hate speech to inciting violence.<sup>54</sup> This view is not compatible with the anti-discrimination restrictions and the human rights treaties that the Netherlands has subscribed to on this point. The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the European Convention on Human Rights both pose major obstacles to this line of thought. Those who hold this point of view in fact are calling for a revision of the legislation and are arguing that exceptions be made to a treaty that has already been ratified. There is also a 2008 framework decision under European Community law concerning the use of criminal law to combat certain forms of hate speech and xenophobic expression (European Framework Decision).<sup>55</sup> This decision makes it compulsory to prosecute in the event of reasonable suspicion and to criminalise the public incitement of hatred (or violence) against a group of persons on the grounds of their race, skin colour or religion. On 28 November 2010, member states were required to alter their legislation in accordance with this framework decision.<sup>56</sup> Dutch law is already in compliance and should also be implemented.<sup>57</sup>

#### 4.3.2 *The summons*

After the decision made by the Amsterdam Court of Appeals on 21 January 2009, the OM was called to prosecute Wilders. On 3 December 2009 he was issued a summons for insulting a group of persons on the grounds of their religion (art. 137c of the Penal Code) and inciting discrimination or hatred (or both) on the grounds of race and/or religion (art. 137d of the Penal Code). Unlike the dismissal, the summons was based not only on religious discrimination but also on racial discrimination. Also noteworthy is that Wilders was charged only once with violating art. 137c of the Penal Code (group defamation), and that the other charges (four) concern art. 137d of the Penal Code (inciting hatred). The fact that after making the comments for which he is being charged Wilders went on to make other controversial comments is not being taken into account in these criminal proceedings.

Shortly after the ruling of the Amsterdam Court of Appeals was handed down, the Supreme Court passed an interesting judgement in cassation having to do with the scope of art. 137 of the Penal Code.<sup>58</sup> According to the Supreme Court, art 137c of the Penal Code penalises the making of insulting remarks ‘about a group of people on account of their religion’ but does not penalise the making of insulting remarks about a religion as such, even if it occurs in such a way that the religious sensibilities of the followers are offended. All criticism – even sharp criticism – of views shared by that group or of the behaviour of people belonging to the group are outside the scope of art. 137c of the Penal Code. The matter at hand in this case

concerns a window poster issued by a distinctly right-wing extremist party, the National Alliance, containing the words ‘Stop the malignancy known as Islam’.

In his conclusion, the advocate general in this case mentioned its relevance for the criminal case against Wilders but thought that Wilders had gone further in his statements. In his commentary on the ruling of the Supreme Court, Mevis notes that as a result of this judgement the OM will be reluctant to resort to art. 137c of the Penal Code when pressing charges.<sup>59</sup> In his critical remarks on the ruling, Veraart says that the Supreme Court should not have taken on the case itself but should have referred it back to the court of appeals to decide whether secondary charges of inciting hatred or discrimination could also be brought (art. 137d of the Penal Code). The Supreme Court did not issue an opinion on this point. The Norwood case in the European Court of Human Rights bears a striking resemblance to the case of the National Alliance poster. A member of the right-wing extremist BNP hung up a window poster bearing the text ‘Islam out of Britain – Protect the British People’.

The accused was convicted of discrimination in England, and the complaint he had lodged with the European Court of Human Rights was dismissed. The appeal to freedom of expression (art. 10 of the European Convention on Human Rights) had failed because the core values of the convention had been violated by his comments.<sup>60</sup>

Wilders’s attorney petitioned the procureur- general to submit a demand to the Supreme Court for cassation in the interests of the law concerning the decision of the Amsterdam Court of Appeals of 21 January 2009. Cassation in the interests of the law can only be submitted by the procureur-general. The purpose of this extraordinary means of recourse is to enable the Supreme Court to give an opinion on questions of law in cases that do not reach it through normal procedures, if such a response is desirable from the point of view of unity of law or development of law. The attorney had put forward several such arguments but they were rejected by the procureur-general, and – according to the press release of 20 May 2009 – he held that there were no grounds for cassation in the interests of the law.<sup>61</sup>

Then Wilders lodged an objection against the summons. He claimed that the order to prosecute by the Amsterdam Court of Appeals was superseded by the judgement pronounced by the Supreme Court in the case of the National Alliance poster. After an order to prosecute has been issued, an objection against a summons is only admitted if there is evidence of new facts or circumstances. New case law, however, is not regarded as such evidence by the district court.<sup>62</sup>

On 20 January 2010, a pre-trial review of the Wilders case was held. In this review, in response to the defence of the attorney, the district court deemed itself competent and held that the OM had the right to institute proceedings. The requests by Wilders to hear the testimony of experiential experts was refused because it was not clear what they could add to the proceedings. The district court would not hear the testimony of legal scholars, either, because according to the judges the defence had sufficient options for presenting its legal point of view to the court. However, Wilders was given the opportunity to present the testimony of three experts on Islam and the Koran – only three out of the 18 persons that he had submitted to the court as witnesses. On 22 October 2010 the panel of judges from the Amsterdam District Court who were hearing the challenge granted the request for a challenge.<sup>63</sup> The criminal proceedings against Wilders would have to be redone by a new court yet to be composed.<sup>64</sup>

#### 4.3.3 *International law*

Whether the remarks that Wilders made on behalf of the PVV are punishable or not is decided under Dutch law. The specific articles of the law are the prohibition of group defamation (art. 137c of the Penal Code) and inciting hatred and discrimination (art. 137d of the Penal Code), which are included in the summons. As was indicated earlier, the penalisation of these offences is partly based on the ICERD and is endorsed by the European Framework Decision. It is also important that by making the remarks punishable, the right of freedom of expression is not unlawfully curtailed, and for this some kind of touchstone is necessary. The European Convention on Human Rights not only protects freedom of expression,<sup>65</sup> however, but it also prohibits discrimination.<sup>66</sup> It is established case law of the European Court of Human Rights that an appeal to freedom of expression fails if it appears that the person requesting such protection is himself guilty of violating the core values on which the European Convention on Human Rights is based. The complaint is then dismissed on account of abuse of law.<sup>67</sup> In the Leroy case, the European Court let it be known that abuse of law may be indicated if the remarks express ideologies such as fascism, anti-Semitism or Islamophobia.<sup>68</sup> Racial discrimination is also included. Whether politicians are to receive more protection than other persons under the European Court of Human Rights when they make remarks was investigated by Lawson.<sup>69</sup> What his nuanced answer boils down to is that while there is more freedom of expression for politicians, they are also assigned more responsibility. Inciting hatred or religious intolerance is not covered by freedom of expression. It should also be noted that the European Court of Human Rights does not decide on punishability; that is a national matter. The court only inquires into whether the member state reasonably could have reached a conviction in the light of freedom of expression on the one hand and the prohibition on discrimination on the other. In making this assessment, the European Court of Human Rights allows the member states their own margin of appreciation.

Since Lawson's analysis, two new judgements have been pronounced by the European Court of Human Rights having to do with right-wing extremist politicians who have incited hatred and discrimination. These concern the cases against the Belgian parliamentarian Féret of the Walloon Front National and the case against Le Pen, the chairman of the French Front National. Both parliamentarians were sentenced by their national courts and their appeals to freedom of expression were rejected by the European Court of Human Rights.

In the Féret case, the court ruled that the conviction was not a violation of the fundamental right of freedom of expression.<sup>70</sup> The European Court of Human Rights acknowledged that political debate requires a high level of protection, such as parliamentary privilege and the prohibition on prosecution for opinions expressed in parliament. Political parties have the right to openly express their opinions on issues such as immigration, for example, even if in doing so they offend, shock or alarm one particular population groups. But the European Court of Human Rights imposes a clear restriction on such practices. Fighting racism and discrimination in Europe is of the highest priority. It is crucially important that when representatives express themselves in public, they avoid reactions that promote intolerance. According to the Court, the remarks made by Féret over a period of a few years were sufficient to arouse feelings among the public of distrust, rejection or even hatred of foreigners. In addition, these remarks could undermine trust in the democratic institutions. The European Court of Human Rights therefore concluded that a discourse that incites hatred is a danger to the social peace and political stability of democratic states, and that taking action against it is an 'urgent social necessity'. During 1999-2001 Féret had distributed various posters and pamphlets and made remarks in which he came out against the

'Islamisation' of Belgium and called for an end to integration subsidies, for the repatriation of immigrants and for the exclusion of non-European immigrants from social security programmes. Most of these themes are recognisable aspects of PVV party programme.<sup>71</sup> Féret was sentenced by the Belgian court to 250 hours of community rehabilitation and deprivation of electoral eligibility for at least ten years. The European Court of Human Rights left the two sentences intact, but in this case it ruled with the maximum division of opinions: four judges for and three against.

The Le Pen case had to do with a remark made in an interview in 2003 in which he said that if Muslims ever take control of the country, the French will shuffle along the walls with their eyes lowered. He paid for this statement with a fine of € 10,000 for inciting hatred and violence. Le Pen appealed the judgement all the way to the European Court, but without success.<sup>72</sup> This time the judges ruled unanimously that Le Pen's complaint was inadmissible. The court found that the importance of freedom of expression is vital for political debate and that restraint should be exercised when applying criminal restrictions. However, the European Court of Human Rights stressed that politicians may not use their freedom for inciting hatred and discrimination. In this case this assessment did not work to Le Pen's advantage.

We will have to wait and see how the Dutch judges rule in the Wilders case. As of the time of this writing the OM has not yet announced the punishment it is demanding. Deciding whether there is evidence of punishability is still a national matter. The European Court of Human Rights can only check to see if the freedom of expression has been short-changed if it is evoked upon conviction.<sup>73</sup> The Netherlands does have its own margin of appreciation in this regard. In any case, the judgements of the European Court of Human Rights in the cases of Féret and Le Pen show that convicting a politician who is found guilty of inciting hatred and discrimination is possible within the testing capacity of the European Convention on Human Rights.

#### **4.4 Conclusion**

This follow-up study leads us to conclude that according to our definitions the PVV can be described as new extreme right. Because Wilders has not tempered his remarks in recent years, and given the contents of the PVV's party platform, we regard the label as all the more applicable. It is 'new' because the party deviates from the classical extreme right. In terms of ideology, the PVV has no neo-Nazi orientation with the attendant anti-Semitism.

With the PVV there is evidence of a certain international magnet effect. That is, Wilders's ideas also exert an attraction on right-wing extremist groups abroad, and these groups identify positively with the PVV. This picture is not unambiguous, however. Just as in the Netherlands, these groups are mainly attracted by Wilder's remarks on Muslims, immigration and Islam. For Wilders, the distinction between groups with which the PVV would like to collaborate and groups that he would like to keep at arm's length is not based on radicality or the measure of their right-wing extremism, however. The distinction has far more to do with their view of Israel and the presence of anti-Semitism. Collaboration is out of the question for groups that differ fundamentally from the PVV on these points.

The criminal proceedings against Wilders have been turbulent. After the dismissal, the Amsterdam Court of Appeal ordered that the case be prosecuted. Cassation in the interest of the law, and the objection to the summons, were not able to keep the case from appearing before the Amsterdam District Court. In response to a successful challenge by the defence, the case will now have to be dealt with by a new court. The Public Prosecution Service has

brought charges of inciting not only hatred and religious discrimination but also ethnic discrimination. In international law, such a clash between the right of freedom of expression and the prohibition of discrimination is a frequent occurrence. Judgements by the European Court of Human Rights show that even a politician can be prosecuted under national law if there is evidence of inciting hatred and discrimination.

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## Notes

- <sup>1</sup> M. Davidović et al., 'Het extreemrechtse en discriminatoire gehalte van de PVV', in: J. van Donselaar & P.R. Rodrigues, *Monitor Racisme & Extremisme: achtste rapportage*, Amsterdam: Anne Frank House / Leiden University 2008, pp. 167-198.
- <sup>2</sup> H. Moors et al., *Polarisatie en radicalisering in Nederland. Een verkenning van de stand van zaken in 2009*, Tilburg: IVA Beleidsonderzoek en Advies, 2009. <<http://www.iva.nl/uploads/documents/166.pdf>> (23 August 2010).
- <sup>3</sup> This is less clear with the PVV rank and file, however. On the internet, for example, there sometimes is evidence of blatant anti-Semitism among PVV followers. A few well-known anti-Semites were present at a pro-Wilders demonstration in Amsterdam. See, among others, 'Extreem-rechts demonstreert voor Wilders', *De Volkskrant*, 21 January 2010.
- <sup>4</sup> J. van Donselaar, *Fout na de oorlog: fascistische en racistische organisaties in Nederland 1950-1990*, Amsterdam: Bert Bakker 1991.
- <sup>5</sup> Broadcast DR 2 *Deadline*, 13 June 2009, can be seen at <<rtsp://WMSD.dr.dk/storage/Auto/ODPNyheder/deadline/deadline223020090613.wmv>> (6 July 2009).
- <sup>6</sup> G. Wilders, M. Bosma, 'Nederland en Vlaanderen horen bij elkaar', *NRC Handelsblad*, 7 July 2008 and 'PVV: Balkenende moet meewerken aan opheffing België', *Elsevier*, 15 May 2009.
- <sup>7</sup> Partij voor de Vrijheid, *De agenda van hoop en optimisme. Een tijd om te kiezen: PVV2010-2015*, <[http://www.PVV.nl/images/stories/Webversie\\_VerkiezingsProgrammaPVV.pdf](http://www.PVV.nl/images/stories/Webversie_VerkiezingsProgrammaPVV.pdf)> (23 August 2010).
- <sup>8</sup> 'Nep-kaderlid brengt PVV in lastig parket', *De Telegraaf*, 27 August 2009.
- <sup>9</sup> See, among others, A. Lucardie, 'Rechts-extremisme, populisme of democratisch patriotisme? Opmerkingen over de politieke plaatsbepaling van de Partij voor de Vrijheid en Trots op Nederland', in: G. Voerman (ed.), *Jaarboek 2007*, Groningen: Documentatiecentrum Nederlandse Politieke Partijen, pp. 179-190.
- <sup>10</sup> See the inventory of viewpoints by M. Lubbers, 'Ver rechts in Nederland: inleiding', in: *Migrantenstudies*, 25 (2009) 3, 2009, pp. 168-176.
- <sup>11</sup> For a detailed discussion of this subject, see M. Davidović et al., 'Het extreemrechtse en discriminatoire gehalte van de PVV'.
- <sup>12</sup> F. Vuijst, 'A star is born: Wilders in Californië', *Vrij Nederland*, 13 June 2009.
- <sup>13</sup> G. Wilders, 'Genoeg is genoeg: verbied de Koran', *de Volkskrant*, 8 August 2007.
- <sup>14</sup> 'De Europese familie van Wilders', *KRO-Profiel*, 3 June 2009, can be seen at <<http://player.omroep.nl/?afIID=9594131>>. (23 August 2010).
- <sup>15</sup> 'Wilders gaat steeds een stapje verder', *de Volkskrant*, 21 June 2009.
- <sup>16</sup> T. Meeus & G. Valk, 'De buitenlandse vrienden van Geert Wilders', *NRC Weekblad*, 15 May 2010.
- <sup>17</sup> F. Vuijst, 'Op zoek naar dollars: Wilders in Amerika', *Vrij Nederland*, 13 June 2009.
- <sup>18</sup> <[http://www.PVV.nl/index.php?option=com\\_content&task=view&id=1523&Itemid=1](http://www.PVV.nl/index.php?option=com_content&task=view&id=1523&Itemid=1)> (7 July 2010).
- <sup>19</sup> Partij voor de Vrijheid, *De agenda van hoop en optimisme*, p. 41.
- <sup>20</sup> Jean-Marie Dedecker and Geert Wilders, double interview. 'Het systeem is verrot. Dat is onze reden van bestaan', *De Standaard*, 28 June 2008.
- <sup>21</sup> See, among others, T. Meeus & G. Valk, 'De buitenlandse vrienden van Geert Wilders'.
- <sup>22</sup> 'Wilders: Mogelijk rechts blok in Europees Parlement', *Elsevier*, 19 December 2008.
- <sup>23</sup> 'Rechts Europa groeit naar elkaar toe', *Trouw*, 3 June 2009.
- <sup>24</sup> Cas Mudde, *The ideology of the extreme right*, Manchester: Manchester University Press 2000.
- <sup>25</sup> 'Rechts Europa groeit naar elkaar toe', *Trouw*, 3 June 2009.
- <sup>26</sup> 'Wilders bereid tot gedoogsteun aan kabinet CDA-VVD', *Elsevier.nl*, 13 January 2010.
- <sup>27</sup> F. Vuijst, 'Op zoek naar dollars: Wilders in Amerika'.
- <sup>28</sup> 'Wilders gaat steeds een stapje verder', *de Volkskrant*, 21 June 2009.
- <sup>29</sup> The book *The clash of the civilizations: remaking of world order* (1996) by Samuel P. Huntington is an important source of inspiration within this network. Huntington's geopolitical theory is an analysis of the course of international conflicts following the fall of communism and the end of the Cold War. His analysis is that future international conflicts will take place on the basis of differences between 'civilisations', with an

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essential role ascribed to the dominant religion within those ‘civilisations’. The network that Wilders is associated with is especially keen on Huntingdon’s idea that two great ‘civilisations’, the Christian and the Islamic, are headed towards an unavoidable clash, which will take place during this century. One quote, ‘Islam has bloody borders’, is often quoted by Wilders and others, particularly in reference to Jerusalem, which, according to the views held within this network, lies on the border with the Islamic world.

<sup>30</sup> Shahar Ilan, ‘MK Eldad: Anyone ceding Israeli territory should be sentenced to death’, *Haaretz*, 26 May 2008.

<sup>31</sup> A. Brouwe, ‘Iedereen in bed met de islam’, *De Groene Amsterdammer*, 20 November 2009; H. Ede Botje, F. Vuijst, ‘De Israël-connectie van Geert Wilders’, *Vrij Nederland*, 15 October 2009, ‘Israël applaudisseert voor Wilders on tour’, *de Volkskrant*, 15 December 2008.

<sup>32</sup> See, among others, the foreign affairs section of the PVV’s 2010 election programme, or an appeal to bomb Iran, in: G. Wilders, ‘Voor het te laat is!’, <[http://www.PVV.nl/index.php?option=com\\_content&task=view&id=568&Itemid=6](http://www.PVV.nl/index.php?option=com_content&task=view&id=568&Itemid=6)> (17 August 2010).

<sup>33</sup> ‘PVV twijfelt nog over samenwerking’, *De Pers*, 2 June 2009.

<sup>34</sup> ‘Dewinter feliciteert Wilders met overwinning in Nederland’, *Algemeen Dagblad*, 4 March 2010 and ‘Rechts Europa groeit naar elkaar toe’, *Trouw*, 3 June 2009.

<sup>35</sup> *Ibid.*

<sup>36</sup> ‘Solidariteitsactie Vlaams Belang voor Wilders’, *De Telegraaf*, 20 January 2010.

<sup>37</sup> ‘Former football hooligans regroup in far-Right Casuals United’, *The Times*, 13 August 2009.

<sup>38</sup> <[http://www.englishdefenceleague.org/index.php?option=com\\_content&view=article&id=127](http://www.englishdefenceleague.org/index.php?option=com_content&view=article&id=127)> (7 July 2010).

<sup>39</sup> <<http://www.youtube.com/watch?v=ZAJePwPxenQ>> (7 July 2010).

<sup>40</sup> English Defence League in Berlin, <[http://www.englishdefenceleague.org/index.php?option=com\\_content&view=article&id=200](http://www.englishdefenceleague.org/index.php?option=com_content&view=article&id=200)> (8 July 2010).

<sup>41</sup> <[http://www.englishdefenceleague.org/index.php?option=com\\_content&view=article&id=235:statement-from-tommy-robinson-24th-july&catid=42:featurestories](http://www.englishdefenceleague.org/index.php?option=com_content&view=article&id=235:statement-from-tommy-robinson-24th-july&catid=42:featurestories)> (17 August 2010). At the time of the completion of this chapter this demonstration had not yet taken place.

<sup>42</sup> ‘Wilders niet blij met betoging’, *De Telegraaf* 19 October 2010.

<sup>43</sup> M. Davidović, et al., ‘Het extreemrechtse en discriminatoire gehalte van de PVV’, pp. 182-198.

<sup>44</sup> *Staatscourant (Stcrt.)* 2007, no. 233.

<sup>45</sup> Amsterdam Court of Appeals, 21 January 2009, in: *Nederlandse Jurisprudentie (NJ)*, (2009) 18, 191 with a note by Buruma, LJN BH0496.

<sup>46</sup> See H. Sarolea, ‘Wie haat zaait komt geen beroep op vrije meningsuiting toe’, in: *Nederlands Juristenblad (NJB)*, 84 (2009) 8, pp. 503-504.

<sup>47</sup> Also see A.H. Klip, ‘Op weg naar minder opportuniteit?’, in: *Delikt en Delinkwent*, 39 (2009) 3, p. 185.

<sup>48</sup> J. Leijten, ‘Kroniek van het straf(proces)recht’, in: *NJB*, 85 (2010) 15, p. 932.

<sup>49</sup> Supporting this view, among others, is T. Prakken, ‘Wilders verbieden of toestaan?’, in: *NJB*, 84 (2009) 6, pp. 363-366. Opposing it, among others, is T. Zwart, ‘Wilders: ja toestaan!’, in: *NJB*, 84 (2009) 6, pp. 367-369. In his commentary on the arrest of two suspects, Meindert Fennema switches back and forth between two ideas: prosecution is possible, but not as indicated by the court, in: *Strafblad*, 7 (2009) 3, pp. 198-208.

<sup>50</sup> *Aanwijzing Discriminatie*, p. 4. *Stcrt.* 2007, 233.

<sup>51</sup> This would not be the case if Wilders were covered by the immunity regulations of the European Parliament. See C. Berkhout, ‘Geert Wilders: een gemiste kans?’, in: *NJB*, 84 (2009) 32, pp. 2057-2060.

<sup>52</sup> A.J. Nieuwehuis, ‘Tussen grondrechtelijke vrijheid en parlementaire onschendbaarheid: de vrijheid van meningsuiting van de parlementariër’, in: *Tijdschrift voor Constitutioneel Recht*, 1 (2010) 1, pp. 4-23.

<sup>53</sup> Rotterdam District Court, 2 February 2009, LJN BH 1711; and in June 2010, Minister Hortefeux of France was fined for racism (‘Franse minister Hortefeux beboet wegens racisme’, *de Volkskrant*, 7 June 2010).

<sup>54</sup> A. Ellian, ‘Enkele overpeinzingen over opiniedelicten en vrijheid’, in: *Strafblad*, 7 (2007) 3, pp. 397-409 and K. Rozemond, ‘Vertrouw op de vrijheid, 150 jaar *On Liberty* van Mill en de strafrechtelijke vervolging van discriminerende uitlatingen’, in: *NJB*, 84 (2009) 40, pp. 2614-2618.

<sup>55</sup> Framework Decision 2008/913, *Publicatieblad van de Europese Gemeenschappen* 2008, L 329/55.

<sup>56</sup> Art. 10 Framework Decision.

<sup>57</sup> *Handelingen I* 2008/09, no. 10, p. 539.

<sup>58</sup> Supreme Court of the Netherlands, 10 March 2009, LJN BF0655.

<sup>59</sup> Supreme Court of the Netherlands, 10 March 2009, in: *NJ*, (2010) 2, 19 with case note by Mevis.

<sup>60</sup> European Court of Human Rights, 16 November 2004, *Norwood vs. United Kingdom* (appl. no. 23131/03).

<sup>61</sup> ‘Geen cassatie in het belang der wet in Wilderszaak’, in: *NJB*, 84 (2009) 22, pp. 1424-1425.

<sup>62</sup> Amsterdam District Court, 13 January 2010, LJN BK9121.

<sup>63</sup> Amsterdam District Court, 22 October 2010, LJN BO1532.

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<sup>64</sup> As of October 2010, when the text of this chapter was completed.

<sup>65</sup> Art. 10 European Convention on Human Rights.

<sup>66</sup> Art. 14 European Convention on Human Rights.

<sup>67</sup> Art. 17 European Convention on Human Rights.

<sup>68</sup> European Court of Human Rights, 2 October 2008, *Leroy t. Frankrijk* (appl. no. 36109/03), *Nederlands Tijdschrift voor de Mensenrechten/NJCM-Bulletin*, 35 (2010) 1, pp. 41-55 with case note by Van Sasse van Ysselt.

<sup>69</sup> Rick Lawson, 'Wild, Wilder, Wildst: over de ruimte die het European Convention on Human Rights laat voor de vervolging van kwetsende politici', *Nederlands Tijdschrift voor de Mensenrechten/NJCM-Bulletin*, 33 (2008) 4, pp. 469-484.

<sup>70</sup> European Court of Human Rights, 16 July 2009, *Féret t. België* (appl. no. 15615/07), in: *NJ*, (2009) 40, 412 with case note by Dommering; *European Human Rights Cases*, 10 (2009) 10, 111, with case note by Voorhoof.

<sup>71</sup> Partij voor de Vrijheid, *De agenda van hoop en optimisme*.

<sup>72</sup> European Court of Human Rights, 20 April 2010, *Le Pen vs. France* (appl. No 18788/09), in: *Nederlands Tijdschrift voor de Mensenrechten/NJCM-Bulletin*, 35 (2010) 5, pp. 533-540 with case note by Lawson.

<sup>73</sup> There is no such possibility in the case of acquittal.



## 5 Islamic extremism in the Netherlands

*Ineke van der Valk*

This chapter is about Islamic extremism. Since the terrorist attacks that took place during the first years of the new millennium, research on this phenomenon has rapidly gained momentum. This is true worldwide, but it is certainly true in the Netherlands, where the murder of Theo van Gogh sent out shock waves that are still reverberating. The seventh Monitor report contained a discussion of the radicalisation of Muslim youth. The eighth report dealt with the deradicalisation of radical Muslims in a chapter on deradicalisation. This ninth Monitor looks at the general background of the phenomenon based on literature studies, followed by the current state of affairs in the Netherlands. Finally, to provide more insight into how the phenomenon has manifested itself in recent years there will be a discussion of ideological backgrounds. A brief analysis of texts from the Dutch networks, which are known as Hofstad Group and the Piranha Group will also be included. Here the focus is mainly on Muslim youth in the Netherlands who find this ideology especially appealing.

At a time when there is an increasing tendency to regard Islam as a political ideology, it is very important that a clear distinction be made between the religion of Islam and the extremist political ideology that is based on certain notions about Islam. When references are made in academic and media reports to this political ideology, the term 'political Islam' is often used. To obviate this confusion between religion and political ideology as much as possible, the term 'Islamic extremism' will be used in this chapter. In addition, no strict distinction is made between extremism and radicalism.

### 5.1 A political ideology

Islamism is to be regarded as a political ideology that has its foundations in a particular view of the Islamic faith. Islam in this view is seen not only as a religion but also as a political system. Islamists advocate a fundamentalist return to the roots of the faith and an orthodox, literal interpretation of the Koran. This ideology is currently supported by a social movement that has followers worldwide. It is a relatively recent phenomenon that came about in Egypt at the beginning of the last century. It then spread throughout the Islamic countries, and in recent decades it made its way around the world.

It is a modern phenomenon linked to processes of globalisation and processes of individualisation.<sup>1</sup> It can be seen as a reaction to globalisation, a reaction to the increasingly dominant presence of the West in the Islamic world, symbolically and materially, and the impact of that presence on the daily lives of ordinary people. Migration is an aspect of globalisation that has played an important facilitating role in the development of Salafism and Islamic extremism in European countries. Migration has greatly stimulated the development of Islamism into a transnational phenomenon that is manifested worldwide.

Islamic extremism in the Netherlands is almost exclusively Salafist in its orientation. The concept of 'Salafism' refers to first generation Muslims. Followers of this school of Islamic thought regard themselves as the only true Muslims. Other Muslims are equated with apostates. The Salafist worldview is dualistic: good versus evil. In their view, the Salafists stand for the good. The method they advance for implementing their ideology can be divided into three currents: an apolitical current that is mainly focused on the religious experience, a reform movement that would like to take part in the political process, and violent jihadism.<sup>2</sup> Salafists separate themselves from the rest of society. Religiously speaking, there is a desire

to return to the original texts and to reject all later additions and interpretations. In this view the main focus of life is on religion, and all other facets of life, including politics, are exclusively determined by religion and dependent on it. Followers advocate a structure for society that complies exclusively with Islamic laws and rules (*Sharia*). Everything else is sinful (*haram*), the work of infidels or apostates. For a long time, Islamic extremist movements in the Arab world saw the secular and dictatorial forms of government that were dominant there as their enemy. The goal was to replace them by an Islamic state. Ever since the Russian invasion of Afghanistan in 1979, these movements have gradually broadened the scope of their attention to include Western, foreign interventionist forces in Islamic countries. Finally, in recent decades, the enemy image has been expanded even further to include all 'enemies of Islam', infidels and apostates worldwide, including Muslims who reject the extremist message.

Often it is thought that Islamic extremism is exclusively an imported problem that originated in Islamic countries. The reality is quite different. In recent years it has become clear that Islamic extremism is a social phenomenon that also has roots in Western countries: a 'home-grown' variety.

Some of the people who follow this ideology were born and raised in European countries or lived their adult lives in Europe. Converts also play a striking and sometimes a leading role. It is well known, for example, that 180 Germans have visited training camps in Pakistan. There are also several converts among the members of Dutch networks: the Hofstad Group and the Piranha Group. The psychological factors that lead to extremism are partly related to reactions to local situations that are experienced as unjust. Examples are structural forms of discrimination and the social exclusion of migrant communities, which make young Muslims feel socially marginalised. The fundamentalist views of Islam held by extremists often differ sharply from the religious views held in their countries of origin. The religious views of ordinary people in the lands of origin and of the first generation immigrants are not always as fully developed and are frequently imbued with centuries-old, pre-Islamic ideas. This is another reason why Islamic extremisms should not be seen as an import problem. This social phenomenon, which also has roots in Western countries, is sustained there by networks of activists. The difference between a network and an organisation or group is that a network lacks a formal (hierarchical) structure, it has an informal and flexible membership and it has a fluctuating leadership. Within networks there are individuals or small groups who work together. Sometimes, but not always, a core group provides coordination.<sup>3</sup> Who populates these networks?

## 5.2 Networks

Islamic networks often consist of a complex mixture of actors of various kinds. De Poot speaks of the interlinkage, mutual dependence and receptivity of actor categories. She conducted a study of networks that were active in the Netherlands between 2001 and 2005, based on twelve judicial criminal investigations. Out of the total of 120 activists, some were what are called 'heartland-oriented' actors,<sup>4</sup> others were 'reborn believers', and still others were local activists.<sup>5</sup> The networks were also quite mixed in character. They consisted mostly of men, although there were also a few women; there were young people as well as old, many people without residence permits, former criminals and addicts. In addition there were converts and second-generation young people. The networks were not hierarchically organised, but they did have leadership figures of a certain status who often served as role models. These were mostly older 'heartland-oriented' actors with a knowledge of Islam and Arabic who derived their ideological orientation from the Islamic world. The outlook of the members of these networks was trans-border and global, with little focus on Dutch society. In

fact, most of those involved had little connection to Dutch society at all. According to De Poot, this also explains the shift in accent in recent years to jihad abroad.<sup>6</sup>

The subjects of the research conducted by De Poot et al. were not equally well-versed ideologically and politically. What they had in common was their religion and a political ideology with an explicit enemy image. According to the researchers, only a small number of them could be regarded as political activists working with an ideal. There were also ‘seekers’, especially young people, who were looking for meaning and social relationships.

### **5.3 Muslim youth and their motives**

International research on Muslim youth has shown that the process of radicalisation leading to extremism is linked to a search for identity, a need for companionship and social connection, public protest and a desire for revenge fanned by propaganda.<sup>7</sup> The ties that young radical Islamists have with their family, their community and their place of origin are often weak, so that new social ties tend to replace dysfunctional or nonexistent family ties and friendship relations.<sup>8</sup> By forming a connection with radical Islam, they are linking up to an ‘imagined community’ within a worldwide movement that gives them the sense of belonging they are missing in their daily lives.<sup>9</sup>

In Dutch research on factors that play a role in the processes of radicalisation among young people, the perception of injustice, insecurity and group threats are prominent factors in addition to the need for social connection.<sup>10</sup> These elements play an especially important role among young adolescents. Their thinking is often black-and-white and rather unnuanced, and they are uncertain about themselves, their social identity and their future in a society that is characterised by social polarisation along ethnic lines. This makes them particularly vulnerable to group threats, symbolic or not. To their way of thinking, such threats are bound up with the physical threat that they believe is experienced by the citizens of Islamic countries who are suffering under Western domination.<sup>11</sup> The activists who are attracted to radicalisation as a result tend to impose their own local colour on opinions, views, points of special interest and jihadist activities.

In this way a radical Islamic youth culture has gradually developed in recent years. The followers of this youth culture are strongly opposed to Dutch society. The Hofstad Group is still a source of inspiration within a radical Islamic youth culture that has developed apart from small groups of extremists. Some Muslim youth identify with young people from the Hofstad Group and try to imitate their clothing style and – to a certain extent – their behaviour. Their radical remarks and conduct are mainly an attempt to belong and to shape their social identity, and in this respect they are no different from many young people who organise themselves into right-wing extremist groups.<sup>12</sup> But in doing so they sometimes make themselves vulnerable to the extremist message of preachers and recruiters, and to the propaganda that can be found on the internet.

The internet, which has undergone rapid development since the mid-nineties, has done a great deal to facilitate the accessibility of extremist group and ideologies. Its relative anonymity has added an extra dimension to the value of the internet for extremists. The internet has rightly been called ‘the biggest megaphone in the world’.<sup>13</sup> The website of the Salafi movement in the Netherlands is known to be very user friendly; it contains a great deal of information and its administrators are very prompt in responding to questions that are bothering young people.<sup>14</sup> Thus the internet has played a major role in the spreading of Islamic extremism and the development of a Dutch variety of that extremism, as embodied by

the Hofstad Group and the Piranha Group. Somewhat facetiously, Muslims radicals who dabble in agreeable interpretations of their own faith are described as followers of a 'cut-and-paste' religion. They quote passages out of context and construct their own story by placing them in a new one. That is, they use a new story to construct their own truth.

But does this also mean that they have no link to society, that their extremism is a sign of a lack of integration? There are strong indications that the opposite is actually the case. The German anthropologist Schiffauer stressed this in his case study of a young, second-generation Turkish Islamist.<sup>15</sup> His reasoning runs as follows: integration implies the promise that a person will one day be accepted, which makes it all the more painful if the person is discriminated against and excluded. These young people also compare themselves with their native Dutch peers, who are better off in many respects. This can contribute to processes of radicalisation. Young people want to be seen and appreciated. They want to make a difference. Schiffauer explains that this kind of search for recognition is actually strengthened by Western views in which great importance is attached to the individual. Like their native Dutch peers, second-generation young people are educated in Western schools, where such views on the role of the individual are passed on. If they do not receive the recognition they desire, they may demand it – by violence, if necessary. In the most extreme case they will try to assert themselves by committing terrorist acts. Or as Adraoui points out in his study of nonviolent Salafism in France, by reversing the roles those who previously had been discriminated against as a minority are no longer judged according to other people's standards; rather, they themselves become the judges – at least in their own minds.<sup>16</sup>

#### **5.4 Scale and scope**

Shedding light on the scale and scope of Islamic extremism in the Netherlands is no simple matter,<sup>17</sup> at either the national or the local level.<sup>18</sup> The sources are limited, and often they are not scholarly. Information is not usually gathered for the sole purpose of obtaining knowledge and insight but from the viewpoint of other perspectives, such as security policy. In this section use is made of a broad range of reports from national government services, such as the AIVD (General Intelligence and Security Service), the NCTb (National Coordinator for Counterterrorism) and the police, supplemented by research commissioned by the various municipalities. But even these government agencies regularly come up against factors that make it difficult to fully grasp what is going on. Sometimes the radicalisation process takes place individually or in very small groups, such as living room gatherings or in the anonymity of the internet. Naturally this interferes with identification and any attempt that might be made at tracking people down. In addition, Salafist organisations may adopt façade tactics.<sup>19</sup> This possibility is also mentioned in a recent report on Salafism in the Netherlands.<sup>20</sup> Some preachers have toned down their message and have sought to connect with Dutch authorities. The need to give Islam a positive face given the present political climate certainly plays a role in such a choice. Preachers moderate their message and distance themselves from jihadism out of tactical considerations. Finally, some radicalised Muslims adapt their appearance after a period of presenting themselves outwardly as Islamists. They go back to wearing the prevailing fashion so as not to attract the attention of the criminal investigation service.<sup>21</sup> Any depiction of the presence of Islamic extremism in the Netherlands must be aware of these factors.

The networks of Islamic extremists have undergone various developments over the years. Until 2002 there were international networks that used recruitment to enlist and direct potential jihadists. Then local networks arose, however, which had their own agendas. In recent years there have been signs of the re-emergence of international networks, with jihadists focusing on foreign struggles such as those in Afghanistan and in Iraq. A shift has

also taken place within the Salafist movement. Back in the eighties, Salafist preaching and missionary work in the Netherlands was directed from Saudi Arabia and took place in mosques and schools. The Salafi centres today are set up with Saudi support, and the first preachers came from that country. At the moment, young preachers with Salafi training are active in the Netherlands. They travel to mosques and Salafi centres to propagate their message.

According to the AIVD, local jihadist networks in the Netherlands (of which the Hofstad Group<sup>22</sup> and the Piranha Group<sup>23</sup> are the most well known) are now becoming less prominent.<sup>24</sup> The AIVD has a number of explanations for the weakening of these networks, besides judicial intervention. Lack of leadership could play an important role.<sup>25</sup> Earlier leaders were often older figures who came from abroad and brought with them a knowledge of the Arabic language and Islam as well as international contacts, such as the Syrian activist who inspired the Hofstad Group. He had prestige because in Syria he had been a member of the prohibited Muslim Brotherhood, for which he had to flee. He managed to draw potentially radical Muslim youths from the mosques they were attending, such as the Al Tawheed mosque in Amsterdam and the Sunah mosque in The Hague.<sup>26</sup> In addition, well-known leadership figures have left the Netherlands in recent years (voluntarily or involuntarily), and apparently there are no other potential leaders in the country who are willing to assume a central role.<sup>27</sup> This probably means that the networks have had to struggle with internal divisions and dwindling memberships more than in the past.<sup>28</sup>

The availability of an alternative discourse may also have influenced the shrinking of the jihadist networks. Nonviolent alternatives to jihadist ideology are now being offered.<sup>29</sup> In addition, political Salafism may have undergone a certain process of professionalisation. The message today is more geared to specific target groups and local conditions. In the opinion of the authorities, this puts an end to any immediate threat of violence and acute danger to the democratic rule of law. The AIVD is still attuned to signs of insidious processes that would undermine social cohesion and community solidarity and threaten basic rights. But the radical Islamic message is receiving little response within the Dutch Islamic community, where resilience and active resistance are growing.<sup>30</sup> Nevertheless, we cannot ignore the possibility that this current might develop into a force of political activists, as it did in Belgium in the case of the young organisation Sharia4Belgium. This organisation wants to introduce the caliphate in Belgium, with Islamic laws and rules (*Sharia*).<sup>31</sup>

What are the actual numbers involved? In 2002 there were a few dozen persons involved in the recruitment process, according to the AIVD.<sup>32</sup> There were mostly men between the ages of 18 and 32. In 2005 the Ministry of Justice reported that the hard core of radical Islam was small and numbered no more than a few hundred persons.<sup>33</sup> This seems to have been the high point of the local networks. Since 2006 there has been a marked reduction in the threat that these networks have posed. The AIVD reported that there were between ten and twenty independent structures that could be regarded as jihadist networks in the Netherlands at that time.<sup>34</sup> A few Turkish Dutch people are also still actively distributing radical texts via websites and by personally approaching candidates for conversion. The Hofstad Group remains a source of inspiration for a radical Islamic youth culture.

While the domestic threat is decreasing, the influence of transnational jihadist networks has picked up in recent years. Almost all the activities of Dutch jihadists in 2010 were directed towards fighting jihad in Afghanistan, Pakistan and Somalia.<sup>35</sup> Recent academic research shows that the proportion of strict orthodox believers from Islamic countries of origin is between 4 and 7%. Strict orthodox believers are more apt to legitimise the use of violence,

and for this reason they may be more susceptible to radicalisation.<sup>36</sup> Concrete data on the number of persons that can be regarded as extremist are lacking, however.

#### 5.4.1 Municipalities

Research on local Muslim extremism has been carried out in a number of Dutch municipalities in recent years. Radicalisation exists in the city of Utrecht, but it seems to be limited to a small group of individuals. There is no indication that jihadist organisations are active there, although a number of persons have attracted the attention of special services.<sup>37</sup> The Institute for Training and Education (Instituut voor Opleiding en Educatie; IVOE), which offers various courses in Islamism, has been criticised for making certain statements.<sup>38</sup> In Flevoland little visible radicalisation has been observed, with only a few exceptions.<sup>39</sup> Tilburg reports that about twenty young people between the ages of 15 and 30 may be undergoing radicalisation. They are thought to be sympathetic with the jihadist variant of Salafism, but they do not form a coherent group.<sup>40</sup> The anti-integration activities of the Islamic Foundation for Education and Transfer of Knowledge (Stichting voor Opvoeding en Overdracht van Kennis) and its Salafist predecessor, which is widely known throughout Europe, is also a cause for concern.<sup>41</sup>

The situation in Rotterdam has been brought to light thanks to the Radicalisation Help Desk (Informatie Schakelpunt Radicalisering; ISPR).<sup>42</sup> The nature of the information being reported provides insight into what the broader public experiences as radicalisation. In 2006 there were 51 reports: 41 about men, three about women and three about organisations. The nature of the reports is highly varied: clothing with provocative texts; a call to jihad on an Arabic site that had originated in Rotterdam; a building being used as a mosque in breach of the zoning plan; students who show their opposition to Dutch society by means of extremist remarks; sudden drastic changes in conduct and appearance; persons at a reintegration agency who were caught visiting internet sites with instructions on how to make explosives; as well as reports of persons who are not working, not receiving any government assistance and are not attending school. Between April 2007 and April 2008 the ISPR in Rotterdam received a total of 21 reports. Three had to do with a mosque, two with an organisation and one with an ideological movement; fifteen reports had to do with persons. Twelve reports were about men and three about women. A number of reports concerned persons with psychological problems.<sup>43</sup> In general the reports were more serious than in previous years, and for this reason some of them were immediately passed on to the police.<sup>44</sup>

The picture that emerges from the signals in Rotterdam is not easy to translate into a quantitative statement about the scale of radicalisation. It is striking, however, that in most cases there are indications of a many-sided problem. In addition to radicalisation, problems such as truancy and petty crime also play a role.<sup>45</sup>

This gives us an idea of the situation based on available data. It is somewhat fragmented and mainly reflects global developments. But there is another route we can take that will provide us with even more insight into the phenomenon of Islamic extremism in the Netherlands . This involves taking a closer look at the *ideological* aspects.

### 5.5 Ideology

What does the ideology of Islamic extremism offer its followers (and potential followers) in European migration countries? What follows is a point-by-point summary in which distinctions are made between negative aspects – elements that Islamic activists reject – and positive aspects – elements they support. We'll narrow the field down to the Salafist jihadist current within Islamic activism. It is striking that everything that does not belong to the group or ideology itself is rejected. This absolutist ideology results in a strongly separatist attitude,

even within the Islamic community.

Negative aspects of Islamist ideologies rejected by followers.

Islamist extremism:

- denounces non-jihadist currents within both Islam and Salafism;
- condemns other religions;
- rejects Western culture and its underlying values;
- rejects the democratic rule of law;
- denounces all existing political systems of human design and the government institutions that maintain them, including parliament and judicial power.

Positive aspects of Islamist ideologies supported by followers.

Islamist extremism offers:

- an ideology of justice;
- the construction of a group identity that opens the way to identification with Muslims worldwide;
- ways to find social connection and companionship;
- a framework for interpreting social and political problems and relations, both nationally and internationally. This conceptual framework is characterised by absolutism, dogmatism and dualism;
- clear rules and guidelines for a correct, morally sound and pious life;
- a position as a chosen people with a certain religious authority in the vanguard of worldwide jihad, the armed struggle against all social forces that do not endorse jihadist ideology, with the will of Allah as legitimation.

The next section describes a small, closed group of young radicalised Dutch Islamists in terms of the local colour they have imparted to their visions and viewpoints. They have interpreted the faith in their own way and were inspired by the ideological focal points listed above. The texts that were found on the computer of the members of the Hofstad Group and the suspects in the Piranha case are of primary importance here.<sup>46</sup> For the individuals involved, the internet has proved to be an important instrument. It has provided group members with the information they were looking for and has answered their questions. The internet enabled them to express a process of radicalisation that strengthened their self-image, to assume a political identity and to construct a sense of belonging. On the internet they found people who recognised their frustrations, acknowledged their contributions and confirmed them in their convictions. With the help of this instrument, they tried to persuade others of the truth of jihadist ideology while hiding behind pseudonyms. By means of the internet they could easily conceal their personal identity and their deeds from the outside world. What themes did they advance in their texts on the internet? How did they combine religion with social themes, Salafist jihadism and Dutch context?

## **5.6 Texts from the Hofstad group and the Piranha group**

Before the Islamic extremist group to which Mohamed B. belonged was labelled the Hofstad Group, it had given itself both a name and a logo: the Lions of Tawheed.<sup>47</sup> Within the circular logo are two orange Dutch lions, each facing an open Koran with a rising sun in the background wreathed by the text *Leeuwen van Tawheed* (Lions of Tawheed). In the foreground at the bottom are two crossed swords with *Poldermujahideen* (Mujahideen of the Polder) written between them.<sup>48</sup>

Both the texts, with their reference to native symbols such as ‘the polder’ and ‘lions’, and the visual depiction of two orange lions of Holland are apparently an effort on the part of the

designers to underscore the Dutch character of the group, which the logo is supposed to represent. It doesn't get any more Dutch than that. The use of these symbols should be seen as an attempt to inhibit the group's own isolation. It is interesting that Hans Janmaat, the former politician who led the right-wing extremist Centre Party, made use of the same symbolism to undergird his message. He promised he'd get the Dutch lion to roar.<sup>49</sup> The lions of Tawheed express their threats with similar imagery: 'the roaring of the Lions of Tawheed will never cease.'<sup>50</sup>

For the trial against the Hofstad Group and the Piranha case, Arabists have analysed the contents and ideological meaning of documents found on the computers of both groups. The following summary makes use of their findings.<sup>51</sup>

Meijer divided the documents that were found into general Salafist, political-Salafist and jihadist-Salafist texts. A number of the Dutch texts may have been written by network members themselves. Other texts were from authoritative, classical authors, Saudi Salafist sheiks and twentieth-century fundamentalist thinkers.

The general Salafist texts concern original Islamic materials and discussions of belief, disbelief and idolatry. Texts in the category of political Salafism have to do with texts with a political message that is not revolutionary or violent. In the jihadist-Salafist texts, jihad is the central theme. The aim of jihad is to strip political and religious authorities of their power by violent means and forcibly to overtake everyone else who does not belong to the jihadist group or ideology. Muslims are specifically singled out as being part of this target. Muslims who participate in bodies and institutions of Western society and who work and associate with non-Muslims are regarded as infidels by jihadist-Salafists.

In the case of some members of these Islamic groups, hundreds of documents and audiovisual productions were found. Among these were pamphlets calling for an election boycott. But other pamphlets called on people to boycott working in supermarkets. An autobiography and a last will and testament video were found of someone who apparently was planning to give up his life in an attack on parts of the Dutch population. According to him, members of the public were collaborators in 'the war against Islam', and that justified an attack. Also found in this jihadist category were instructions for guerrilla tactics and visual material used to propagate jihad and martyrdom. The quotes that are cited below give us an idea of the texts and the way the ideological points are verbalised.<sup>52</sup>

Included among the found texts were Lions of Tawheed productions, such as practical instructions for staying clear of the police and security services. A few rules from a ten-point checklist read as follows: 'cleanse your house of all evidence', 'be inconspicuous' and 'don't disclose group secrets to your wife or to others'. The Lions of Tawheed also recite a recorded poem:

'We are marching under the black flag / We fight neither for power nor bread / But for the Word of Allah / No can harm us / Longing for the martyr's death [...]

Open letters were found addressed to individual politicians as well as to groups such as the Islamic youth. There is a separate booklet for explaining Salafist doctrine to children in which they are warned against associating with people who do not believe in Allah.

The polder jihadists appear to be obsessed with the borders between true believers – jihadists



– and the rest of society, be they secular, Christian or Islamic. The ultimate consequence of their way of thinking is a separatist division from regular society, which is the basis of the call to stop working in supermarkets. Supermarkets must be boycotted because unlawful products are sold there.

‘Just ask yourself: how many products do you run across the scanner every day? A thousand? Five thousand, perhaps? Every Haram product that you sell is one more sin! Is the salary worth *that* to you?!!! The sins your customers commit, and the illnesses and accidents that result from them, lie partly on your shoulders! When people commit adultery, attack each other or even commit murder under the influence of alcohol, it is your fault as well!’

Separatism is also expressed in the avoidance of institutions. Even mosques are avoided, and believers get together in small living room gatherings. Not only are extremists forbidden to come in contact with unbelievers but they are also required to hate them, as the next quote reveals:

‘The believer cannot be an alliance [sic] with the enemies of Allah, and it is impossible for a person to combine love for Allah (swt) with love for His enemies, because this is a combination of opposites. Therefore: he who loves Allah (swt) must also hate His enemies.’

With regard to religion, four guiding principles are followed: the monotheistic oneness of God (*tawheed*); the absolute rejection of polytheism and idolatry; exact guidelines for the Right Way – life according to the teachings; and jihad. According to this view, jihad is the only path to both self-realisation and social change.

Of the four principles, the rejection of idolatry is the one in which religion and social problems are most strongly connected.<sup>53</sup> This is because idolatry is understood in very broad terms. It includes not only the gods of other religions but also all worldly authorities such as national and local governments, the police and the judicial authorities. Democracy and the rule of law are rejected and also fall under the notion of ‘idolatry’ because they are developed by human minds, and the people who created these systems equated themselves with God. Moreover, Western society, which is founded on these democratic institutions, is regarded as morally depraved and corrupt. Evidence of this depravity can be seen in prostitution, the toleration of adultery, the acceptance of homosexuality, drugs and coffee shops, the payment of interest and all other temptations of the Western world that are so hard for even a pious Muslim to resist. The next quote shows how jihadists view Dutch society, which in their eyes is morally corrupt:

‘No, the Netherlands is not a land of freedom for everyone. It is for alcoholics, drug users, the immoral, etc., with all the consequences [of such behaviour]. They can do as they like, and when they go too far their punishment is light: ‘they also have rights’ and ‘they had a difficult childhood’. It is a brutal, upside-down world where the gentle, honest and kind-hearted people are often the victims. The psychiatric institutions are full, suicide is common, people complain bitterly and they grudge each other everything. Rape, child pornography, abuse of women, theft, discrimination, bullying, disrespectful behaviour, etc., etc. is the order of the day. No, the Netherlands is far from civilised, and it is time that people looked in the mirror and left innocent Islam alone.’

It goes without saying that integration in this depraved society is to be absolutely repudiated. In his text ‘Islam and integration’, Mohamed B. uses compelling images to encourage women to resist integration:

‘Society has dragged you into all kinds of discussions on integration, and you even have become pawns in the hands of wicked people who carry on political campaigns in your name, appointing themselves the liberators of the Islamic woman. Your husbands are accused of having committed all kinds of crimes against you, and despite this enormous social pressure you stand firm in your principles, as a rock in the surf defies the pounding waves. Your sacrifice, your silent suffering, your perseverance and your determination has not been in vain. It will lead your soul to unknown heights, while society drowns in its own arrogant, selfish desires and base passions, and thinks that this is amusement and a liberation from all chains and limitations.’

The polder jihadists are convinced that they are the only ones who represent the truth and that they carry on the struggle for a legitimate cause as resistance fighters in a war of liberation. This is attested by the concepts used in the last quoted passage such as ‘perseverance’, ‘determination’ and the Dutch metaphor ‘rock in the surf’. Opponents are portrayed as ‘wicked people’ with ‘arrogant, selfish desires and base passions’. The media are also targets of criticism. The media are ‘satanic accomplices’ who take the masses hostage and cram lies down their throats. In the piece ‘This is the way’, Mohamed B. articulates this view under his pseudonym Mohamed Zubair.

‘[...] And as we have noticed all around us, the Satanic media has done its work. This great Satan makes itself known to us as soon as we awaken from sleep. Under the guise of news and current affairs, the lies are forced on the masses. In the Netherlands it has gone so far that that these lies are offered to us for free at all the bus stops and train stations. Just look: people are not given a single chance to catch their breath in order to free themselves from this deceitful hostage taker.’

Then there is the ‘crusade’ that the West is carrying out against Islam in the eyes of the jihadists. For the jihadists the war is being fought on many fronts. In this war, which is an apocalyptic battle between good and evil, they are the chosen martyrs for a righteous cause. Paradoxically enough, the prospect of death is meant to give direction to the lives of these social desperados, who see themselves as part of a transnational vanguard of the *umma*, the community of believers. Awaiting them is a plentiful reward in the heavenly paradise. The depravity of everything Western extends far beyond non-Islamic religious and secular authorities and Western institutions. The target of jihadist thinking and the potential victims of terrorist acts are not only these institutions and those who direct them, but all individuals – men, woman and children. After all, these are the citizens who elected the authorities and established the depraved institutions. That makes them collaborators at the very least. In the following quote, these citizens are being addressed:

‘You all want democracy, which means you all are responsible for the deeds of your government. Your army, which slaughters our brothers and fighters and defenders of the oneness of Allah in Iraq and delivers them up to the Americans and the British. You have seen the images of the prison in Guantanamo and the prison of Abu Ghraib, the things they are committing there. You will be held responsible for those things. By Allah, we will take revenge for every tear that has been shed by the mothers and children of the Muslims [...].’

In this view, there are no innocent citizens. The violent attacks that emerge from Islamic extremist groups are not random or haphazard, as is often claimed in the media. Indeed, almost everyone is a target because almost everyone is excluded in the jihadist vision of good versus evil. This is just as true for Westerners as it is for Islamic believers who reject jihadist ideology. It is not surprising, then, that the support and influence of this ideology is dwindling in the Islamic world.

## 5.7 Conclusion

Islamic extremism is a worldwide socio-political movement whose most radical elements, such as the followers of internationally-oriented Salafist jihadism, express themselves in terrorist acts. This form of extremism is based on an ideology that is best characterised by mechanisms of exclusion, an ideology that also has followers in the Netherlands, particularly among Salafist believers. The most important factors that have played a role in the development of Islamic extremism from an internal Islamic phenomenon to an international phenomenon are the growth of the presence of the West in Muslim countries and the increased migration from Muslim countries to the West. In this chapter, special attention is paid to young people. Some second-generation young people see a third way in radical Islamic views, an alternative for the traditional values of their parents on the one hand and the values of a secular society in which they must learn to find their way on the other. The Islamic networks that have been the objects of study in recent years consist for the most part of young people. For young people, a search for identity and a need for social connection figure prominently in the process of radicalisation. Social protest is also important, inspired to a significant degree by the experience of social discrimination and exclusion. The internet has done a great deal over the past ten years to simplify the accessibility of extremist groups and ideology. It has enabled young people to construct their own versions of their faith and to establish trans-border contacts.

In this chapter attention was paid to the situation that has evolved here in the Netherlands in recent years. Shedding light on the scale and scope of Islamic extremism in the Netherlands is no simple matter. Sources are limited and often they are not scholarly. After a period in which local networks were busy with their own agendas, a shift has taken place in recent years towards a more international orientation. Local networks became weakened by repression, lack of leadership, internal divisions and dwindling support caused by the growth of an alternative, nonviolent approach within Salafism.

To illustrate the ideological elements of extremist doctrine, an analysis was conducted of texts issued by Dutch networks (now dismantled) in which young people participated. These networks – the Hofstad Group and the Piranha Group – tried to portray Islamic extremism as a movement with Dutch roots. A variety of Dutch texts were found on the computers of the group's members. This chapter provides some examples of these texts and discusses their key ideological points. With regard to religion, the core teaching is the monotheistic oneness of God and the rejection of polytheism and idolatry. The rejection of idolatry is mainly concerned with worldly authorities and authoritative institutions such as democracy and the rule of law. Western society is regarded as morally depraved and corrupt, so Muslims should take a stand against integration. In a dualistic struggle between good and evil, the jihadists see themselves as the resistance fighters for a legitimate war to defend Islam. All non-jihadists, including Muslims, are 'evil' and are therefore the targets of violent, jihadist actions, which means that exclusion should also be seen as a central element of this extremist ideology.

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## Notes

<sup>1</sup> M.A. Adraoui, 'Salafism in France: ideology, practices and contradictions', in: R. Meijer (ed.), *Global salafism: Islam's new religious movement*, London: Hurst 2009, p. 376.

<sup>2</sup> F.J. Buijs, F. Demant & A. Hamdy, 'Radicalisering van moslimjongeren', in: J. van Donselaar & P.R. Rodrigues (eds.), *Monitor Racisme & Extremisme: zevende rapportage*, Amsterdam: Anne Frank House / Leiden University 2006, pp. 138-157; M. de Koning, 'Changing worldviews and friendship: an exploration of

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the life stories of two female Salafis in the Netherlands', in: R. Meijer (ed.), *Global salafism: Islam's new religious movement*, pp. 404-432.

<sup>3</sup> Algemene Inlichtingen en Veiligheidsdienst, *De gewelddadige jihad in Nederland: actuele trends in de islamitisch-terroristische dreiging*, The Hague: Ministry of the Interior and Kingdom Relations 2006, pp. 13-18, <<https://www.aivd.nl/contents/pages/65410/degewelddadigejihadinnederland2006.pdf>> (13 August 2010).

<sup>4</sup> This refers to those who are oriented exclusively towards the Arabic world within which Islam had its origins.

<sup>5</sup> C.J. de Poot & A. Sonnenschein, *Jihadistisch terrorisme in Nederland: een beschrijving op basis van afgesloten opsporingsonderzoeken*, The Hague: Ministry of Justice, Wetenschappelijk Onderzoek en Documentatiecentrum 2009, <<http://www.wodc.nl/onderzoeksdatabase/inzicht-in-islamitische-terrorismebestrijding-obv-vanrecent-afgesloten-opsporingsonderzoek.aspx>> (13 August 2010).

<sup>6</sup> See section 5.4 of this chapter.

<sup>7</sup> A. Silke, 'Holy warriors: exploring the psychological processes of jihadi radicalization', in: *European Journal of Criminology*, 5 (2008) 1, pp. 99-123.

<sup>8</sup> M. Sagemann, *Understanding terror networks*, Philadelphia, PA: University of Pennsylvania Press 2004.

<sup>9</sup> The concept of *imagined community* is from Benedict Anderson, *Imagined communities: reflections on the origin and spread of nationalism*, London: Verso 1991 (rev. ed.).

<sup>10</sup> J. van der Pligt & W. Koomen, *Achtergronden en determinanten van radicalisering en terrorisme*.

Amsterdam: University of Amsterdam, Onderzoeksinstituut Psychologie 2009

<[http://www.wodc.nl/images/1657\\_Volledige\\_tekst\\_tcm44-218949.pdf](http://www.wodc.nl/images/1657_Volledige_tekst_tcm44-218949.pdf)> (13 August 2010); K. van den Bos, A. Loseman & B. Doosje, *Waarom jongeren radicaliseren en sympathie krijgen voor terrorisme: onrechtvaardigheid, onzekerheid en bedreigde groepen*. Utrecht/Amsterdam: Utrecht University & University of Amsterdam 2009 <[http://www.wodc.nl/images/1657\\_Volledige\\_tekst\\_tcm44218949.pdf](http://www.wodc.nl/images/1657_Volledige_tekst_tcm44218949.pdf)> (13 August 2010).

<sup>11</sup> C.J. de Poot & A. Sonnenschein, *Jihadistisch terrorisme in Nederland*, pp. 158-159.

<sup>12</sup> I. van der Valk & W. Wagenaar, *Monitor Racisme & Extremisme: In en uit extreemrechts*. Amsterdam: Anne Frank House / Leiden University 2010.

<sup>13</sup> A. Benschop, *Kroniek van een aangekondigde politieke moord: jihad in Nederland*, Utrecht: FORUM 2005, p. 53.

<sup>14</sup> M. de Koning, 'Changing worldviews and friendship', p. 408.

<sup>15</sup> W. Schiffauer, *Islamism in the diaspora: the fascination of political Islam among second generation German Turks*, Oxford: Transnational Communities Programme, Working Paper 1999.

<[http://www.transcomm.ox.ac.uk/working%20papers/Schiffauer\\_Islamism.PDF](http://www.transcomm.ox.ac.uk/working%20papers/Schiffauer_Islamism.PDF)> (13 August 2010). See also M. de Koning, *Zoeken naar een 'zuivere' islam: geloofsbeleving en identiteitsvorming van jonge Marokkaans-Nederlandse moslims*, Amsterdam: Bert Bakker 2008, <<http://dare.uvu.vu.nl/bitstream/1871/15828/5/5755.pdf>> (13 August 2010).

<sup>16</sup> M.A. Adraoui, 'Salafism in France'.

<sup>17</sup> This section was compiled with the help of Wil van der Schans, researcher at the Anne Frank House.

<sup>18</sup> A. Garssen, *Verstoren of (ver)binden*, Meesterstuk Leerprogramma Internationale Politie IV, 2006, <[http://spl.politieacademie.nl/Portals/0/files/garssen%20lipo\\_eidconcept.versie.20.6.2006.doc](http://spl.politieacademie.nl/Portals/0/files/garssen%20lipo_eidconcept.versie.20.6.2006.doc)> (12 August 2010).

<sup>19</sup> Algemene Inlichtingen en Veiligheidsdienst, *Van dawa tot jihad: de diverse dreigingen van de radicale islam tegen de democratische rechtsorde*. The Hague: Ministry of the Interior and Kingdom Relations, 2004, p. 34, <<https://www.aivd.nl/contents/pages/90124/radicaledawainverandering.pdf>> (13 August 2010).

<sup>20</sup> I. Roex, S. van Stiphout & J. Tillie, *Salafisme in Nederland: aard, omvang en dreiging*, Amsterdam:

University of Amsterdam: Instituut voor Migratie- en Etnische Studies 2010, p. 120,

<<http://www.imes.uva.nl/documents/SalafismeinNederlandlaatsterversie23June2010.pdf>> (13 September 2010).

<sup>21</sup> C.J. de Poot & A. Sonnenschein, *Jihadistisch terrorisme in Nederland*, p. 121.

<sup>22</sup> The Hofstad Group was formed by 14 persons, including one woman and two converts. See A. Benschop, *Kroniek van een aangekondigde politieke moord*, p. 78.

<sup>23</sup> Eight persons were suspected in the Piranha case, including one woman and one convert. See R. Meijer, *Inhoud van de religieuze en ideologische documenten aangetroffen in het beslag van de verdachten in het Piranha-onderzoek: deskundigenrapport opgesteld voor de Arrondissementsrechtbank Rotterdam*, 2006, p. 1, <[http://www.nctb.nl/Images/lokale%20jihadistische%20netwerken%20in%20nederland\\_tcm91-240823.pdf?cp=91&cs=25496](http://www.nctb.nl/Images/lokale%20jihadistische%20netwerken%20in%20nederland_tcm91-240823.pdf?cp=91&cs=25496)> (13 August 2010).

<sup>24</sup> Algemene Inlichtingen en Veiligheidsdienst, *Lokale Jihadistische netwerken in Nederland: veranderingen in het dreigingsbeeld*, The Hague, Ministry of the Interior and Kingdom Relations 2009, p. 6.

<sup>25</sup> *Ibid.*, p. 7.

<sup>26</sup> Other Salafi centres in the Netherlands are the Al Fourkaan mosque in Eindhoven, the Omar Ibn Khattab mosque in Helmond, and the Islamic Foundation for Education and Transfer of Knowledge in Tilburg.

<sup>27</sup> Algemene Inlichtingen en Veiligheidsdienst, *Lokale Jihadistische netwerken in Nederland*, p. 7.

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<sup>28</sup> Ibid., p. 9.

<sup>29</sup> Ibid., p. 10.

<sup>30</sup> For a more detailed discussion of this, see H. Moors et al., *Polarisatie en radicalisering in Nederland: een verkenning van de stand van zaken in 2009*, Tilburg: IVA Beleidsonderzoek en Advies 2009, pp. 71-73.

<sup>31</sup> *Kamerstukken II*, 2009-2010, 29754, no. 190 (*Twaalfde voortgangsrapportage terrorismebestrijding*).

<sup>32</sup> *Rekrutering in Nederland voor de jihad: van incident naar trend*, The Hague: Algemene Inlichtingen en Veiligheidsdienst 2002, <<https://www.aivd.nl/aspx/download.aspx?file=/contents/pages/1396/Rekrutering.pdf>> (13 August 2010).

<sup>33</sup> *De lokale en justitiële aanpak van radicalisme en radicalisering*, *Kamerstukken II*, 2005-2006, 29754, no. 30.

<sup>34</sup> AIVD, *De gewelddadige Jihad in Nederland: actuele trends in de islamistisch-terroristische dreiging*. The Hague: Ministry of the Interior and Kingdom Relations 2006, p. 54. See <<https://www.aivd.nl/contents/pages/65410/degewelddadigejihadinnederland2006.pdf>> (13/08/2010).

<sup>35</sup> *Kamerstukken II*, 2009-2010, 29754, no. 190 (*Twaalfde voortgangsrapportage terrorismebestrijding*); Algemene Inlichtingen en Veiligheidsdienst, *Lokale Jihadistische netwerken in Nederland*.

<sup>36</sup> I. Roex, S. van Stiphout & J. Tillie, *Salafisme in Nederland*, pp. 292-293.

<sup>37</sup> M. Zannoni et al., 'Niets aan de hand?' *Een verkennend onderzoek naar polarisatie en radicalisering in de gemeente Utrecht*. The Hague: COT Instituut voor Veiligheids- en Crisismanagement 2008, <[http://www.cot.nl/nl/productmenu/Rapporten/Niets\\_aan\\_de\\_hand.pdf](http://www.cot.nl/nl/productmenu/Rapporten/Niets_aan_de_hand.pdf)> (13 August 2010).

<sup>38</sup> Ibid.

<sup>39</sup> M. Zannoni et al., *Meer dan incidenten? Een verkennend onderzoek naar polarisatie, radicalisering en dierenrechtenactivisme in Flevoland*. The Hague: COT Instituut voor Veiligheids- en Crisismanagement 2009.

<sup>40</sup> A.G.W. Ruitenbergh & D. de Hoog, *Verkennend onderzoek naar radicalisering in Tilburg*. The Hague: COT Instituut voor Veiligheids- en Crisismanagement 2006, <<http://www.nuansa.nl/uploads/61/ea/61ea467b315fbf0abd73d3be19e79634/radicalisering-tilburg.pdf>> (13 August 2010).

<sup>41</sup> Ibid., pp. 31-32.

<sup>42</sup> InformatieSchakelPunt Radicalisering, *Radicalisering in Rotterdam II*. Rotterdam: City of Rotterdam 2007; InformatieSchakelPunt Radicalisering, *Radicalisering in Rotterdam III*. Rotterdam: City of Rotterdam 2008. For monitoring mechanisms in Rotterdam, also see S. Grunenberg & R. Schriemer, 'Respons op extremisme in de regio Rotterdam', in: J. van Donselaar & P.R. Rodrigues (eds.), *Monitor Racisme & Extremisme: achtste rapportage*, Amsterdam: Anne Frank House / Leiden University 2008, pp. 141-165.

<sup>43</sup> This category is not included in the figures.

<sup>44</sup> InformatieSchakelPunt Radicalisering, *Radicalisering in Rotterdam III*.

<sup>45</sup> InformatieSchakelPunt Radicalisering, *Radicalisering in Rotterdam II*.

<sup>46</sup> Thanks to Dr R. Meijer, who is an Islam expert at Radboud University Nijmegen, the International Institute for Social History and Clingendael, the Netherlands Institute of International Relations. He also acted as expert witness for the OM (Public Prosecution Service) in the Piranha case against the Samir A. group. Dr. Meijer made these texts available for investigation.

<sup>47</sup> The concept 'tawheed' stands for the oneness of God, for monotheism and for full submission to God.

<sup>48</sup> 'Mujahideen' means fighters.

<sup>49</sup> See I. van der Valk, *Difference, deviance, threat? Mainstream and right-extremist political discourse on ethnic issues in the Netherlands and France (1990-1997)*. Amsterdam: Aksant 2002, p. 92.

<sup>50</sup> From a poem by 'ibn firnas 23' published on the internet, quoted in A. Benschop, *Kroniek van een aangekondigde politieke moord*, p 43.

<sup>51</sup> R. Meijer, *Inhoud van de religieuze en ideologische documenten aangetroffen in het beslag van de verdachten in het Piranha-onderzoek: deskundigenrapport opgesteld voor de Arrondissementsrechtbank Rotterdam*, 2006.

<sup>52</sup> The original Dutch text contains linguistic errors which have not been corrected in the Dutch version of this report and were taken verbatim from the source documents. Only some of them are reflected here in the English translation.

<sup>53</sup> The Dutch concept of *afgoderij* (idolatry) – literally the worship of that which is not God – approaches the Arabic concept of *taghut*, which is often used more broadly to mean everything that keeps one from worshipping Allah. Thus *taghut* can refer to people as well as institutions and objects.

## 6 Islamic extremism in police practice

*Mark Dechesne and Jaap van Donselaar*

Incidents acquire meaning when they are interpreted in relation to general developments and trends. It is for this reason that the systematic documentation and analysis of extremist incidents is so important. A Monitor approach can also be of relevance to the many different expressions of extremism. So it is striking that Islamic extremism has yet to be dealt with from a Monitor angle, even though radical Islamic ideology is seen as the greatest terrorist threat of the last decade.<sup>1</sup>

In this chapter the focus is on radical Islamic incidents.<sup>2</sup> As a way of initiating a Monitor study of Islamic radicalism in the Netherlands, the incidents are discussed as they were reported by the National Police Services Agency (Korps Landelijke Politiediensten; KLPD) with regard to the year 2009. There are two important advantages to analysing police reports. First, analysing the report sheds light on the nature of the incidents and helps identify possible trends. Second, the analysis of police data is a good opportunity to reflect on the benefit and design of a Monitor study of Islamic radicalism.

### 6.1 Islamic extremism in a nutshell

Islamic extremism has figured heavily in the way the public perceives expressions of extremism in recent years and in the development of counterterrorism in the Netherlands. Special attention has been paid to 'Salafist jihadism'. This ideology spread throughout the Western world during the eighties and early nineties, when it was organised into a movement. Since then it has developed in both content and appearance. *Al-Qaida* is perhaps its most salient form of expression.

The International Crisis Group<sup>3</sup> has identified three combat theses for this movement:

1. An internal struggle within the Islamic world in which the present regimes are believed to have allowed true Islam to have been overpowered by egotism and material gain.
2. An irredentist struggle aimed at restoring the old caliphate in which the role, and sometimes the rule, of non-Islamic governments in the Islamic world is criticised and challenged.
3. A worldwide struggle to defend 'true' Islam against outside influences.

In these combat themes, the characteristic Islamic struggle (jihad) is interpreted in terms of its militant variant. Another important feature has to do with the puritanical interpretation of Islam. The true believer submits himself to the absolute sovereignty and oneness of God (*tawheed*), and moderate Muslims and nonbelievers are to be excluded or punished (*takfir*). In the eighties, subsidies from the Arab world funded the construction of new, internationally oriented mosques in Europe. These mosques gave Salafist jihadist preachers a platform for expressing and spreading their ideology. The message of victimhood (the message that Islam is being threatened and Muslims around the world are being oppressed), absolutism (the message of the 'oneness' of God) and battle readiness (a number of preachers had fought in Afghanistan or in other hotbeds of unrest) inspired young Muslim immigrants in particular, leading to the emergence of militant social networks with the mosques as their hub.

On 11 September 2001 the danger of this development became evident. *Al-Qaida* had been heard from before after the first attack on the *World Trade Center* in 1993, the attack on

*Khobar Towers* in Saudi Arabia in 1996, the attack on the American embassies in Kenya and Tanzania in 1998 and the attack on the *USS Cole* in 1998. But the attacks of 11 September 2001 amounted to an escalation in terms of size and gravity, and they also drew both the politicians and the populations of Europe into the struggle against Salafist jihadism. After all, the airplane hijackers had been radicalised in Hamburg. Concern for Islamic extremism in the Netherlands was increased after the first large-scale attacks on European soil in Madrid in 2004, and especially after the murder of Theo van Gogh in November 2004.

Because of the prominent place that Islamic radicalism has come to occupy in the public discourse, answering questions about jihadist networks in Europe, the motives of individual members and effective ways to combat such radicalism has become top priority for policy makers, law enforcement officials and academics. With the support of the National Coordinator for Counterterrorism (Nationaal Coördinator Terrorismebestrijding; NCTb), established in 2005, and of the Ministry of the Interior and Kingdom Relations, the Ministry of Justice and the Ministry of Education, several studies were conducted that examined the content of Salafist jihadism, support for the ideology, the nature of radical networks, the psychology behind radicalisation and deradicalisation, and the effectiveness of counterterrorism. Most of these studies involved phenomenon analysis. Trends and developments in jihadism in the Netherlands were given less attention.

There are exceptions, however. In several of its reports, the AIVD (General Intelligence and Security Service) did focus on trends in jihadism in the Netherlands. The report *De gewelddadige jihad in Nederland, actuele trends in de islamistisch-terroristische dreiging* (Violent jihad in the Netherlands, current trends in the Islamic terrorist threat), which came out in 2006, describes in general terms how the original exogenous Islamic struggle became a European struggle. In addition, jihadists from European countries are increasingly joining up with Al-Qaida on their own initiative, and they are also organising themselves, often inspired by internet videos. A second exception is the study published on a quarterly basis since 2005 by the NCTb, *Dreigingsbeeld Terrorisme Nederland* (the Terrorist threat in the Netherlands; DTN), a global analysis of national and international developments with regard to threats. Every six months the NCTb also publishes the counterterrorism progress report, which deals with the most important developments in counterterrorist measures. In April 2010 the twentieth DTN was published. In June 2010 the twelfth semi-annual report came out.

## **6.2 Monitor study of Islamic extremism**

The AIVD and NCTb reports are general descriptions of threatening developments. What is still lacking is a description of the incidents and a numerical summary of the number and nature of those incidents. A Monitor approach can help formulate the discussion of Islamic radicalism in more concrete terms. What are we actually talking about? What kinds of incidents are taking place?

For the benefit of our research, the IPOL Service<sup>4</sup> of the National Police Services Agency agreed to give us access to their report of incidents that took place in 2009 and that are at least suspected being connected to Islamic radicalism. The incidents are quite diverse in nature. They include not only actual incidents but also spurious reports and reports that turned out to be false alarms. Within the context of terrorism it is very important that spurious reports and false alarms be reported, since terrorism is a form of psychological warfare whose tactics consist not only of actual attacks but also of threats.

The almost four hundred reported incidents form a good basis for exploring the possibilities and impracticalities of conducting Monitor research on Islamic radicalism. The data provide

us with an interesting look into the kind of Islamic radicalism that the police in the Netherlands are now dealing with.

The material that was made available to us for our research is in need of further explanation. The almost four hundred incidents are not described in a single uniform way. Some of them take up no more than one sentence (such as ‘report of missing passport’) while others go on for several paragraphs. All in all, the information is rather meagre, an impression that is strengthened by the fact that it is anonymous. The identities of the perpetrators, victims and other persons involved were withheld from us. Sometimes the identity of contextual elements was also hidden, such as that of a target. Locations and place names are not always clear. Moreover, the file contains duplicate counts that cannot all be eliminated owing to the aforementioned restrictions, and there are cases that offer so few clues as to possible identification that we had to set them aside. There is also some contamination in the file in the form of incidents that belong to another category of radicalism. Last but not least, while the outcome of some of the incidents is crystal clear – a suspicious suitcase that turned out to be a false alarm – in many others the outcome is far from evident, at least to us. We decided to accept the file as it is and not to try to initiate a series of improvements right away. There is another side to the coin, however: although we can manage quite well with questions about the *nature* of the incidents, questions about the *scale* of the incidents are more troublesome. In general, the research data in the current file do not easily lend themselves to quantitative analysis. For this reason we have handled the numbers with caution and have limited ourselves to numerical *indications*, wherever possible.

### **6.3 Islamic extremism in 2009**

In breaking down the incidents of Islamic extremism, we were not able to avail ourselves of the kind of data used in the Monitor study *Racial and right-wing extremist violence*, which were the result of years of tested typology. So we attempted to create a suitable typology based on what we found in the 2009 file. Because the resulting structure is based on incidents from 2009, it may be of limited relevance. Conceivable types of incidents, such as bombings or attempted murder of a specific person, are not included in this typology simply because they did not happen in 2009. An overview is given below.

Islamic extremism in police practice, according to category in 2009:

- threats;
- bomb scares;
- white powder letters (or ‘anthrax hoaxes’)
- assault;
- possible indication of extremist violence;
- missing identity document.

In the rest of this section, the various categories will be examined more closely and a number of incidents will be described.

#### *6.3.1 Threats*

Threats are defined here as threatening to use violence against a person, a group or an object belonging to that person or group. Under criminal law, threat of violence is understood as ‘to induce persons to do something or not to do something against their will or against their orders.’<sup>5</sup> Threats can be defined from the perspective of ‘the threatened’, in which the latter’s assessment is decisive for determining what is or is not a threat. Threats can also be defined in terms of a distinction often used in criminology between instrumental and expressive



offences. According to Bovenkerk et al., this distinction can be effectively applied to the phenomenon of threats. 'The concept of instrumental threat corresponds nicely with the definition used in criminal law. The person making the threat wants to exact a concrete result. In an expressive threat, the perpetrator is mainly interested in expressing himself demonstratively.'<sup>6</sup> In our research, we have chosen an approach that comes close to the criminal definition: inducing someone under threat of violence to do something or not to do something against his will. We have made this choice because it enables us to more clearly identify the incidents we were given access to. If we had chosen the perspective of the person threatened, for example, then the many reports of suspicious suitcases would have to be characterised as threats. Below is a list of example of threats that occur in our inventory.

- Serious threats made by a young Muslim towards a fellow student. The person making the threat was known to the police because he was undergoing radicalisation. At school he was said to have become more and more isolated and to have a preference for violent films, which he watched on the school computer. The suspect emphatically denied any of this.
- An airline pilot was threatened by a member of his crew. Both were Muslims, but the person making the threat allegedly thought his colleague was neglecting his religion. The question was understandably taken seriously because the conflict could lead to dangerous situations during a flight.
- A Muslim was threatened for associating with Christians.
- A Muslim was threatened supposedly because he wanted to convert to Christianity.
- A report came in about a woman who received threatening voicemail messages:

'Allah is the greatest and you're going to bleed. We're going to get you.'

- Report of an employee at a drug rehabilitation centre who was seriously threatened by a (radical) Muslim from his prison cell.
- A threat was received by a school in Amsterdam where headscarves had been banned under the dress code. The father of a Turkish student did not agree. The conflict escalated and resulted in serious threats directed towards the teacher. Attempts to calm things down proceeded with difficulty.

### 6.3.2 Bomb scares

A bomb scare is a message sent by telephone, or sometimes in writing, warning that an explosive device is about to go off. Most bomb scares are false alarms. Sometimes a distinction is made between bomb scares, which are serious by definition, and bomb threats rather than false alarms. In every case the incident contains an announcement. In this study we prefer the use of the term 'bomb scare' in order to avoid confusion with a bomb threat, which is the result of, say, finding a suspicious suitcase without a possible perpetrator having reported the existence of the suitcase. The number of incidents in this last category, to which we will return later on, is fairly large in our database. In our inventory we came across a number of bomb scares which – as far as we can tell – were all false alarms. No explosives were found. Below are a few examples.

- A Dutch-speaking man announced by telephone that he had placed a bomb in an eating establishment on Rembrandt Square in Amsterdam. The bomb was supposedly enclosed in a plastic bag near the lavatories. An investigation yielded nothing. The caller called again and discovered that he was not being taken seriously. His telephone number was traced and he was arrested.

- In January 2009 telephone calls were made to several places (central call centres, the media) by a man who said:

‘Allah is great. Greater than our fallen brothers in Gaza. We are going to take revenge. Within 600 minutes, bombs will explode at three railway stations.’

- A telephone bomb scare was made by a man speaking barely understandable Dutch to a restaurant in Amsterdam:

‘I cannot say who I am. A plastic bomb is going to explode in 94 minutes. Now I am going to call the police.’

The restaurant was not cleared. The motive behind the call was probably not extremism.

- A bomb scare was made to the Amsterdam Arena. The stadium was not cleared, partly because when the call was made it was already emptying out.
- A bomb scare was called in by an unknown caller who had shielded his caller ID. According to the information in our file:

‘The message was very hard to understand. We made out that it was a Dutch-speaking man who said that he had placed bombs in all the police stations. You’ve all had it. Watch out. Bye-bye!!!! And the man hung up.’

- Bomb scares made to various hotels. The messages were anonymous and made by telephone in broken English. ‘The man called in the name of Allah and said that he would be at the hotel within fifteen minutes and would then set off a bomb,’ according to one of the messages.

### 6.3.3 White powder letter

A ‘white powder letter’ or ‘anthrax hoax’ may be in indication of so-called ‘CBRN terrorism’ (Chemical, Biological, Radiological, Nuclear), which, according to the NCTb, is ‘committing a terrorist attack by using chemical, biological, radiological or nuclear materials (CBRN agents)’. CBRN terrorism does not necessarily involve weapons of mass destruction. It can also consist of small-scale attacks that result in few or no victims. CBRN terrorism often creates great anxiety among the local inhabitants.<sup>7</sup> A white powder letter is a letter that may contain (deadly) biological material, such as the anthrax letters that were found in the United States at the beginning of the last decade. It is generally presumed that this phenomenon has never occurred in Europe. What does happen with quite some frequency – also in the Netherlands – is that the *suggestion* of such an attack is evoked by sending letters containing powder that, upon closer inspection, turns out to be harmless, such as laundry detergent. Our inventory contains a small number of incidents with white powder letters, which have not posed any danger as far as we know.

- A white powder letter was found in Amsterdam. After further investigation the letter turned out to contain laundry detergent.
- A white powder letter was sent to an office in Amsterdam (this had happened at least once before). The envelope contained a small plastic bag with powder, which proved to be harmless.
- The third incident also took place in Amsterdam. After the letter was opened and the powder was discovered, the letter was shut up in a cabinet and the police were alerted.

Whether these anonymous incidents with white powder letters were indications of Islamic

extremism or not is something we were not able to deduce from the information made available to us. We are dependent on an assessment by the police in this regard.

#### *6.3.4 Assault*

Assault can be defined as deliberately inflicting physical injury or pain on someone against his will. In our research we are also looking for any kind of connection with Islamic extremism. In the inventory we came across a number of cases of such assault, a few examples of which are provided here.

- Report of grievous assault in an asylum seeker centre of a former Muslim who had converted to Christianity.
- Report of the assault of an Afghan woman by her husband, mother-in-law and sister-in-law. According to the woman, her husband was ‘still normal’ during their engagement, but he changed after their marriage. A statement made by the victim reads as follows:

‘I knew he was a Muslim, but not that he was so extreme in his beliefs. From the day that we began living together he demanded that I wear a headscarf and clothing with long sleeves. I wasn’t allowed to speak with other men, either. If I did, I was beaten. I told him I didn’t want to do this, and that no one in my family did. From that moment on I was regularly beaten by his mother. If I were to leave, he would look for me and murder me.’

The second example involves domestic violence. In the database there are more cases of domestic violence that take place within a religious context, to a greater or lesser degree. There is violence with religious motives, but in most cases it is not clear whether extremism is also involved or not, at least not from the information available to us.

#### *6.3.5 Possible indication of extremist violence*

The inventory of incidents from 2009 contains a large number of cases that could indicate a possible attack or be interpreted as such. The variation is considerable in more than one respect. These incidents concern many different kinds of behaviour and situations that can be regarded as suspicious. The indications may be rather strong, but some are also what are called ‘weak signals’. Some of the cases have not been cleared up, at least as far as we can conclude on the basis of the available information, but that is not true in all cases. The cases that have been cleared up are often false alarms. Let us begin by giving a number of examples from this subcategory, which is relatively extensive:

- A resident of Amsterdam came home to discover an abandoned bag that had been left in front of the house. She thought the bag was suspicious. On further investigation the bag turned out to be empty.
- An abandoned, suspicious suitcase was found at an Amsterdam hotel. On further investigation the suitcase proved to be empty.
- A report came in of a suspicious bag that had been left at a children’s playground. The perpetrator was still walking around the playground, according to the report. A ‘bomb scout’ was sent to the site but nothing was found.
- A report came in of a suspicious suitcase on a parking level on Arena Boulevard. By the time the police arrived at the scene it appeared that the owner had forgotten his suitcase and had come back to pick it up.
- An abandoned, suspicious bag was found on the platform of a train station. It turned out to be a forgotten bag containing sports clothing.
- A hand grenade was reportedly found in a street, but it turned out to be the rubber bulb of

- a bicycle bell.
- A report was made about a suspicious bag that had been left behind in an insurance office by an angry customer. It was said to contain a hand grenade (*handgranaat* in Dutch). Because of miscommunication, a pomegranate (*granaatappel*) was mistaken for a hand grenade.
- A report came in of a suspicious package in the lift of an apartment building. It turned out to be a homemade explosive, a smoke bomb or a fireworks bomb.
- A report came in of a suspicious bag at the Van Gogh Museum. The bag turned out to contain a blanket.
- During a Friday evening prayer service in a synagogue, security agents saw a car ride up onto the pavement between the street poles and park close to the facade of the synagogue. They spoke to the driver, who responded in anger. The police were then notified. The driver turned out to be the person who cleaned the nearby school. Parking on the pavement was customary. To avoid any more misunderstandings, it was agreed that the driver would no longer park there on Friday evenings.
- A fake bomb was found at a supermarket: a metal can wrapped in tape and with a string sticking out. The can contained stones and sand.
- An empty suitcase was found in a doorway. It was suspected that the suitcase was put there to test the attentiveness of the police.
- An ammunition chest that had been soldered shut was the cause of great consternation. Neither tracker dogs nor X-rays provided an explanation. Finally the chest was found to contain stones and had been used as a weight for a large tent.
- An abandoned grey metal suitcase was found on a square chained to a pole at a tram stop. After further investigation the suitcase was found to belong to a street performer.

A second subcategory concerns a few reports of an impending attack or possible preparations for such an attack. Here are a few examples:

- Thirty gas cylinders were stolen from a company, each one containing 10.5 kilos of propane gas. The cylinders were stolen from the closed grounds of the company. Access to the grounds had been gained by means of a simple hole cut in the fence.
- Security guards for a company in Rotterdam Europoort reported that installations were being photographed from a car in the car park.
- A came in report announcing impending attacks by car bombs to be carried out at four different locations. The cars would be bearing fake taxi registration numbers.
- A report came in from someone who said he was planning to commit an assault at the *Gay Pride* parade.
- A report came in of a car that was parked near the fence of a gas distribution station. The report read:
 

‘The passengers were a man of about 50 with a beard and a woman of about 35 wearing a headscarf.’
- A report came in of an incident of vandalism in which a hand grenade was quite likely used.
- Two suspicious cars were observed at the site of the NAM (Nederlandse Aardolie Maatschappij / Dutch Petroleum Company).
- A report came in of an Arabic-speaking man who was acting suspiciously (taking photographs) in the vicinity of a synagogue.

The file contains other reports of the behaviour of persons being monitored by the government (or bits of information concerning them). These concern moving house, for example, or travel.

A third subcategory consists of ‘weak signals’. This is related to the previous category, but the indications are less strong:

- Various reports of persons with psychological disorders who make remarks of a radical religious nature.
- Many reports of persons who make more or less radical remarks that mention outer physical characteristics, mainly beards and traditional clothing.
- A report that a group of Afghan youths were possibly being radicalised, and a report that a young Afghan boy had gone missing.
- A report about a man who went to the video rental shop and asked to see DVDs about terrorist attacks.
- A report about a knowledge migrant of Algerian origin who was said to be an expert electrotechnician. The man had become an object of attention for committing domestic violence. There seemed to be uncertainty as to whether he was studying in the Netherlands or was working in France.
- A report about a student who was very interested in terrorist attacks and who wanted to follow a course of study that ‘at least’ included a course in chemistry.
- Radical remarks were overheard during a fight involving Moroccan youths at a first aid station.
- A report from a man who was worried about his brother and thought he was becoming radicalised. The brother had asked him:

‘What would you think if I were to become a martyr?’

- A report from a father who was worried about his son. The son had become acquainted with an Algerian via the mosque who was exerting great influence on him. The son had lost interest in school and would probably fail his final exams for the second time. He had become a strict believer, had stopped watching television and was withdrawing further and further. He had also tried to talk his sister into wearing a headscarf.
- A report from a woman about her ex-husband, who said he wanted to say good-bye to their children before leaving the Netherlands.
- A suspicious envelope was left at a post office. According to the reporter: ‘It seemed to be a gun by the feel of it. The envelope was opened with great care on account of possible fingerprints. It contained a very rusty weapon of the Walther PPK brand.’

#### *6.3.6 Missing identity documents*

Ever since 11 September 2001, great value has been placed on personal data in the struggle against terrorism. Because so much terrorist activity is transnational, the registration of personal data, also known as PNR data (Passenger Name Record), is of great importance. PNR data are linked to travel, usually by air, and include passport data, name, address, telephone number, travel agent, credit card number, history of changes in the flight schedule, seat preference and other information. Any missing PNR data may be connected to malicious intent. In our inventory for the year 2009 there is a relatively large number of reports of missing identity documents – more than forty – which justifies the creation of a separate category. These reports are based not only on the loss itself but also on one or more clues indicated in the context of that loss. It should be noted that because the data have been rendered anonymous we were not able to assess these indications ourselves. These are a few

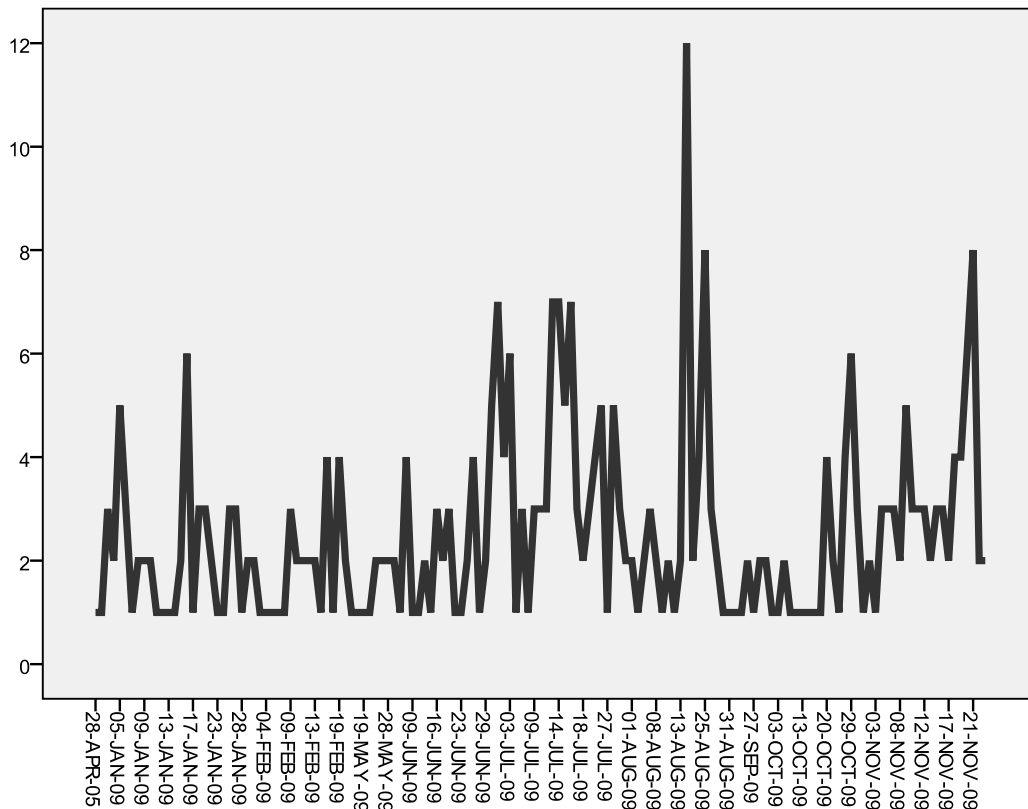
examples of the reports from our inventory:

- Report of a declaration filed of a missing driving licence. In 2004 the person involved had also filed an official declaration of a missing driving licence.
- Report of a declaration filed of a missing passport, also in 2008.
- Report of a declaration filed of a missing Afghan passport.
- Report of a driving licence lost in Iran.
- Report about someone who had lost his travel documents four times within a span of a few years.
- Report about someone who claimed to have lost his identity document six times.

#### 6.4 Trends: incidents over time

In addition to breaking down and describing the individual incidents, we also were curious as to how the incidents can be placed over time. Figure 6.1 shows how the incidents developed chronologically.

Figure 6.1 Number of incidents



The time line contains only data that is mentioned in the database, which explains why the time line is condensed. There are no incidents mentioned for the period from 20 February to 19 May and in the month of December, so these time periods are not shown in the graphic.

This observation strengthens the impression that can also be deduced from the figure: the incidents are concentrated around a number of peaks that consist of no more than a few days.

The period *5-6 January* is the first incident peak. These were different sorts of incidents that mainly took place in Amsterdam. The police found a few suspicious suitcases and expressed concern about individuals from a few problem families in Amsterdam who were becoming radicalised.

The days *16 and 17 January* were mainly marked by a number of reports of possible attacks or preparations for attacks. The reports were varied in nature and origin. Follow-up investigations were deemed unnecessary.

The period *13 to 20 February* was mainly characterised by questionable travel documents and identification papers. On 19 February a number of suspicious suitcases were also checked.

The days of *8-9 June* contained a concentration of incidents without any clear theme. A person without a residence permit was checked, for example, and a noisy troublemaker was questioned.

The period *23 June-3 July* was marked by a striking number of bomb scares and reports of suspicious suitcases and objects. This was also the period following the elections in Iran, and demonstrations against the political situation there were also held in the Netherlands.

In the period *14-18 July* there were a large number of cases of missing identity documents, possibly as a result of the beginning of the summer holiday. The rest of the incidents were related to problems of a social nature.

In the period *13-25 August* the largest increase in incidents occurred. These consisted mainly of a large number of lost passports or of identity checks. There were also a few cases in which ethnic minorities were threatened because they expressed their preference for a non-Islamic lifestyle.

In the period *19-29 October* there were various reports of suspicious suitcases. In a number of incidents, commercial establishments (call shops and eating establishments) and persons were regarded as suspicious.

The period *19-21 November* contained mainly bomb scares that were false alarms. A few disturbed persons making religious comments were also noticed and registered.

## **6.5 Conclusion**

In the beginning of the chapter we tossed up these questions: what do we actually mean when we say 'Islamic radicalism' and what kinds of incidents have occurred?

We tried to answer these questions based on a file of police data for the year 2009 (which is limited in several ways). The types of incidents can be broken down into threats, bomb scares, white powder letters, assaults, missing identity documents and possible indications of extremist violence. The last category is more diverse than the others and could be further broken down into the subcategories 'indication but false alarm', 'indication of an attack' and 'weak signal'.

Islamic extremism in police practice, according to category in 2009:

- threats;
- bomb scares;
- white powder letters;
- assaults;
- missing identity documents;
- possible indication of extremist violence:
  - indication, but false alarm;
  - indication of attack;
  - weak signal.

We made a number of striking research findings:

- We found no clear indication of an actual attack. We do not rule out the possibility that serious indications did take place outside the database made available to us.
- We found few cases of actual violent incidents.
- From the incidents it can be deduced that in 2009 there was a high level of perceived threats.
- In actual practice, this sense of threat appears to be related to religious orthodoxy and outer characteristics of such orthodoxy.
- In actual practice, drawing a border between the threat of religious violence and that of extremist violence is not easy.
- The perceived threats have been the focus of intense police attention, in which it later was established that the vast majority were false alarms.
- Thus in the case of false alarms, the connection with Islamic extremism consisted of the fear of the phenomenon alone.

Although a good number of the incidents did have a possible connection with Islamic extremism, many proved to be spurious reports or false alarms. None of the incidents resulted in an actual attack or was even an indication of an elevated risk.

But can we gather from this that there is no danger of Islamic extremism? Or that all the efforts to combat Islamic extremism have been for naught? It can well be argued that the major attacks of 11 September 2001 and later in Madrid and London, as well as the murder of Theo van Gogh in Amsterdam in 2004, partly spurred by the media, created a climate of fear or moral panic, so that even trivial events are seen in the light of the danger of terrorism. An abandoned suitcase can quickly be seen as a threatening attack, and a man with a beard as a potential terrorist. An example from our inventory is mistaking an abandoned rubber bulb from a bicycle horn found in the street for a hand grenade.

This brings us to the question whether there might not be far fewer incidents if less attention was paid to combating terrorism. But it's not that simple. Terrorism is essentially intended as a form of psychological warfare in which the aim is not so much killing people as creating fear. We see this effect reflected in the incidents of 2009. But even if terrorism were to disappear from sight under the influence of large numbers of false alarms, the effect of an actual attack would be considerable. Despite all indications to the contrary, vigilance is still in order.



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## Notes

<sup>1</sup> See *Ideologie en strategie van het jihadisme*, The Hague: Nationaal Coördinator Terrorismebestrijding 2009, p. 3, <[http://www.nctb.nl/Images/NCTb-JihadismeNL1\\_tcm91-239748.pdf](http://www.nctb.nl/Images/NCTb-JihadismeNL1_tcm91-239748.pdf)> (8 October 2010).

<sup>2</sup> The concepts of 'radicalism' and 'radicalisation' have come into full use in the Netherlands. It sometimes happens that 'radicalism' is used when 'extremism' might be preferable. Opinions may differ as to whether radicalism and extremism are identical or different as concepts. This discussion will not be conducted or repeated here. In this chapter, extremism and radicalism are regarded as the same and are used synonymously. For a more detailed discussion, see for example J. van Donselaar, *Rechts Radicalisme*, in: H. Moors et al., *Polarisatie en radicalisering in Nederland. Een verkenning van de stand van zaken in 2009*, Tilburg: IVA Beleidsonderzoek en Advies 2009, pp. 78-88, <<http://www.iva.nl/uploads/documents/166.pdf>> (8 October 2010).

<sup>3</sup> For the *International Crisis Group* see <<http://www.crisisgroup.org/en.aspx>> (11 October 2010).

<sup>4</sup> For the IPOL Service see <[http://www.politie.nl/KLPD/organisatieonderdelen/dienst\\_ipol/](http://www.politie.nl/KLPD/organisatieonderdelen/dienst_ipol/)> (11 October 2010).

<sup>5</sup> F. Bovenkerk et al., *Bedreigingen in Nederland: verkenning in opdracht van Politie en Wetenschap*. Amsterdam [etc.]: August 2005, p. 9.

<sup>6</sup> *Ibid.*, p. 10.

<sup>7</sup> See *Vraag en antwoord CBRN-terrorisme: antwoord op veelgestelde vragen over CBRN-terrorisme* <[http://www.nctb.nl/Diverse\\_vragen\\_en\\_antwoorden/CBRN\\_terrorisme/overzichtspagina\\_faq\\_CBRN.aspx](http://www.nctb.nl/Diverse_vragen_en_antwoorden/CBRN_terrorisme/overzichtspagina_faq_CBRN.aspx)> (7 October 2010).

## 7 On gas chambers, Jewish Nazis and noses

*Evelien Gans*

Antisemitism<sup>1</sup> has a long history, with the Holocaust of the Second World War as the low deep point. This chapter<sup>2</sup> is an examination of the way in which antisemitism has developed in the Netherlands since that war. Important factors in this development have been the Israeli-Palestinian conflict (section 7.2), the ‘blaming the victim’ paradox (section 7.3), the dominance of the Shoah (section 7.4), Philosemitism (section 7.5) and football hooliganism (section 7.6). Section 7.7 will treat the fatal triangle consisting of antisemitism, anti-Zionism and criticism of Israel, and section 7.8 will discuss the impact of the ‘new Dutch’ on antisemitism. But first the introduction (section 7.1), with an explanation of antisemitic utterances as a phenomenon.

### 7.1 Introduction

‘The entire Utrechtsestraat was filled with people. An especially large number of middle-aged women in traditional Moroccan clothing with headscarves (you don’t see that very often in the Utrechtsestraat, since Amsterdam is quite segregated). I remember thinking: all those women have come out of their houses and neighbourhoods; they’ve come for this demonstration, but otherwise it’s not allowed.... People were shouting the most appalling things, like ‘all Jews to the gas chambers’. I was more angry than scared, and I walked up to one of the young men and said something like, ‘Do you have any idea what you’re saying?’ It was a feeling of powerless rage, mixed with depression and a bit of anxiety. The crowd was really massive, even more so because of the narrow street, which was full as far as the eye could see.’<sup>3</sup>

The speaker was a chance spectator, an Amsterdam woman with a Jewish background who lives with her family not far from the Utrechtsestraat and sometimes does her shopping there. On Saturday afternoon, 13 April 2002, the centre of Amsterdam became the backdrop for a massive pro-Palestinian or anti-Israel demonstration billed as ‘Stop the war against the Palestinians’. With about 15,000 participants (estimates ran from 10,000 to 30,000), the main organiser, the *Nederlands Palestina Komitee*, succeeded in mobilising the largest number of demonstrators in the Netherlands since the protest against the Euro summit in 1997.<sup>4</sup> The composition of the demonstration was varied, but Moroccan and Turkish Dutch people were in the majority. The speakers included representatives of Turkish and Moroccan organisations as well as politicians from D66 (Democrats ’66, a national political party), GreenLeft (GroenLinks) and the Socialist Party. The International Socialists called for participation, as did Another Jewish Voice and Women in Black. The demonstration received a great deal of media coverage because of its size and the unprecedented number of non-native demonstrators, but it attracted at least as much attention because of the controversial content of some of the banners and slogans. At the end of the afternoon the demonstration returned to its starting point at Dam Square, where it got out of hand. A visibly Jewish man (with yarmulke) was beaten up. A group of Moroccan youths clashed with the police; there were nineteen arrests.

On the *Marokko Community* website the mood was euphoric. ‘I just got home from Amsterdam and it was a fantastic day. Everyone felt a sense of oneness. There were also many native Dutch people walking with us and people from every kind of background.’ And, ‘the media made it sound as if there were riots following a demonstration ... but there was a demonstration with a few minor disturbances at the end.’ A third participant applauded the ‘unity among so many cultures’ but complained about ‘that Jewish press! Sub7anallah! Now

I've seen with my own eyes how they twist the facts!' <sup>5</sup> On 20 June 2002 questions were asked in the Second Chamber of the Dutch parliament about various punishable comments made during the demonstration. The Amsterdam Discrimination Reporting Centre counted 75 swastikas. Other attempts were also made to assess the scale of the comparisons between Nazi Germany and Israel: banners featuring Sharon with a Hitler moustache, 'Israel Nazi state', 'Stop the Palestinian holocaust'. Among the outright antisemitic slogans such as 'Jews are dogs' and '*Juden raus*' was the ever-popular '*Hamas, Hamas, alle joden aan het gas*' ('Hamas, Hamas, all Jews to the gas chambers'). How is this slogan to be interpreted in the year 2002, in which the Jews are being sent retroactively to the gas chambers? April 2002 was not the first time it was heard. Who introduced this catchphrase? What is its history? What is its function? And why is this antisemitic curse linked to Hamas, the Palestinian extremist party and Islamic rival of the PLO? In short, what happened to the memory of the gas chambers, where the Jews of Europe were massively and industrially exterminated?

## **7.2 The globalisation of the Israel-Palestine conflict**

On the face of it, the Amsterdam demonstration of 13 April 2002 was only about foreign politics. On 28 September 2000, Ariel Sharon, the leader of the opposition in Israel at the time, along with hundreds of Israeli soldiers and security personnel, visited the Temple Mount in Jerusalem, a historic site that had already been the object of heated confrontations between Jews and Palestinian Arabs. Until the first century CE it was the location of the Second Temple, of which the so-called Wailing Wall at the foot of the mount, a holy site for Jews, is a reminder. On the mount itself is the Al Aqsa Mosque, the third holiest site for Islam after Mecca and Medina. Seven years had passed since the Oslo Accords were signed between Israel and the Palestinians in 1993, partly as a result of the first Palestinian Uprising (Intifada), which had erupted in 1987 in response to the Israeli occupation of the West Bank and Gaza.

After the initial optimism and the first actual steps, such as the transfer by Israel of the territory on the West Bank to the so-called Palestinian Authority (PA), the peace process quickly stagnated. In the Palestinian camp, which had the most to win, the disillusionment was especially great and hopes for a just peace evaporated. Sharon's visit, with its military display, was interpreted as a provocation and marked the beginning of the Second Intifada. Israel and the now partly autonomous Palestinian territories found themselves in a spiral of violence in which many civilians were killed on both sides as a result of military offensives and liquidations on the part of Israel and suicide attacks on the part of Palestine. Israel was and remains the dominant party. By mid-2005, three to four times more Palestinians had died than Israelis. <sup>6</sup> It was January 2005 before Sharon – now prime minister of Israel – and the Palestinian president Mahmoud Abbas agreed to cease hostilities.

Right from the start of the Second Intifada, the Israeli-Palestinian conflict spread far beyond its actual borders and stayed there. Both population groups – Jewish Israelis and Arabic Palestinians – were adopted, as it were, by companion, co-religionists and sympathisers around the world. The conflict was globalised. Other events that triggered the demonstrations of 13 April 2002 (similar events were held in London and other cities) were the Israeli attacks on Palestinian cities such as Bethlehem and Ramallah (the headquarters of Yasser Arafat) and, on 3 April, on the refugee camp near the Palestinian city of Jenin, which Israel claimed was a hotbed of terrorism and the whereabouts of two perpetrators of recent suicide attacks. Palestinian sources spread the rumour that the Israeli army had carried out a bloodbath at Jenin, with 400 to 1,400 Palestinian victims. This led to worldwide indignation.

After initial opposition, Israel allowed the organisation Human Rights Watch to enter the area at the end of April. They determined that 52 Palestinians (among them 22 civilians) and 23

Israeli soldiers had died: considerably fewer Palestinian dead than had originally been claimed. Israel was accused of human rights violations, however, such as insufficiently distinguishing between military and civilian targets, attacking and killing medical personnel, using civilians as human shields and disproportionate destruction of the civilian infrastructure. The indictment against the Palestinian militants was that they had endangered their own population by placing explosives in the homes of civilians.<sup>7</sup>

'Jenin' can be seen as a symbol of the hopeless pattern in which the Israeli-Palestinian conflict has become embroiled. Moreover, it is yet another example of a propaganda war in which Israel's modern, state-of-the-art media and information machine is pitted against a much more primitive Palestinian apparatus, which nevertheless is sometimes extraordinarily effective. The demonstration of 13 April did not protest the suicide attack that had preceded 'Jenin', carried out by Hamas on 27 March against a group holding a Seder in Netanya (29 dead), nor the suicide attack that followed on 9 April in a bus in Haifa (8 dead). The dead on the Israeli side are more quickly dismissed by world opinion than the much greater number of dead among the Palestinian population (the same is true for the wounded on both sides, which is a separate category). Weighed against the arbitrary nature of the suicide attacks is the military superiority of Israel, which does not shrink from taking civilian victims and administering collective punishment, pushing the Palestinians into a corner economically and humiliating them psychologically. The repressive, corrupt and extremely violent character of the leading Palestinian organisations – the PLO and Hamas – which oppose each other and, after the 2006 elections, became openly hostile, pales in the shadow of the Israel's arrogance and power. The exercise of this power seems to be shaped not only by its sweet taste and the advantages it provides but also by a sometimes valid but more often irrational fear that is partly rooted in the past.<sup>8</sup> The latter, however, is of secondary importance to those who are victimised by it. The same is true for the many outsiders who, for various reasons, declare their solidarity with the Palestinians and identify with those whom they regard as the prototypical underdog.

### **7.3 Antisemitism in the Netherlands after Liberation**

'Hamas Hamas, all Jews to the gas chambers.' Although the stage of the Israeli-Palestinian conflict is located in the Middle East, part of the drama that is being played out there consists of texts, terms and ideas that originated in Europe, where the Shoah (i.e. the Holocaust) – the twentieth-century genocide of European Jews – took place. The connection between Jews and gas chambers is not from Palestine, Egypt or Iran, but from Nazi Germany, and was taken up in the countries from which the Jews were deported to the gas chambers – and that includes the Netherlands. Over the course of the German occupation, antisemitism there increased. Ancient antisemitic stereotypes were made to conform to a different historical context. Rumours that were making the rounds during the occupation came out in the open after liberation. Jews who had been in hiding were said to have treated their hosts in a way that was reckless, treacherous and miserly. After their return, it was said that the Jews immediately dug up their bank notes, took the best jobs and drove around in the biggest cars. They were playing first fiddle all over again (often literally) instead of adopting a humble attitude and showing gratitude to those who helped them at great risk to themselves.<sup>9</sup>

Many of these accusations had a hidden materialistic connotation that could be traced back to those who made them (such as those *bewariërs* who refused to return Jewish property).<sup>10</sup> But it was projected onto the Jew himself, the materialistic Jew, the cowardly, sly and neurotic Jew: Judas and Shylock in one. Besides being a product of systematic Nazi propaganda, antisemitism in the liberated Netherlands could also be explained both psychologically and

socio-economically. Psychologically, because Jewish survivors, by the mere fact of their return, reminded people of their own failings. The mechanism of *blaming the victim* offered a way out: the Jews had not deserved any help. Antisemitism also served an economic and social function. In the time of scarcity after the war, Jewish survivors came back to claim their houses, jobs, customers, money and other possessions. For some non-Jewish Dutch people that was a threat; they saw the Jews as competitors. Since the disappearance of more than 100,000 Jews – about 75% of all the Jews in the Netherlands had been killed – they had become used to living without them.<sup>11</sup>

For the record it should be stated that the Netherlands had by no means degenerated into one big messy antisemitic swamp. Rather, two camps had developed: those who were quite open with their prejudices and those who vigorously suppressed them: Jews and non-Jews, journalists, Zionists, opinion leaders, politicians – on an individual basis that is, For the government as such did not take a clear position against what it regarded as ‘latent antisemitism’. It did use anti-Jewish sentiments as an argument for deciding not to take certain measures to benefit Jews, such as admitting Jewish refugees. That, after all, would reinforce antisemitism. In that sense it implicitly confirmed the prejudices already shared by the rest of the population.

While most of the anti-Jewish stereotypes in 1945 could boast of a history dating back centuries, one was unarguably a newborn. The curse ‘They forgot to gas you’, which became popular immediately after liberation, is an antisemitic stereotype from the post-Holocaust era in which the Jew is seen as someone ‘to be gassed’. Those who availed themselves of the imprecation ‘they forgot to gas you’ identified themselves, consciously or unconsciously, with the Nazis who deported the Jews to the gas chambers. Linking Jews with gas can also be seen today in the existing reservoir of sick ‘Jewish’ jokes that gradually replaced the traditional Jewish ‘Sam and Moos’ jokes: ‘What’s the difference between a Jew and a sandwich? [in Dutch: *een joodje en een broodje*] A sandwich doesn’t scream in the oven.’<sup>12</sup> The purpose of these kinds of jokes is probably to keep the actual horror at a distance. It’s similar to the Israeli practice of referring to the Jews murdered in *galut* (exile) as opposite to ‘soap’ militant Zionists and ghetto fighters. A stereotypical and contemptuous reduction that was also meant to veil that the Zionist movement itself had not succeeded in convincing the majority of European Jews to immigrate, nor been able to save them during the years of annihilation.<sup>13</sup>

In the Netherlands, the expression ‘They forgot to gas you’ is a perverse starting point for the identification of Jews with the Shoah: perverse because it is not reflective and historical but stereotypical and antisemitic. When the atrocities of the Shoah became better known at the end of the forties, antisemitism became taboo. From the mid-sixties on, with the publication of Jacques Presser’s *Ondergang: de vervolging en verdelging van het Nederlandse Jodendom, 1940-1945* (Downfall: the persecution and extermination of Dutch Jewry, 1940-1945), the Jewish persecution gradually became the focus of the Second World War in the public memory.<sup>14</sup> But the expression ‘They forgot to gas you’ is still very much alive as a vulgar profanity and is heard during explosive quarrels on the street, in bars and on the telephone.

#### **7.4 Secondary antisemitism**

In the eighties there was more and more grumbling about the dominance of the Shoah in the Netherlands’ view of history and collective memory. The filmmaker and columnist Theo van Gogh gave his own pornographic twist to the connection between Jews and gas. Van Gogh

became the embodiment of political incorrectness in the Netherlands. In his self-declared crusade against the '4 May industry' (4 May being Remembrance Day for the dead of the Second World War) and for free speech – which he called 'one and indivisible' – he wrote a pamphlet in 1984 that was repeatedly published in later years, 'A Messiah without a Cross', against the Jewish filmmaker and writer Leon de Winter. There he introduced the image (which he put in De Winter's mouth) of an animated film about two copulating yellow stars in a gas chamber and the joke, 'It sure smells like caramel in here, doesn't it? Today they're only burning the diabetic Jews.'<sup>15</sup> In several columns in *Folia*, the newspaper of the University of Amsterdam, he also gave a pornographic twist to the persecution of the Jews, as in his fantasies about the 'Feldwebels (sergeants) of the circumcised police' and about De Winter, 'who made love the Treblinka way, with barbed wire wrapped around his cock'.<sup>16</sup> In a long line of lawsuits Van Gogh was either convicted or acquitted of antisemitism.

Theo van Gogh always took great pleasure in calling his opponents members of the NSB (Dutch National Socialist Movement) or the SS, especially if they were Jewish.<sup>17</sup> In the mid-nineties he chose another target for his tirades: he switched from Jews to Muslims, whom he referred to as goat fuckers. He probably had been inspired by a nonexistent book<sup>18</sup> of fictitious sayings of the Ayatollah Khomeiny that freely made their way onto countless anti-Islamic websites.<sup>19</sup> Now he deployed his anti-Jewish stereotypes in another way. For Van Gogh, the Jewish mayor of Amsterdam, Job Cohen, was the personification of the despised multiculturalism. Van Gogh gave him the role of a modern Judas, of an NSB member and collaborator. 'Of all the crooks who have tried to sell us the Fifth Column of the goat fuckers [...] Cohen is the most cunning.' According to Van Gogh, Cohen ranks as the 'Jew you can count on' among 'Allah's butchers'. He was a 'mayor in wartime' and 'a natural born NSB man'.<sup>20</sup>

The stereotype of the Jew in league with his Middle Eastern cousin by marriage, the Muslim, in a war against the Christian West, dates from the Middle Ages.<sup>21</sup> Van Gogh also picked up on the stereotype of the Jew as conspirator, as presented in the *Protocols of the Elders of Zion*, which was fabricated at the end of the nineteenth century and is still very influential. Working behind the scenes, the Jews are preparing to take over the world, and they know how to mobilise others in the most devious ways.<sup>22</sup>

Van Gogh's digs against Jews are an example of the concept of 'secondary antisemitism' introduced by the *Frankfurter schule* of Adorno and Horkheimer at the end of the fifties, which received a great deal of attention in Germany but little or none in the Netherlands. It concerns an antisemitism that emerged from defence mechanisms and is often veiled, and that after 1945 was aimed at the Jews not in spite of but because of the Holocaust. It is called 'secondary' because the stress is shifted from antisemitism during the war period to an anti-Jewish attitude regarding the way we deal with the past and the way the past continues to affect the present. What it boils down to is that the Jews are perceived as a nuisance: their mere presence keeps alive the painful and guilt-laden memory of Auschwitz. The fact that they block the path to a 'normalisation' of the past causes ill-will: Jewish victimhood diverts the attention and resources that could be directed towards others. After all, they aren't exactly angels either; secondary antisemitism has a great deal in common with the 'blaming the victim' phenomenon.<sup>23</sup> Examples of secondary antisemitism could also be found in the Netherlands right after the war, such as blaming the Jews for capitalising on their suffering and thinking they should be given preferential treatment.<sup>24</sup> More recent forms consist of making the persecution of the Jews look ridiculous or pornographic (as Van Gogh did), and downplaying the Shoah or trying to relegate it to the past (the so-called *Schlussstrichbedürfnis*).

'The war is over and done with' was the headline and tenor of an article in *Vrij Nederland* in 2003 by the historian and journalist Chris van der Heijden. In his work on the Second World War, Van der Heijden conducts a kind of historical levelling in which being on the 'right' side and the 'wrong' side, being victim and perpetrator, are drawn closer together. Man is the plaything of fate and individual choice is exceedingly limited. With his book *Grijs verleden* (Grey Past; 2001), Van der Heijden is a symbol, literally and figuratively, of what has come to be called the 'grey' view of the Second World War in Dutch historiography.<sup>25</sup> What makes Van der Heijden a special case is the way he approaches the Shoah and the Jews – or the way he avoids or ignores them. Riding the waves of the prevailing climate of political incorrectness, he depicts himself as the champion of 'historical incorrectness'. *Grijs verleden* opens with this statement: 'First there was the war, then the story about the war. The war was bad, but the story made the war even worse.' With this he suggests that public perception and historical narrative have painted a picture of the war that is more dramatic and horrible than it actually was. The question, of course, is for whom? Did 'the story about the war' make the persecution of the Jews worse than it was? Van der Heijden doesn't know what to do with the Shoah and can get no further than to describe it as 'that one inconceivable phenomenon'. 'Is the murder of the Jews really as unique as is always claimed?' he wonders. He does not give a straightforward negative answer, but by coming up with a long list of mass murders from world history – from the Indians of South America in the sixteenth century to the mass slaughters in Srebrenica and Rwanda in the twentieth – he implies so much. He also plays down the Shoah by systematically raising questions about the victims: the Jews. When *Grijs verleden* is placed next to other publications by Van der Heijden, such as *Joodse NSB'ers: De vergeten geschiedenis van Villa Bouchina in Doetinchem* (Jewish members of the NSB: The forgotten history of Villa Bouchina in Doetinchem; 2006) and *Israël: Een onherstelbare vergissing* (Israel: An irreparable mistake; 2008), what emerges is a stereotypical image. Jews figure as docile lambs, as partial and total collaborators, and as perpetrators. In *Joodse NSB'ers*, a handful of Jews on the 'wrong' side serve to polish up the image of NSB leader Anton Mussert.<sup>26</sup>

While both Van der Heijden and Van Gogh reproach others for having a 'Holocaust obsession', they themselves are the first this obsession applies to. Which has something of a boomerang effect. Van Gogh recasts the gas chamber as a form of satire – 'Docht allen mee / onder Zyklon B'<sup>27</sup> ('Everybody in the shower / with Zyklon B') – while for Van der Heijden the gas chamber functions as a political metaphor. He argues that those who criticise the ideas of Geert Wilders (leader of the Party for Freedom; PVV) with regard to Muslims are abusing the frame of reference of the Second World War, with the murder of Jews as the 'quintessential spectre'. 'Compare today's immigration policies with the thirties and the gas chambers come looming up', says Van der Heijden. As long as Wilders stays within the limits of the law, he can say and think whatever he likes. 'Any suggestion that this is tantamount to building a new set of gas chambers is not only unwarranted but also counterproductive.'<sup>28</sup> It is Van der Heijden himself, however, and no one else, who has slid the term 'gas chamber' into the integration debate.

Van Gogh and Van der Heijden both struggled (the latter still does) with the envy non-Jews feel towards supposed Jewish characteristics, talents and privileges, which in Dutch is called *gojse nijd*.<sup>29</sup> In the post-Holocaust era, *gojse nijd* took the form of envy of the ultimate victim: the Jew. While Van Gogh accused his fellow filmmaker Leon de Winter of exploiting Jewish suffering, Van der Heijden noted that before the Nazis made a scapegoat of Jewry it was an almost unknown phenomenon outside of Amsterdam. It wasn't until the mid-

twentieth century that Jews became ‘the centre of attention’.<sup>30</sup> In an interview with *NRC Handelsblad* in 2001, he let slip the remark that ‘We all could have been in the gas chambers, and on either side of the door,’<sup>31</sup> thereby stripping the gas chamber of its historic context and misappropriating it for his own end, in the present day. The gas chamber belongs to everyone, including Chris van der Heijden.

The journalist-filmmaker and the historian are both part of a new generation that rose up in protest against what it saw as the outdated and disproportionate dominance of the Second World War and the Shoah in the Dutch collective memory. Take for example the turbulence caused by the 1987 production of the controversial play *Garbage, the City and Death* by the famous German director Werner Fassbinder. Most of the protest against the play came from Jewish circles and was aimed partly at the main character, who was referred to simply as ‘the Rich Jew’. The director and pupils at the Toneelschool Amsterdam (Amsterdam Theater Academy), who were preparing for the production, faced the protest by contending that they had had enough of the (Jewish) ‘dictatorship of suffering’. This was not entirely surprising. Their grievance with respect to the Jew as the ultimate victim was partly aroused by the ‘Jewish narcissism’ of their opponents, the tendency to reduce their own self-image to two poles: suffering and pride. Most of the Jewish demonstrators called Fassbinder’s play antisemitic without ever having read it.<sup>32</sup>

The most extreme form of secondary antisemitism is, by definition, the denial that the Shoah as such ever took place. Such a denial is sometimes followed by the assertion that the Holocaust is a lie concocted by Jews (or Zionists) to support the founding and preservation of the Jewish state. Holocaust denial can be found mainly among those on the extreme right. Neo-Nazis and related groups, driven into a corner by legislation against antisemitism and racism, have found a new and fertile field of activity in the internet. On a website such as that of the Dutch branch of the neo-Nazi group Stormfront (*White Pride / World Wide*) – the provider is in the United States – trivialisation and denial of the Holocaust is quite normal.

But even on an ordinary internet forum that presents itself as the largest of its kind in the Netherlands, *Fok!*, anonymous chatters enter otherwise civilised discussions on the Holocaust and raise questions about the existence of gas chambers as instruments of industrial extermination. Take Zaan\_23:

‘What gas chambers? They were delousing chambers. I think you’ve watched Schindler’s List too many times [...]. Santa Claus or the Holofoax, no difference. Both of them are ways of bringing in a bit of cash (for the commercial capitalist and the stingy nose).’<sup>33</sup>

To be perfectly clear: ‘nose’ here is a code word for Jew.<sup>34</sup>

## **7.5 Philosemitism and red Jewish noses**

Until the present day, opinions differ as to whether the Party for Freedom (PVV), with its desire for ethnic homogeneity, aversion to Islam as an ‘ideology’ and anti-Muslim stereotypes, should be seen as part of the extreme right or the right-wing radical spectrum, or whether it can best be described as populist or as a “social-nationalistic” movement’.<sup>35</sup> Is it not a neo-Nazi movement, if only because there is not a trace of antisemitism in its programme. On the contrary, its spokespersons come out publicly as bosom friends of Israel and opponents of antisemitism in Islamic circles, and should rather be characterised as philo-Semitic.



Philosemitism can be understood as genuine sympathy for Jews but also as the mirror image of antisemitism: Jews are valued or even glorified (instead of despised, envied or hated) for the mere fact that they are Jews. So in the negative sense, Philosemitism is the other side of the same coin.<sup>36</sup> Moreover, philosemitism – like antisemitism – can be instrumental: it can serve to realise certain objectives, political or not, that have little or nothing to do with Jews and Jewry. In Jewish circles, the response to Wilders and his followers has been both positive and negative.<sup>37</sup>

Until now there have been no public expressions of anti-Jewish stereotypes by prominent PVV followers – with one exception. In June 2009, parliamentarian Martin Bosma made a slip of the tongue in his answer to the question posed by a PVV voter, who asked what the PVV was going to do about the NOS (the Netherlands Broadcasting Company), where ‘the same red noses’ were making sure that the PVV had no input. Bosma replied:

‘You say there are so many red noses. Unfortunately we can’t chop them all off from Hilversum [the principle centre for radio and television broadcasting in the Netherlands], although it would give me enormous pleasure to do so. Oooh, I can just see Clairry Polak lying there.... No, I’m shutting up. No fantasies.’<sup>38</sup>

Why did Bosma mention Polak by name? He probably unconsciously linked ‘nose’ with ‘Jew’, which has been the custom for centuries. The connection between ‘red’ and ‘Jew’ also fits in with a stereotype that has existed since the rise of socialism.<sup>39</sup>

During the same period, Fleur Agema, another PVV parliamentarian, made the following statement during a parliamentary deliberation on ‘Moroccan problem youngsters’: ‘Antisemitism and homophobia are not Dutch phenomena. They are imported to a depressingly great extent from Morocco.’<sup>40</sup>

Agema’s grasp of history was far less accurate than that of the person who took her to task digitally with this rejoinder: ‘Never knew that Anton Mussert and his mates were Moroccans.’<sup>41</sup>

## **7.6 Football hooliganism**

During the eighties – the same decade that Theo van Gogh published his pamphlet ‘A Messiah without a Cross’ – the link between Jews and gas was made in a very different social context. This was the beginning of large-scale football hooliganism, when supporters from the big city football clubs in particular fought each other with increasing verbal and physical violence. Ajax, the Amsterdam football club located in the eastern part of the city, has a Jewish image, mainly because many of its pre-war supporters were Jews. Ajax supporters are the target of slogans like ‘It’s Jew-hunting time’ and ‘Death to the Jews’. They themselves have turned the designation ‘Jewish club’ into a proud sobriquet, announcing themselves in chorus as ‘Jews’, ‘We’re Jews’, and carrying banners bearing the Star of David. They insult their opponents by calling them ‘Farmers’ and call for the bombing of Rotterdam. The link between Jews and the gas chamber was introduced the moment Ajax supporters were greeted with massive hissing and ‘Jews to the gas chamber’ was added to the repertory.<sup>42</sup> Opinions are strongly divided as to whether this is an example of (secondary) antisemitism or not. Those who disagree say that the Ajax hard core consciously provoke these cries by parading around as the ‘Jewish club’, that the Jews here are ‘symbolic’ and not ‘real’, and that physical violence against Jews themselves is out of the question. Those who agree say that just because Ajax identifies itself as ‘Jewish’ does not mean that its opponents are justified in

shouting 'Jews to the gas chambers' at them. They also question the assertion that no antisemitic views or feelings are involved, and they argue that all negative connotations regarding Jews in and around the stadiums are silently converted into antisemitism.<sup>43</sup>

A certain political element crept into the confrontations in 1982 (the year of the Lebanon war and the slaughter in the Palestinian refugee camps of Sabra and Shatila), when the supporters of Feyenoord, the Rotterdam club, flew Palestinian flags opposite Ajax's Israeli flags and adopted slogans from banners used in anti-Israel demonstrations. In the mid-nineties the slogan '*Hamas, Hamas, alle joden aan het gas*' (Hamas, Hamas, all Jews to the gas chambers) was raised for the first time in the Feyenoord and FC Utrecht stadiums. Supporters of FC Utrecht who shouted this slogan upon arriving at Centraal Station in Amsterdam in 2003 were put right back on the train and sent home. Now '*Hamas, Hamas, alle joden aan het gas*' has taken root among groups of ethnic minority youths, who identify profoundly with the Palestinians in the territories occupied (once again) by Israel, as the demonstration of 13 April 2002 would also seem to suggest. CIDI, the Centre for Information and Documentation on Israel – itself a highly concerned ally of Israel – reported that in 2002, shortly after the beginning of the Second Intifada, a few groups of Moroccan boys and youths chanted the slogan '*Hamas, Hamas, alle joden aan het gas*'.<sup>44</sup> During the same period, it was mainly Moroccan youths in Amsterdam who attacked Jews (identifiable as Jews) both verbally and physically. Among young people, especially in the VMBO (lower secondary vocational school), 'Jew' gained popularity as a term of abuse.

### **7.7 The Jew as Nazi**

There has always been a paradoxical aspect to the stereotypical Jew. 'The Jew' as pariah and Satan, the Jew as waste product and powerful conspirator.<sup>45</sup> 'The Jew' is inferior and superior at the same time, and arouses loathing as well as admiration and envy. The stereotypical link between Jew and Holocaust also has this two-faced aspect: the Jews in the gas chamber and the Jew as Nazi. The link between Jew and Nazi, like that between Jews and the gas chamber, goes back much further than Van Gogh, football hooliganism and the anti-Israel demonstration of 2002. It can be traced to the actions of Dr F. Hollander, a Jewish public prosecutor. Some felt that Hollander's energetic approach to the special judicial procedures following the end of the war (at which collaborators were tried) was disproportionately severe. Instead of returning from his ordeal a 'chastened' man, Hollander was full of bitterness and ridden with 'symptoms of Nazism', according to *De Telegraaf* in 1954. In addition, after liberation it soon became apparent that the temptation to compare Zionism with Nazism, especially in orthodox Catholic circles, was too great to resist. In 1949 the Netherlands' most extreme exponent of Catholic antisemitism, the Dominican J.P.M. van der Ploeg, later a professor of Old Testament in Nijmegen, labelled Zionism 'colonisation linked with robbery and murder' and 'a new form of Nazism'. Elsewhere the Zionist military operations against the British and the Palestinian Arabs were called 'Hitlerian' and 'Goebbelesque'.<sup>46</sup>

But as antisemitism lost its legitimacy after the war, so sympathy grew for Israel, hand-in-hand with feelings of concern, guilt and shame. This reached its high point in 1967, when Israel ('David'), succeeded in slaying 'Goliath' after years of being harassed by the violent war rhetoric of the surrounding Arab countries, and even managed to increase its land area by annexing East Jerusalem, the West Bank, Gaza and the Golan Heights. That victory meant that the so-called occupied territories, which had a large Palestinian population, became a dominating factor in Israeli politics. So 1967 was a paradoxical year. It led to widespread solidarity with brave little Israel but it also carried within it the germ of growing unease,

increasing indignation and a distaste for Israel's attitude towards the Palestinians.<sup>47</sup> Criticism of Israel, anti-Zionism (denying the legitimacy of the existence of Israel as a Jewish state) and antisemitism operated independently but also showed a strong tendency to flow into one another. They formed a fatal triangle – just like Jew, Zionist and Israeli.<sup>48</sup>

Naturally it is tempting to see Nazism and Zionism as interchangeable. It's the temptation of simple explanations in a world that is infinitely complex, but it's also the desire for a passionate release: to be able to say 'We're even'. Apparently 'the Jew' is also capable of carrying out war crimes, so the accounts have been squared – of the failure of the non-Jew with regard to the Jew. This is a reversal of the 'right side' and 'wrong side' frame of reference that gradually came to dominate the West after 1945. The ultimate victim of the Nazi of old, the Jew, has now become a Nazi, and the Palestinian has become the Jew. The radical left, moreover, is very sensitive to solidarity with the Palestinians from the perspective of Israel as one of the last bastions of colonialism. The equating of Israel with the Third Reich on banners at the demonstration of 2002, which was made so much of at the time, had already taken place in 1979 for VPRO radio. The writer Anton Constandse, originally an anarchist, called the Israelis the Nazis of the Middle East.<sup>49</sup> Parallels between Zionism and Nazism are constantly cropping up in *De schaduw van de ster* (The shadow of the star; 2002), an anti-Zionist pamphlet by Peter Edel that goes beyond the limits of antisemitism in a mixture of old and new antisemitic myths and conspiracy theories. It wasn't only at the demonstration of 2002 that Moroccan and Turkish Dutch youths chanted '*Hamas, Hamas, alle joden aan het gas*'. It happened at the demonstration of 3 January 2009, too, after Israel's attack on Gaza. Thus the Jew goes from being a Nazi to being a gassed Jew again, and later on – 'Israel is a Nazi state' – back to being a Nazi. It's a variation on a theme that was composed in Europe before becoming a big hit in the Arab world, and the demonstrators in Amsterdam seem to sing it with gusto.

### **7.8 The new Dutch and the Shoah**

But why? What does that whole Holocaust – gas chambers and all – have to say to them? The Second World War wasn't the war of their parents and grandparents, or of themselves (apart from the rare exception). What we have here is a cynical paradox. On the one hand, antisemitism is readily accepted by groups of immigrants who derive most of their information and entertainment from Arab broadcasting services, where anti-Zionism, antisemitism and criticism of Israel are mixed up in an intricate tangle. On the other hand, playing the antisemitic card is a sign of integration, assimilation. There seems to be a desire to strike at the West in terms of its own frame of reference, that of being on the 'right' side and on the 'wrong' side – to touch a very raw nerve. By way of illustration, take the reaction of the Arab European League (AEL) to the Danish Mohammed cartoons, which were seen as highly offensive in the world of Islam. In 2006 the AEL itself put a number of cartoons in circulation. In one of them it is suggested that the estimate of six million murdered Jews is far too high, but that the Jews have a vested interest in 'getting to' that number. This cartoon, which was placed on the Dutch branch of the AEL website once again in 2009, triggered several law suits. In the most recent developments of April 2010, the court in Utrecht did deem the cartoon especially offensive but acquitted the AEL of insulting the 'Jewish segment of the population'. It gave greater weight to freedom of expression – the principle which the AEL had evoked. In August 2010 the case was heard again on appeal. This time the Arnhem Court of Appeal called the cartoon 'unnecessarily offensive' and ordered the AEL to pay a fine of 2,500 euros, 1,500 of it conditional.<sup>50</sup>

The cartoon is no less than a trivialisation or even a denial of the Shoah. The question is why

this particular cartoon was used as a response to the ridiculing of Islam. What does the murder of the Jews have to do with the mocking of the prophet Mohammed? To begin with, the Jews and the Shoah (and memory of the Shoah) are the Achilles heel of the West. No 'new Dutch' person can fail to notice that message. The West has taken the thing that marked its most unparalleled failure and 'canonised' it. The AEL reasons thus: if you're going to besmirch that which is holy to us, we'll take that which is holy to you and drag it through the mud. In addition, the League is making it known – fixing its gaze on Israel and the Palestinians – that it's high time the Jews were forced to relinquish their place in the hierarchy of suffering to the Palestinians. This opinion, by the way, is one that is shared by more and more 'old Dutch' people. In closing, Dutch Muslims prefer to identify with an Islamic or Arabic minority group such as the Palestinians – who are being repressed by the Other, 'the Jew' – than with an Arabic-Islamic underdog who is suffering under the repression of its 'own' elite.<sup>51</sup>

### 7.9 In conclusion

In conclusion – it's not for the first time that *les extrêmes se touchent*. In a second cartoon from the AEL entitled *Hitler goes Dutroux*,<sup>52</sup> we see Hitler in bed with Anne Frank and saying to her, 'Write this one in your diary, Anne'. It's a typical example of secondary pornographic antisemitism in which a sexual relation is suggested between the Jewish victim, or any Jew at all, and the Nazi: a perverted relation, it goes without saying. Here a peculiar encounter takes place: between the opponent of assimilation, the fiercely anti-Zionistic founder of the AEL, Abou Jahjah, an Antwerp Belgian of Lebanese origin, and Theo van Gogh, who became skilled in pornographic antisemitism as well as Islamophobia. He once called Abou Jahjah 'the Prophet's pimp'.<sup>53</sup> Who would have thought that Jahjah would have posthumously extended a hand to Van Gogh by translating his criticism of the West, of Jews, of Israel into a visual language done in Van Gogh's own style? Jahjah didn't design the cartoon, by the way. That was done by a kindred spirit, Abdou Bouzerda, who had grown up in the Netherlands and since 2008 was the chairman of the Dutch branch of the AEL. He drew both of the contested cartoons.<sup>54</sup>

And then there was Theo van Gogh himself, murdered by the Muslim extremist Mohammed Bouyeri in November 2004. The cause for the gruesome murder was Van Gogh's directing of the controversial anti-Islam cinematic pamphlet *Submission*, made by parliamentarian and Islam critic Ayaan Hirsi Ali. Van Gogh's murderer left behind an open letter addressed directly to Hirsi Ali but indirectly to all the residents of the Netherlands. In the letter, it wasn't only the Muslim apostate Hirsi Ali and the pernicious West who had to take the rap, but also the Jews, whom it accused of dominating Dutch politics. Bouyeri was just as merciless when it came to Job Cohen – the same man that Van Gogh had once called a member of the NSB: 'What do you make of the fact that in Amsterdam there is a mayor at the helm who supports an ideology in which Jews are permitted to lie to non-Jews?'<sup>55</sup> This side of the murder case received little press attention. When compiling his statement, Bouyeri probably did just what Van Gogh most likely did with his goat fuckers: he plundered it from the internet, in his case from an Islamic website where antisemitic interpretations of the Talmud stand an excellent chance of being featured. In today's era of globalisation, the internet is an exceptionally effective instrument for spreading antisemitism, with cross-references to the most diverse groups and individuals. Antisemitism is multifunctional: there's something in it for everyone.

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## Notes

<sup>1</sup> I deliberately spell antisemitism without a hyphen, because no such thing as Semitism ever existed. The term antisemitism was invented by avowed antisemites, who at the end of the 19th century expanded the scope of the modifier for Semitic languages to encompass social-political and racist Jew hatred. I alternately use the terms 'antisemitic' and 'anti-Jewish'. See also: David Hirsh, *Anti-Zionism and antisemitism: cosmopolitan reflections*, New Haven CT: The Yale Initiative for the Interdisciplinary Study of Antisemitism (YIISA), 2007, Working Paper Series #1, p. 16.

<sup>2</sup> This article is a more developed, longer version of the article that appeared as ' Hamas, Hamas, alle Joden aan het gas', in: M. de Keizer & M. Plomp (eds.), *Een open zenuw: hoe wij ons de Tweede Wereldoorlog herinneren*, Amsterdam: Bert Bakker 2010, pp. 214-224.

<sup>3</sup> E-mail H.L. Gans, 19 May 2009.

<sup>4</sup> E. Krebbers & J. Tas, 'Grootste manifestatie van antisemitisme sinds 1945', *De Fabel van de Illegaal*, (2002) 52/53 (summer), <<http://www.doorbraak.eu/gebladerte/10834f52.htm>> (23 September 2010).

<sup>5</sup> <<http://forums.marokko.nl/archive/index.php/t-5438.html>> (last checked on 23 September 2010).

<sup>6</sup> For the exact figures see the reports by B'tselem, The Israeli Information Center for Human Rights in the Occupied Territories, <<http://www.btselem.org/English/>>.

<sup>7</sup> 'Israel, the Occupied Westbank and Gaza Strip, and Palestinian Authority Territories. Jenin, IDF Military Operations' in: *Human Rights Watch*, 14 (2002) 3(E) (May), <<http://www.hrw.org/reports/2002/israel3/>>.

<sup>8</sup> See for example A. Burg, *The Holocaust is over: we must rise from its ashes*, New York, NY: Palgrave Macmillan 2008.

<sup>9</sup> E. Gans, "'Vandaag hebben ze niets, maar morgen bezitten ze weer een tientje": antisemitische stereotypen in bevrijd Nederland', in: Conny Kristel (ed), *Polderschouw. Terugkeer en opvang na de Tweede Wereldoorlog: regionale verschillen*, Amsterdam: Bert Bakker 2002, pp. 313-353 and E. Gans, 'Gojse broodnijd: de strijd tussen joden en niet-joden rond de naoorlogse Winkelsluitingswet 1945-1951', in: Conny Kristel (editor-in-chief), *Met alle geweld: botsingen en tegenstellingen in burgerlijk Nederland*, Amsterdam: Balans 2003, pp. 195-213.

<sup>10</sup> *Bewariërs* was a term applied to Dutch people who were given Jewish property for safekeeping during the Second World War. Originally it was not meant ironically, but after the war, allegedly on the basis of post-war experiences, a distinction was made between 'good' and 'bad' *bewariërs*. Now the term has an entirely negative ring, which in itself is very significant for the shift in the memory of the Shoah.

<sup>11</sup> See A. Burg, *The Holocaust is over*.

<sup>12</sup> G. Kuipers, 'Van klassieke jodenmoppen naar zieke joodse moppen: het veranderende beeld van joden in Nederlandse moppen', in: *Volkkundig Bulletin*, 23 (1997) 1, pp. 29-50; E. Gans, 'Wat is het verschil tussen een joodje en een broodje? Antisemitische stereotypen vroeger en nu'. Introductory lecture held at the seminar *Antisemitisme op school*, 1 October 2003, Anne Frank House, Amsterdam.

<sup>13</sup> T. Segev, *The seventh million: the Israelis and the Holocaust*, (New York, NY: Henry Holt 1993, pp. 98, 183.

<sup>14</sup> See for example F. van Vree, 'De dynamiek van de herinnering. Nederland in een internationale context', in: F. van Vree & R. van Laarse (eds.), *De dynamiek van de herinnering: Nederland en de Tweede Wereldoorlog in een internationale context*, Amsterdam: Bert Bakker 2009, pp. 17-40.

<sup>15</sup> T. van Gogh, 'Een Messias zonder Kruis (enige kanttekeningen bij Leon de Winter)', in: *Moviola: een tijdschrift tot rust en vreugde in film en cultuur*, (1984) 22 (20 September).

<sup>16</sup> T. van Gogh, *Folia*, 10 and 17 September 1993. After the publication of *Gosje nijd & joods narcisme* (1994), in which I had accused Van Gogh of using antisemitic stereotypes, he suspected me of having wet dreams over Mengele, the Nazi doctor. E. Gans, *Gojse nijd & joods narcisme: over de verhouding tussen joden en niet-joden in Nederland*, Amsterdam: Arena 1994, pp. 70-85; T. van Gogh, *Folia*, 25 November 1994. For the preoccupation with the perversity and the alleged sexual aberration of the circumcised Jew, see S. Gilman, *The Jew's body*, New York, NY & London 1991; S. Leibovici, 'Het pornografisch antisemitisme', *De Groene Amsterdammer*, 17 May 1995.

<sup>17</sup> He referred to writer Marcel Möring as Marcel Göring, had the *Volkskrant* journalist Anet Bleich writing for *Volk & Vaderland*, and called film director Rudolf van den Berg and stage director Leonard Frank NSB members.

<sup>18</sup> *Tahrirolvasyleh* vol. 4, 1990.

<sup>19</sup> B. Hulsman, 'Getto's op het web. Op internet heeft elke groep zijn eigen waarheid', and 'Khomeiny en de geitenneukers', *NRC Handelsblad*, 8/9 January 2005.

<sup>20</sup> T. van Gogh, 'De boel bij elkaar houden', *Metro*, 13 March 2004 and T. Van Gogh, 'Onze burgemeester', *Metro*, 22 October 2004.

- <sup>21</sup> D. van Arkel, 'Genealogisch verband van antisemitische vooroordelen', in: D. van Arkel et al., *Wat is antisemitisme? Een benadering vanuit vier disciplines*, Kampen: Kok 1991, p. 54; Allan Harris Cutler and Helen Elmquist Cutler, *The Jews as ally of the Muslim: medieval roots of antisemitism*, Notre Dame, IN: University of Notre Dame Press 1986.
- <sup>22</sup> The collaboration of 'Jew' and 'Muslim' is also reflected in the digital tirade of a certain M.E. van der Jagt in response to Cohen's speech on Liberation Day 2009. After calling Cohen a 'self-Islamiser' and 'left-wing deceiver of the public', he wrote, 'The Germans were chucked out the front door, only to have people like JC bring in the Muslims by the back door. How crazy can you get?' (Found in May 2009 on the *Elsevier* website, now removed).
- <sup>23</sup> For literature on secondary antisemitism, see L. Rensmann & J.H. Schoeps (Ed.), *Feindbild Judentum: Antisemitismus in Europa*, Berlin: Verlag für Berlin-Brandenburg 2008; W. Benz, 'Zwischen Antisemitismus und Philosemitismus: Juden in Deutschland nach 1945', in: K. Behrens (Ed.), *Ich bin geblieben – warum? Juden in Deutschland – heute*, Gerlingen: Psychosozial-Verlag 2002; Werner Bergmann and Rainer Erb, *Antisemitismus in der Bundesrepublik Deutschland. Ergebnisse der empirischen Forschung von 1946-1989*, Opladen: Leske + Budrich 1991.
- <sup>24</sup> E. Gans, *De kleine verschillen die het leven uitmaken: Een historische studie naar joodse sociaal-democraten en socialistisch-zionisten in Nederland* (Dissertation, University of Amsterdam), Amsterdam: Vassallucci 1999, p. 574; E. Gans, "'Vandaag hebben ze niets maar morgen bezitten ze weer een tientje'", p. 331.
- <sup>25</sup> C. van der Heijden, 'De oorlog is voorgoed voorbij', *Vrij Nederland*, 26 April 2003; C. van der Heijden, *Grijs verleden: Nederland en de Tweede Wereldoorlog*, Amsterdam: Contact 2001; C. van der Heijden, 'Het einde van de historische correctheid', *Vrij Nederland*, 6 December 2003. M. Eickhoff, B. Henkes, F. van Vree, 'De verleiding van een grijze geschiedschrijving: morele waarden in historische voorstellingen', in: *Tijdschrift voor Geschiedenis*, 123 (2010) (in production).
- <sup>26</sup> For a more detailed analysis of the work of Chris van der Heijden, see E. Gans, 'Iedereen een beetje slachtoffer, iedereen een beetje dader: de Nederlandse *Historikerstreit* over de grijze oorlog', *De Groene Amsterdammer*, 28 January 2010, <<http://www.groene.nl/2010/4/iedereen-een-beetje-slachtoffer-iedereen-een-beetje-dader>>, (23 September 2010).
- <sup>27</sup> T. van Gogh, 'Sterren stralen overal', *HP/De Tijd*, 4 November 1994.
- <sup>28</sup> C. van der Heijden, 'Beschouw Wilders als een democraat', *Trouw*, 22 March 2007.
- <sup>29</sup> Goj is a slightly disapproving term for non-Jew.
- <sup>30</sup> C. van der Heijden, 'De oorlog is voorgoed voorbij', C. van der Heijden, *Israel, een onherstelbare vergissing*, Amsterdam: Contact 2008, p. 19.
- <sup>31</sup> J. van der Kris, "'Iedereen is tot alles in staat': Chris van der Heijden rekent af met het goed/fout-denken", *NRC Handelsblad*, 3 March 2010.
- <sup>32</sup> E. Gans, *Gojse tijd & joods narcisme*, pp. 34-38; E. Gans 'Ischa Meijer, De Soldaat van Oranje en de Fassbinderaffaire: zere plekken in de naoorlogse verhouding tussen joden en niet-joden in Nederland', in: H. Berg & B. Wallet, *Joods Nederland na 1945: een veelkleurig portret* (in production; to be published November 2010 for the exhibition *Wie niet weg is, is gezien: Joods Nederland na 1945* in the Jewish Historical Museum).
- <sup>33</sup> Response of Zaan\_23 to the article 'Britse Holocaust-ontkenner vrijgelaten', *Fok.nl*, 2012-2006.
- <sup>34</sup> For the connection between 'Jews' and 'nose', see S. Gilman, *The Jew's body*, p.169 ff.
- <sup>35</sup> See, for example, M. Davidović et al., 'Het extreemrechtse en discriminatoire gehalte van de PVV', in: J. van Donselaar & P. R. Rodrigues, *Monitor racisme en extreem-rechts; achtste rapportage*, Amsterdam: Anne Frank House / Leiden University 2008, pp. 167-198; H. Moors et al., *Polarisatie en radicalisering in Nederland. Een verkenning van de stand van zaken in 2009*, Tilburg: IVA Beleidsonderzoek en Advies, 2009. <<http://www.iva.nl/uploads/documents/166.pdf>> (23 August 2010).; 'Populisten EU: een familie met veel verschillen. Rechts splijt politieke midden', *NRC Handelsblad*, 25 September 2010; Edmond Hofland, 'Beleefdheid is een groot goed', interview met Abram de Swaan, in: *Hollands Diep*, October/November 2010, p. 44. PVV heavyweight Martin Bosma even places the PVV in the tradition of father and son Drees, the disappointed social democrats who were critical of immigration: R. Meijer & M. Sommer, 'Martin Bosma: "Ik wil bewijzen dat Hitler een socialist was"', *de Volkskrant*, 25 September 2010.
- <sup>36</sup> A similar vision is expressed by the Jewish historian and poet Jaap Meijer (alias Saul van Messel), the author of the poem 'philo-Semite': 'worse than / hate that / can injure: friendship / against which / I cannot / defend myself.' Some time since (the Dutch version of) this article was first published, I concluded that, in the case of the PVV, anti-antisemitism is a better term than philosemitism. The PVV does not value or glorify all Jews because they are Jews, it one-sidedly identifies with the (extreme) right in Israel and with Jews of the same mind. Leftist Jews, for example, are seen as those who bow to the Islam. Not only antisemitism and philosemitism can be instrumental, so can the struggle against antisemitism. It can degenerate into an objective in its own right, for example as a weapon against Islam or pro Israel: Arthur Herzberg, 'Is anti-Semitism dying

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lut?', in: *New York Review of Books*, June 24, 1993; E. Gans, *Gojse nijd & joods narcisme*, pp. 137-139; E. Gans, 'De strijd tegen antisemitisme is verworden tot ideologie tegen moslims', *NRC Handelsblad*, 8 January 2011.

<sup>37</sup> See 'De joodse flirt van Geert Wilders: een discussieavond over filosemitisme en islamofobie', organised by the Menasseh Ben Israël Institute, with Harm Ede Botje, Frank van Vree, Daniel Schwammenthal and Evelien Gans, moderator David Wertheim, 16 February 2010, can be viewed at <<http://www.mbi.nl/?id=31>>.

<sup>38</sup> "'De neus van Clairly": De beelden', *EenVandaag* 9 June 2010, <<http://www.eenvandaag.nl/weblogs/post/33134>>.

<sup>39</sup> For the stereotype of the Jewish socialist (and the Jewish capitalist), see S. Beller, "'Pride and prejudice" or "Sense and sensibility"? How reasonable was antisemitism in Vienna, 1880-1939?', in: D. Chirot & A. Read (eds.), *Essential outsiders: Chinese and Jews in the modern transformation of Southeast Asia and Central Europe*, Seattle and London, Seattle, WA: University of Washington Press 1997, pp. 99-124; and for the stereotype of the Jewish Bolshevik, see A. Gerrits, *The myth of Jewish communism: a historical interpretation*, Brussels [etc.]: Peter Lang 2009.

<sup>40</sup> This comment was made by Agema on 15 April 2009; see the website for the Party for Freedom, <[http://www.PVV.nl/index.php?option=com\\_content&task=view&id=1906](http://www.PVV.nl/index.php?option=com_content&task=view&id=1906)>; her entire speech can be heard on YouTube <<http://www.youtube.com/watch?v=CDSvX0FrDd8>>.

<sup>41</sup> Thread van Cloned, 'Hahaha, die Fleur Agema van de PVV', *Maroc.nl*, 13 May 2009, <<http://www.maroc.nl/forums/showthread.php?t=271826>>. Mussert was the leader of the Dutch Nazi movement during the Second World War.

<sup>42</sup> Simon Kuper, 'Ajax, de joden, Nederland', Themanummer van: *Hard gras: voetbaltijdschrift voor lezers*, (2000) 22 (March).

<sup>43</sup> Also see 'We gaan op jodenjacht', *Kroniek Antisemitisme in Nederland 1945-2003*, website Monitor Racisme & Extremisme, <<http://www.annefrank.org/nl/Wereldwijd/Monitor-Racisme-Homepage/Onderzoeksonderwerpen/Kroniek-antisemitisme/Toename-van-antisemitische-uitingen/We-gaan-op-jodenjacht/>>.

<sup>44</sup> 'Midden-Oosten-crisis doet antisemitisme toenemen', *CIDI Israel Nieuwsbrief*, 16 November 2000, <<http://www.cidi.nl/isnbr/2000/hoofd3-1700.html>>.

<sup>45</sup> S. Friedländer, *Nazi-Duitsland en de Joden*, Amsterdam: Nieuw Amsterdam 2007, I: pp. 21-122, II: p. 43.

<sup>46</sup> E. Gans, 'De Joodse almacht: hedendaags antisemitisme', *Vrij Nederland*, 29 November 2003.

<sup>47</sup> E. Gans, *De kleine verschillen die het leven uitmaken*, p. 842 ff.

<sup>48</sup> E. Gans, 'De Joodse almacht'; Also see E. Gans, *Antisemitisme: evolutionair en multifunctioneel*. Introductory lecture by Evelien Gans for the teachers' study day at the Anne Frank House, Amsterdam, 3 October 2007.

<sup>49</sup> P. Bregstein, *Antisemitisme in zijn hedendaagse variaties*, Amsterdam: Mets & Schilt 2007, p. 114.

<sup>50</sup> See 'Arabisch Europese Liga beboet om Auschwitz-cartoon', *Trouw*, 19 August 2010; Arnhem Court of Appeal, 19 August 2010, LJN BN4204 & BN4206.

<sup>51</sup> E. Gans 'De Jood als globaliserings product: de AEL-cartoons', *De Groene Amsterdammer*, 24 February 2006.

<sup>52</sup> The Belgian Marc Dutroux was sentenced in 2004 to life imprisonment for kidnapping, raping and murdering six young girls.

<sup>53</sup> Theo van Gogh, 'Onze burgemeester', *Metro*, 22 October 2004.

<sup>54</sup> E. Gans, 'De Jood als globaliseringsproduct'; see Abdou Bouzerda on OBA Live, 15 September 2009, <<http://www.obalive.nl/default.aspx?IntEntityId=1015>>.

<sup>55</sup> M. de Kesel, 'Tango met de Dood. Over Mohammed Bouyeri's *Open Brief aan Hirsi Ali*', Lecture at the symposium *'It takes two to tango: Religie in de publieke ruimte'*, Erasmus University Amsterdam, Philosophy Faculty, 21 September 2005.

## 8 Antiziganism

*Marija Davidović and Peter R. Rodrigues*

The marginalisation and racial discrimination of Roma and Sinti is called antiziganism. This term, which means ‘hatred of gypsies’ (the root ‘zigan’ is the basis of the word that is used for the Roma people in many European languages), is the one we will use here. In 2004 the report *Roma and Sinti* was published as part of the *Racism & Extremism Monitor* project.<sup>1</sup> There it was found that while Roma and Sinti do experience marginalisation in the Netherlands, it is rarely reported to the country’s anti-discrimination services or other authorities such as the police. It was also noted that there is considerable mutual distrust between the groups of Roma and the community surrounding them. Another conclusion – and this still applies – was that little systematic knowledge of the Roma is available in the Netherlands that can be used for the Monitor project. Without attempting a repeat of this study, this chapter will look at the most important developments that have taken place with regard to the marginalisation of Roma and Sinti in the Netherlands since 2004.<sup>2</sup>

### 8.1 Current status, 2010

The deprivation and marginalisation of Roma in Europe has received constant attention over the past decade.<sup>3</sup> In 2006, for example, the Council of Europe issued a report on human rights and Roma, Sinti and travellers, and in 2010 this was followed by a report that dealt specifically with Roma.<sup>4</sup> The Fundamental Rights Agency (FRA) published reports on Roman and education (2006), housing (2009), freedom of movement throughout the EU (2009) and discrimination statistics for this community (2009).<sup>5</sup> More recently, France was given a rap on the knuckles by the Committee on the Elimination of Racial Discrimination (CERD), which monitors the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), partly for the massive expulsion of Roma in the autumn of 2010.<sup>6</sup> In the same year, the European Commission insisted on the social inclusion of Roma.<sup>7</sup> Earlier the Dutch government came out in support of this view.<sup>8</sup>

This chapter will examine the current situation in the Netherlands. In its third report on the Netherlands (2007), the European Commission against Racism and Intolerance (ECRI) of the Council of Europe has focused special attention on the position of Roma.<sup>9</sup> The ECRI has observed that Roma are being marginalised in several areas of society and has called on the government to break the vicious circle of prejudice and distrust.

During the discussion of the 2010 budget, the Minister of Housing, Communities and Integration (WWI) was asked what kinds of measures he was going to take to tackle the discrimination of Roma and Sinti in particular.<sup>10</sup> The minister responded by referring to the extra efforts he was planning on behalf of the Roma as contained in his letter of 28 June 2009.<sup>11</sup> In that letter the word ‘discrimination’ was indeed used once in the following sentence: ‘Numerous problems have been identified within a portion of the Roma population such as poverty, illegality, minimal participation in the job market, dependence on government assistance and discrimination.’ However, we were unable find any indication in the letter of extra efforts being planned to tackle discrimination. The tone of the letter is repressive rather than curative and mainly has to do with the so-called Roma municipalities. This is the term for Dutch municipalities that took in people who came to the Netherlands in the seventies. Because of the subject of the letter, its contents will be discussed further in section 8.2.



*Roma and Sinti*, the Monitor study from 2004, contains a call to put a stop to prejudice and thereby break the cycle of mutual distrust. Special responsibility was assigned to the national government.<sup>12</sup> In the study of incidents and problem areas from recent years that follows (section 8.2) we will also look at possible changes in attitude or policy that have influenced prejudice and mutual distrust between Roman and the 'general public'. For the incidents we consulted the databases of the Anne Frank House, and for the problem areas we looked at the aforementioned forms of marginalisation and unequal treatment.

The study of 2004 also recommended that this target group be made visible in the registries of the anti-discrimination services (ADVs), the police and the Public Prosecution Service. Minority organisations were called on to collect complaints of marginalisation, to document them and to record them.<sup>13</sup> This previous study also emphasised the importance of access to education and the duty of the government to provide sufficient trailer parks.<sup>14</sup> For this reason we will first deal with these subject: registration, education and housing.

### 8.1.1 Registration

The Dutch Complaints Bureau for Discrimination on the Internet (MDI) has traditionally registered the reports of discrimination (or alleged discrimination) of Roma and Sinti. The numbers fluctuate per year, with peaks of 15 and 16 in 2006 and 2008 and dips from 1 to 4 in the other years.<sup>15</sup> In the national review of the ADVs, the Roma and Sinti are not listed as a separate category.<sup>16</sup> Since 2005 the OM has been keeping records of the Roma on the basis of the registration of discriminatory offences maintained by the public prosecutors' offices. In 2009 these records noted for the time that this category counted for 1% of the registrations.<sup>17</sup> In the first national registration of police statistics on discrimination, *Poldis 2008*, figures for Roma and Sinti were included and amounted to four.<sup>18</sup> This report also listed 14 incidents against persons from Eastern Europe. It is unclear whether or not they also were Roma.

The small number of registered complaints should not be surprising. First, they concern a relatively small ethnic community in the Netherlands: around 8,000 persons. Because Roma and Sinti feel threatened – not least because of the deportations during the Second World War – they rarely identify themselves as such, and the estimates of their numbers are extremely varied. According to an estimate by the European Union, the community numbers 22,500 individuals.<sup>19</sup> The number therefore remains an educated guess, and since the report of 2004 it has increased due to the influx of more Roma from the new European member countries, such as Poland, Bulgaria and Romania.

Second, according to the Monitor study of 2004 the willingness of Roma and Sinti to report incidents, certainly to public authorities, is practically nil. Research shows that such willingness among victims of racial discrimination is already low: less than 10% choose to report.<sup>20</sup> Additional causes for the unwillingness of Roma and Sinti to report is the lack of trust in 'civilian society' and the tradition of solving problems among themselves. There is also evidence of a certain acclimatisation: growing accustomed to the marginalised life.<sup>21</sup> Because of these two conditions (small community and few complaints), the cases that *are* registered produce a very modest number of results, if any at all. Yet it is recommended that the registration continue, since recovery of trust is a slow process and is necessary for creating a basis for a successful government policy.

The recommendation that minority organisations also register complaints and conduct inventories was taken seriously by the Triana Foundation in Utrecht, one of the few to do so. Triana's volunteers attempt to help the Roma in Utrecht in situations that they themselves can no longer manage. In 2005 Triana set up a reporting centre in Utrecht, and the results of this work are described in a report on the activities covering the intervening five years.<sup>22</sup> The

most important problem areas that are identified have to do with statelessness, housing, the labour market, education, access to health care and the media. The report also notes that institutionalised discrimination is still a major cause of marginalisation for Roma. Triana was not able to find regional financing for its useful activities.

### 8.1.2 Education

Education remains a point of concern. Research shows that the self-confidence of children from the Roma and Sinti communities is lower than that of the children of asylum seekers.<sup>23</sup> They also feel less at home at school. The scores of their final Cito tests (exam for secondary school placement) are lower, and so are the recommendations they are given as to which sort of secondary school to attend. The chance of marginalisation becomes smaller if this gap is actively dealt with. The importance of education is endorsed by representatives of the Roma and Sinti communities as well as by the local and national governments. Truancy is a particularly thorny area.<sup>24</sup> Minority organisations should be more involved in tackling truancy.

When Roma experts of the Council of Europe visited the Netherlands in 2008, the Institute for Multicultural Affairs FORUM, also focused attention on education for Roma and Sinti.<sup>25</sup> One of the things that worried the participants is segregation in schools and specially adapted curricula for Roma children. The challenge lies in finding separate facilities that meet the needs of a certain group without reinforcing prejudices and exclusion. The European Court of Human Rights raised the bar in the recent *Oršuš* case.<sup>26</sup> Complaints had been raised by people of Roma origin concerning a primary school in Croatia where their children were being taught largely in separate Roma classes due to an alleged language disparity. The Court argued that in some situations, such as taking positive action to combat disparity, separate classes could be justified. But in this case the Court said there was evidence of discrimination, because, among other things, the monitoring of progress, aimed at returning the children to regular classes as soon as possible, was lacking. Croatia insisted that this was how it treated all children with a language disparity and not just Roma children. The upshot was that in some situations, equal treatment can lead to discrimination. Finally, the Court seemed to oblige member states to guarantee school attendance.

In a positive development in this regard, the Association of Dutch Municipalities (Vereniging van Nederlandse Gemeenten; VNG) has put together project proposals from a few municipalities aimed at promoting school attendance among Roma children.<sup>27</sup> This was in response to a one-off grant of € 600,000 from the Ministry for Housing, Spatial Planning and the Environment (VROM) / Housing, Communities and Integration (WWI) and the Ministry of Education, Cultural Affairs and Science (OCW). The ministries stipulated that the money had to be spent on the innovative enforcement of the Compulsory Education Act.<sup>28</sup> According to the project proposals, however, the funds were not going to be spent 'directly on school-related objectives alone', and quite a bit of it would be used to follow up on existing programmes.<sup>29</sup> In addition, the exact numbers of Roma involved in the municipal project proposals raise questions about the way the data were obtained and manipulated.<sup>30</sup>

The desire to gather information about Roma communities in a systematic way must not be allowed to degenerate into ethnic registration. In the autumn of 2010, an investigative journalist revealed that a few cities had compiled separate lists in which all the Roma in that municipality were noted by name and surname.<sup>31</sup> Moreover, some of the lists have been 'enriched' with information on previous convictions, government assistance and residence status. This is in violation not only of the law concerning the registration of personal data but also of the anti-discrimination restrictions.

The law for the protection of personal data and privacy prohibits the registration of ethnicity

unless the person involved has given his permission or there is evidence of compelling social interests.<sup>32</sup> In that case there should be a legal basis for the registration (or parts of it) or permission by the Dutch Data Protection Authority. In addition, ethnic registration of a population group is in violation of the anti-discrimination restrictions as laid down in article 1 of the Constitution and of the International Convention on the Elimination of All Forms of Racial Discrimination.

### *8.1.3 Housing*

When the Caravans Act of 1999 was repealed, it resulted in a shortage of caravan pitches for Roma and Sinti, among others. The repeal was partly inspired by the desire to pursue a general policy rather than a policy aimed at a specific minority and at obtaining a stronger hold on these groups. Here, too, enforcement was decentralised. However, the financial resources made available for implementation by the municipality authorities are part of the general budget and are not earmarked for the allocation of caravan pitches. There is also generally strong resistance to assigning new pitches. The combination of these two factors has put a damper (to put it mildly) on the incentive to actually use the resources for Roma housing.<sup>33</sup> So the shortage of satisfactory caravan pitches has yet to be solved.<sup>34</sup> Municipal policy on this point is stagnating, and the authorities seem to be insufficiently aware that there is an obligation under European law to provide adequate caravan pitches. Those who do not meet it are in violation of the European Directive concerning the principle of equal treatment of persons regardless of race or ethnic origins, the so-called Race Directive.<sup>35</sup> This directive obliges member states to make housing accessible and available irrespective of race.<sup>36</sup> Providing sufficient caravan pitches should be understood as part of this obligation.<sup>37</sup>

The Roma and Sinti in the Netherlands are sometimes caravan dwellers, but not necessarily. Some Roma and Sinti live in conventional homes. In 2009 the GPD (the association of regional daily newspapers) announced that caravan dwellers were still being discriminated against. They are often regarded as criminals, and for this reason it is difficult for them to obtain mortgages and insurance. A tour of government agencies, politicians and interest organisations confirms this.<sup>38</sup> Municipalities still try to place caravan dwellers in brick houses, too often against their will. On 5 May 2009, a comparable incident took place in Den Bosch when an empty dwelling owned by the 'Brabant Wonen' housing corporation was destroyed out of fear that people of 'gypsy' origin would come to occupy it. As far as the Roma are concerned, placement in normal housing is not always without problems. The residents of Sterrenwijk, a neighbourhood in Utrecht, became so upset about the arrival of a Roma family that they smashed the windows in the house even before the family had settled in.<sup>39</sup> Not surprisingly, the Roma family finally turned down the offer of the house.

Housing problems have also occurred among the Eastern European Roma. The Amsterdam police found 26 Roma living in one flat<sup>40</sup> and paying € 50 per person per week for this housing facility.

## **8.2 Incidents and stumbling blocks**

The arrival of people from states that have recently joined the European Union has resulted in new Roma coming to the Netherlands from Poland, Bulgaria and Romania. For the Bulgarians and Romanians, selling the 'homeless newspaper' was a popular activity. But the Straatkrant Foundation, the organisation that publishes and distributes the homeless newspaper, decided to bar these sellers in a number of cities (Rotterdam, Leiden and Dordrecht).<sup>41</sup> The reason was that the Bulgarians and Romanians are not yet exempt from the work permit requirement, which is difficult to obtain. For this reason they are not being

allowed to serve as homeless newspaper sellers.

It is mainly the Romanian Roma who perform as street musicians in the Netherlands. This creates a number of problems. Some musicians are still too young and of compulsory school age, and should not be put to work in this way.<sup>42</sup> Other musicians disturb café and restaurant owners, or pay little attention to the rules for street musicians. As a result, shopping streets have to contend with noise pollution, begging and petty crime.<sup>43</sup> It is important, however, that the measures taken to fight these problems not be discriminatory or encroach on the freedom of movement of EU citizens. This also applies to Roma who have longer residence in the Netherlands, of course.

### *8.2.1 Heavy legal artillery*

Article 140 of the Penal Code prohibits participation in a criminal organisation and carries with it a maximum prison sentence of six years. It gained a great deal of publicity when the OM – unsuccessfully – tried to use it to convict the notorious Hells Angels. The ultimate objective was to be able to ban the Hells Angels as an organisation. In the opinion of the Supreme Court, however, the Harlingen Hells Angels could not be banned because their behaviour could not be sufficiently regarded as an actual and serious violation of the principles of our legal system.<sup>44</sup> The prosecution of the Maastricht Hells Angels failed for similar reasons.<sup>45</sup> Owing to the preserving of tapped telephone calls between the suspects and their lawyers, OM vs. the Amsterdam Hells Angels was finally declared inadmissible and the charges were dismissed.<sup>46</sup>

In order to convict on the grounds of art. 140 of the Penal Code, there must be an indication of long-lasting collaboration, a certain structure and the intention of committing crimes. The list of organisations against which this article has been applied includes not only the Hells Angels, CP'86 (Centre Party '86) as a racist organisation (1995),<sup>47</sup> squatters in the Mariënburcht district of Nijmegen (1997) and potential hooligans at the Euro summit (1997),<sup>48</sup> but also Roma families.

It is astonishing that this heavy legal artillery should be brought to bear specifically against Roma families.<sup>49</sup> As an example, the Assen district court convicted a mother, two daughters and a daughter-in-law of robbing elderly persons in 2003.<sup>50</sup> By means of cunning ruses they entered their victims' homes and then attempted to rob them. According to the court there was structural collaboration, hierarchy and method. This led the court to conclude that what we had here was a textbook example of a criminal organisation. The chief suspect, 'as head of the family', was convicted to 42 months in prison.

The Arnhem district court handed down an even more severe punishment in another case, in part for participation in a criminal organisation.<sup>51</sup> The parents who introduced their offspring and those of others to a life of crime, and who themselves were guilty of currency counterfeiting, fraud and receiving stolen goods, were sentenced to five years in prison. The head of the family and his fellow suspect had founded and directed the organisation. In the context of family relations that hardly seems surprising to us, and is separate from the criminal character of the activities or the suspects' ethnicity.

According to the Den Bosch district court, even if several members of a family commit crimes together it does not indicate the existence of a criminal organisation. This is only true if the family members resolutely support these crimes and if the power relationships within the family are intentionally and systematically utilised for criminal purposes. In this case the crimes included theft, handling stolen goods and whitewashing. The court ruled that participation in a criminal organisation was applicable, and sentenced the single mother of the family to 20 months in prison.<sup>52</sup>

Clearly, art. 140 of the Penal Code makes it possible to impose heavier sentences than might be charged for the other offences under general criminal law. That is probably why this article of the law was applied in the first place. It is beyond dispute that the offences, which are often quite serious, are deserving of persecution and punishment. The use of art. 140 of the Penal Code is surprising, however, all the more so because it has never before been used in a family context. The question is whether by selectively applying it to Roma families the court does not make itself vulnerable to accusations of arbitrariness or even discrimination. This line in the case law seems to have come to an end. One question that arises is what further steps might be taken: dissolve the family and put it under a prohibition? Roma can probably count on increased judicial attention in view of the plan to increase the expertise on Roma within the police's National Expertise Centre for Diversity. A research proposal has also been announced in order to shed light on the scale of criminality among the Roma.<sup>53</sup> It is essential in such an effort that the total size of the Roma community first be clearly understood, without creating a registry that can be converted into a list of individuals (only anonymous numbers for the purpose of statistics).

### 8.2.2 *Statelessness*

A considerable portion of the Roma community in the Netherlands finds itself in a marginal position when it comes to housing, work and income,<sup>54</sup> and statelessness only complicates the situation even further. One estimate places the number of stateless Roma at 1,000 persons.<sup>55</sup> With their immigration history and the often inadequate documentation regarding their identity, nationality and residence rights, many stateless Roma in the Netherlands go through long periods of vulnerable uncertainty. This increases the risk of deportation and exploitation. They have no right to social services or to a work permit, either, which means they are blocked the supporting themselves in a legitimate way. Most worrisome is the fact that because of Dutch law, the statelessness of the parents is transferred to children born in the Netherlands, which only increases the problem.

According to the statistics in the Municipal Personal Records Database, in 2007, 1,463 children were registered as 'stateless'.<sup>56</sup> A number of children were also registered as 'nationality unknown'. In these cases it is assumed that the person does have a nationality but that it has been insufficiently demonstrated. We are not able to determine how many of these are Roma children. According to *Ius Sanguinis*, the policy applied in the Netherlands, children take the nationality of their parents, which in principle means that children of stateless parents are stateless as well. The Netherlands has decided not to grant Dutch nationality to stateless children born in the Netherlands as a right at birth.

In article 6 of the Netherlands Nationality Act, the children of stateless parents are granted a right of option. This right of option can be exercised by any foreigner who is born in the Netherlands, the Netherlands Antilles or Aruba, who has been granted admission and who lived there as his principal place of residence for an unbroken period of at least three years. In addition, the foreigner must have been stateless since his birth.

The condition mentioned in this article – that the foreigner must have been granted 'admission' (or approval of permanent residence by a competent authority) – has serious consequences for children living illegally in the Netherlands. Although their connection with the Netherlands is stronger than with any other country, they do not qualify for the right of option so they cannot obtain Dutch nationality.

Art. 1 of the 1961 Convention on the Reduction of Statelessness, however, rules that every contracting state is to grant its nationality to those who were born on its soil and who otherwise would be stateless.<sup>57</sup> This can occur as a right at birth or on request (right of option). The Convention on the Reduction of Statelessness provides a limited number of

grounds on which this right of option can be withheld. The required 'admission' is not mentioned, and Dutch law is in violation of the Convention on this point. The Netherlands is a signatory to this convention, which means that the required 'admission' must be held inapplicable. If the persons in question are children, the question is whether this requirement is not also in violation of the Convention on the Rights of the Child. For this convention recognises the right of every child to obtain a nationality.

According to the Convention on the Reduction of Statelessness, countries themselves may decide in what way statelessness is to be assessed. The Dutch government does this as part of a request for a residence permit in the so-called 'no-fault procedure'.<sup>58</sup> Attached to this procedure is a heavy burden of proof. There can be no doubt with regard to the person's identity, and it must be demonstrated, using objective and verifiable means, that the authorities in the land of origin or the land of previous residence will not grant permission for repatriation. A stateless person must demonstrate himself that he has no nationality, and an assessment will have to be made of the relevant nationality legislation from the country of origin. Each year only a few dozen persons obtain residence permits on these grounds. It is impossible to determine from the figures alone how many stateless Roma are among them. It can be assumed that the number is very small.

The recently published brochure *Stateeloos maakt radeloos* (Statelessness leads to desperation) explains that stateless Roma are in a particularly vulnerable position.<sup>59</sup> They do not enjoy the civil right that would provide them with minimal social security and protection, and they live on the margins of society. A stateless person simply does not exist in the eyes of the law. He or she has no passport and no identity papers so they cannot work, study, travel or marry, open a bank account or get a driving licence. This often leads to a life separated from family and to estrangement, while having a nationality is one of the basic human rights. In addition, the condition of statelessness seems to promote criminality and an informal economy. So it is in the interest of the government and of all citizens to find a solution to the problem of statelessness.

### **8.3 Relations with national and local governments**

In this section we will discuss the refusal of the Dutch government to recognise Roma as a national minority on the grounds of the Framework Convention. This will be followed by the local Roma policy in the municipality of Nieuwegein, which was submitted to the Equal Treatment Commission for assessment.

#### *8.3.1 Framework Convention for the Protection of National Minorities*

The Framework Convention for the Protection of National Minorities was drawn up by the Council of Europe and is the first multilateral convention completely devoted to the protection of minorities. In the past it was customary to regulate such protection in bilateral agreements. The obligations of the Framework Convention are legally binding for member states but are not directly applicable. This means that in principle the Convention cannot be invoked before a national court. With regard to the extent to which the Convention creates obligations, it is sometimes said that if tax laws were phrased this way no one would ever pay taxes.<sup>60</sup> This is partly due to the different interests of the states involved in developing the Convention, which ranged from composite states like the Soviet Union to colonial powers. In spite of this, the Advisory Committee that supervises compliance with the Convention for the Committee of Ministers has interpreted both the Convention and the monitoring mechanism in an authoritative and impressive way. De Graaf has already written on this in a compelling report, so we are limiting ourselves in this section to the aspects that are mainly of importance to the Sinti and Roma.<sup>61</sup>

Although the Frame Convention can be called a success in view of the large number of parties that signed or ratified it, the absence of a definition of ‘national minority’ is often seized on in order to minimalise the obligations that ensue from the Convention. This also happens in the Netherlands. Whereas the Convention was first seen as an extension of integration policy, it was increasingly labelled an impediment. The government decided that the most important rights, such as the right to be educated in one’s own language, were only applicable to the Frisians, and that the only right that applied to other minorities was the right to be protected from discrimination. This did not bring about a change in the fear of difference. Through Minister Verdonk of Housing, Communities and Integration, the second Balkenende cabinet chose to embrace the promotion of unity, and the Convention was declared applicable only to the Frisians on the basis of five criteria:<sup>62</sup>

1. they have the Dutch nationality;
2. they are distinguished from the majority by language, culture and history (they have their own identity);
3. they want to preserve this identity;
4. they have traditionally been established on Dutch soil;
5. they have traditionally lived in a specific region of the Netherlands.

The Advisory Committee deals with this in its Opinion.<sup>63</sup> A few points concerning the deprivation and marginalisation of the Roma and the Sinti were discussed in the previous sections, such as the problems concerning statelessness and housing. The Committee was critical not only of the constraints imposed by the criteria but also of the way the national government interprets the more procedural obligations included in the Convention. The national government regards the municipalities as the primary authorities responsible for policy (referring to decentralisation and the very small numbers of subjects), whereas the coordination of Roma policy is really the job of the national government. Due to a lack of parameter-setting policy, we have seen that since the emergence of the so-called Roma communities, long drawn-out problems have developed which for thirty years the local authorities have apparently been unable to deal with adequately and with due regard for the rights and duties of those involved as laid down by international law.<sup>64</sup> An example of this is the *Wisselgeld* project in the municipality of Nieuwegein, which will be discussed in more detail in the next section.

The Advisory Committee is not the only body that has called on the Netherlands to recognise the Roma and Sinti as national minorities and to treat them in conformity with the Frame Convention for the Protection of National Minorities. Earlier in 2009 a report on the Netherlands was published in response to the visit of the Human Rights Commissioner to the various EU countries.<sup>65</sup> Both bodies are concerned about the prevailing prejudices against the Roma and Sinti, among others, and the discrimination that they experience. The ECRI has also called for the recognition of Roma and Sinti as national minorities.<sup>66</sup> Finally, even before the criteria were formulated, the Meijers Commission rightly pointed out that excluding the Roma and Sinti from the protection of the Convention is arbitrary and possibly discriminatory.<sup>67</sup>

The requirement that a minority must live within a specific region of the Netherlands quite specifically excludes Roma and Sinti, even if they have been living in the Netherlands for generations. Not only is this possibly in violation of the ICERD, as the Meijers Commission has stated,<sup>68</sup> but it also violates the spirit – the purpose – of the Convention. Art. 26 of the Vienna Convention on the Law of Treaties, to which the Netherlands is also party, states that

every treaty creates obligations for the member states which should be undertaken in good faith. International law thereby does more than impose a mere procedural requirement.<sup>69</sup> In its case law, the International Court of Justice states that in assessing good faith, the results and actual efforts involved in implementing the treaty should be taken into account.<sup>70</sup> The relationship between regional treaties, such as those of the Council of Europe and UN law, can be quite complex. But if this standard is applied as a general principle of law to the Netherlands and the Frame Convention for the Protection of National Minorities, the Netherlands comes off badly. By way of comparison, Germany recognises not only the Frisians and a few other national groups but also the Roma and Sinti (with about 70,000 members) as national minorities.<sup>71</sup> The Netherlands has a much smaller group of Roma and Sinti than Germany does. Fear of the obligations (and costs) due to this marginalised group that the Convention might impose is unjustified. The fact that the aforementioned obligations cannot be directly invoked before a national court is no reason why the Netherlands, as a model human rights country, should fail to fulfil its obligations.

### 8.3.2 *The Wisselgeld Project*<sup>72</sup>

The municipality of Nieuwegein has a long history of tension between café and restaurant owners and the Roma. Most of the Roma in this region belong to the '1978 group', whose residence in the Netherlands was legalised shortly after their arrival. The only policy that existed at the time to promote integration was that they exchange their caravans (under coercion or not) for regular housing.<sup>73</sup> In 2008 the tension led to serious fights.<sup>74</sup> The recriminations went back and forth, and it was not clear what the cause and effect were. It was said that the fights began after a Roma boy was beaten up and his family went to the alleged perpetrators to fetch him. Finally, with increased police intervention, matters calmed down. Then the television programme *Pretime* decided to devote one of its shows to the disturbances in Nieuwegein.<sup>75</sup> The show illustrates the Roma's distrust of the municipality, its officials and its other residents. In response to complaints from hotel and catering establishments and to the increased media attention, a consultation was held in September 2008 involving the mayor, the party chairmen from the city council and the police.<sup>76</sup> The results were not made public, but not long afterwards the *Wisselgeld* (Small Change) project was started in January 2009.<sup>77</sup>

#### *Run-up and background*

In December 2008, the Second Chamber of parliament asked the Minister of Housing, Communities and Integration to work with the Roma communities in developing a unified approach. This occurred in response to reports of truancy, illegality, low participation in the labour force and anti-social behaviour in the so-called Roma reception municipalities such as Nieuwegein, Utrecht, Den Bosch and Tilburg. Local efforts that were made in the context of the *Wisselgeld* project in Nieuwegein and a lobby for financing by the various municipalities attracted national attention. In the letter of Minister Van der Laan written in response to the request from the Second Chamber, which was quoted in section 8.1, the unified approach turned out to be one-sided and almost all the Roma contact persons were stigmatised as criminals.

'Indeed, from conversations with the "Roma municipalities" it seems that, apart from a few positive exceptions, the key figures from the Roma community often have criminal records, which makes it difficult for city councils to establish and maintain good contact with them.'<sup>78</sup>

The minister took the position that municipalities themselves have plenty of opportunity to tackle the problems themselves. He was opposed to setting up a separate group policy for



Roma at the national level. This runs counter to the advice of human rights commissioner Thomas Hammarberg,<sup>79</sup> who calls for an overarching strategy at the national level that is set up in cooperation with the Roma community (and not only the Roma municipalities). There is a practical argument for this, in addition to the much-needed base of support it provides. The present policy, for which the municipalities are responsible, has proved ineffective for years. It would testify to a healthy grasp of reality not to expect new results if the old policy were continually applied.

Discontinuing financial support to minority organisations of Roma and Sinti is striking in the light of the comment about the Roma and Sinti's low degree of organisation. Indeed, such an observation should result in the creation of conditions for starting a dialogue with minority organisations at all political levels, certainly if genuine solutions are being sought for existing problems.

Roma organisations were shocked by that passage and saw the letter as 'discriminatory and stigmatising',<sup>80</sup> especially because it involved estimates. Both organisations deplore the fact that this is government policy and that apparently it is not necessary to involve the people who are the object of the plans.<sup>81</sup> Great care should be taken when it comes to estimates, as we know from the so-called Update Study of the number of unregistered Antilleans. In that study, Antillean drug couriers and tourists were erroneously included in the statistics, resulting in a distorted picture on which policy was subsequently based.<sup>82</sup>

#### *Notes on the project*

In July 2008 the municipality of Nieuwegein established what it called the *Wisselgeld* (Small Change) approach for 'intensive coaching for multi-problem Roma families'.<sup>83</sup> The local Roma requested that they be involved in the project, but their appeal was brushed aside and the project was started. Finally the Roma took the matter to the Equal Treatment Commission (Commissie Gelijke Behandeling; CGB). The Commission's two judgements had to do with threatening to discontinue government benefits if the Roma refused to cooperate with the *Wisselgeld* approach, and the discontinuing of two social security payments.<sup>84</sup>

In this case, an organisation promoting the interests of the Roma, along with a lawyer, submitted a complaint to the CGB about the deterioration of the situation of the Roma caused by distinctions being made on the basis of race, by the pressure and coercion being used in the *Wisselgeld* approach and by the placement of intermediaries in a Roma family. The Commission is authorised to issue judgements on such governmental actions on the basis of art. 7a of the Equal Treatment Act (AWGB), which prohibits the making of distinctions with regard to social protection. Partly because the aggrieved families had not given permission to pass on their information to the CGB, the CGB 'could not assess any damage at this time' and there was no indication of a distinction having been made on the grounds of race.

The Commission is bound by the framework of the AWGB and limited itself to the question presented to it. Here we will look further into a few aspects of the case. The municipality took the position that an intermediary is not forcibly placed in a family but at the family's request. The term 'request' may be technically applicable, but the voluntary content of it is certainly debatable, on the basis of the municipality's own memorandum. Under the heading 'If the voluntary option does not work' we read the following:

'One ... way to put an intermediary in contact with the family is by means of a crisis within the family: threatened eviction or termination of government benefits, or the threat of placing a child in custody. At that moment, the [chain partners] can set up a strategic plan, a contract with

conditional aspects; the family is offered a chance *as long as it accepts the coaching/ direction of the intermediary*. Thus failure to comply with the conditions in the contract has direct consequences for the family. In this way we can speak of pressure or coercion, and of conditional assistance and community service.<sup>85</sup>

The municipality also made it known that no specific measures were being introduced with regard to the Roma, but that only existing rules were being enforced. This raises the question why a separate memorandum on Roma alone was necessary if the plan was really making use of existing resources alone (the memorandum itself contains no statistics, only uncorroborated estimates). In addition, the job description of the intermediaries is specifically focused on Roma families and is based on the municipality's image of them:

'The coaches must be able to take their share of rough treatment. ... They have to be alert to the cultural aspects of the families' behaviour and be able to use creative and unorthodox approaches in dealing with them. The bargaining culture of "you scratch my back and I'll scratch yours", which is essential to the way many Roma people conduct their lives, can be used by the intermediary...'

In addition, the intermediary 'should be unafraid and daring' and should be accustomed to dealing with crisis situations. This may be true for all intermediaries in social services, but searching for the skill 'to resist being placated by sweet talk, etc.' is stigmatising, to say the least.<sup>86</sup>

In the judgement of the Equal Treatment Commission, the need to consider the context (and to recognise diversity) was mentioned but not applied in this case.<sup>87</sup> The CGB, acting within the framework of the AWGB, came to the conclusion that no racial distinction was made. This does not mean, however, that an 'equal approach for everyone', which the city of Nieuwegein supports, will never result in discrimination.<sup>88</sup> It is important to recognise that within a broader legal framework focusing on relevant differences and consequences of policy for certain groups is not an exception to the general principles of equality but an elaboration of those principles.

Generally speaking there is a great deal to be done with regard to the rising popularity of pressure and coercion in the social services,<sup>89</sup> certainly when it is aimed at one particular ethnic group (with repressive measures). With regard to the interweaving of investigation, repressive measures and social services, it is striking that the four big cities (Amsterdam, Rotterdam, The Hague and Utrecht) have been receiving extra financial resources since 2006 as part of the major cities policy in order to prevent certain ethnic minority youths from embarking on criminal careers.<sup>90</sup> Native Dutch youths who frequently have run-ins with the police do not qualify for such a programme, even though it has been proven that they reoffend more seriously and for longer periods than ethnic minority youths.<sup>91</sup>

An example of a group-specific policy initiated by the national government is the 'Government policy for problem Antillean-Dutch youngsters'.<sup>92</sup> After the Antillean Reference Index (VIA) – the registry of problem youngsters of Antillean ethnicity – was dropped after being persistently criticised for its discriminatory character, the minister of Housing, Communities and Integration was reluctant to destroy the data that had already been collected. According to him, the Antilleans constitute only one of several groups of at-risk young people, and ethnicity is only one of the factors necessary for an effective approach to the problem. The VIA was replaced by the Reference Index for At-Risk Youngsters (VIR), which contains not a word about ethnic registration, either in the imperative or in the prohibitive sense. The VIR grants a great deal of latitude to the many authorities that deal

with young people when it comes to exchanging and supplementing data. This means that information on ethnicity can easily be gathered in practical situations,<sup>93</sup> and social assistance and the taking of repressive measures can flow into each other unhindered. Another example in which ethnicity plays a specific role is the Strategy for Moroccan-Dutch Problem Youngsters.<sup>94</sup>

Apart from the questions that can be raised about them, these approaches to ethnic problems refute the government's claim that it only conducts general policy, not policy that is aimed at specific minorities. In addition, the more than 19 million euros that have been set aside for such an ethnically-based approach<sup>95</sup> contrast sharply with the € 60,000 per year that the national government has deemed sufficient to solve the problems with (and certainly not of) the Roma until 2012.<sup>96</sup>

#### **8.4 Conclusion**

There is still little systematic knowledge of the Roma in the Netherlands that is available for use in Monitor studies. The registries maintained by anti-discrimination services, the police and the Public Prosecution Service still contains few complaints of discrimination against Roma and Sinti. To increase the willingness to report to these authorities, greater trust will have to be created. Minority organisations such as the Triana Foundation in Utrecht are working on this, largely as intermediaries. Unfortunately, the financing needed to carry on these activities is inadequate.

In the area of education, very little has changed with regard to the relatively low Cito test scores and the high rate of truancy. Separate facilities to make up for this disparity should satisfy stringent requirements. As for housing, there is still a shortage of trailer parks despite an obligation under European law to deal with this problem.

The arrival of residents from recent EU states has brought new Roma to the Netherlands from Poland, Bulgaria and Romania. In France, a similar situation resulted in tossing all the Roma on one heap, regardless of their connection with the country (or the length of their residence there), and led to mass deportations. This is an additional risk for stateless people, and a large percentage of the Roma are stateless, including those in the Netherlands. Stateless people do not enjoy the civil rights that ought to provide them with minimal social security and protection. Statelessness also seems to promote criminality and an informal economy. Stateless people simply do not exist in the eyes of the law, and partly for this reason they live along the margins of society. Fighting the discrimination of Roma should be put on the agenda, but so should social inclusion, and this can be done by dealing adequately with statelessness. It is also important that when problems are spotted among either newcomers or Roma and Sinti who have lived in the Netherlands for generations, they should be dealt with using measures that are not discriminatory and do not violate their right to freedom of movement as EU citizens.

The Frame Convention for the Protection of National Minorities obliges the government to protect vulnerable groups such as the Roma, but in the Netherlands it has only been declared applicable with regard to the Frisians. The exclusion of the Roma and Sinti from the protection of the Convention is arbitrary, which makes it seem discriminatory. In addition, the national government lacks a necessary parameter-setting policy and a facilitating attitude. Because of this, the local authorities have no consistent long-term policy and are unable to come up with an effective approach to the problems.

As the European Court of Human Rights underscored in the *Oršuš* case, even attempts to uphold equal treatment – as the city of Nieuwegein advocates in its *Wisselgeld* project – can conceal discriminatory aspects when it comes to the structural deprivation and

marginalisation of ethnic minority groups. To avoid this, local and national governments should base their work on a thorough knowledge of the target group. In this regard, making room for intercultural skills can help restore trust. Indeed, mutual distrust cannot be removed by force. This requires sincere overtures and dialogue.

For both the national government and the local authorities, deprivation and criminality among the Roma play an important role in policy formation, but so do prejudices. This is evident in the letter of the minister of Housing, Communities and Integration and in the local *Wisselgeld* project. The question remains whether the content and the implementation of the project meet the legal obligations regarding the right to non-discrimination, partly because of the 'pressure and coercion' approach aimed at one ethnic group.

Given the deprivation and marginalisation of the Roma and Sinti and the widespread prejudice against them, which can lead to discrimination, just focusing on problems with the Roma is not enough. Although it goes without saying that serious problems do occur, dealing with the problems that the Roma themselves experience is at least as important if any results are to be achieved. In a society that is becoming more and more digitised and bureaucratic, it is not easy for everyone to keep up. Added to this general trend is the mutual distrust that often dominates the relationship between the Roma and the rest of society. It is the government's responsibility to take the lead and to restore trust. In doing so, it is essential that Roma professionals and minority organisations be involved in searching for solutions. Working together as equals improves the chance of success.

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## Notes

<sup>1</sup> P.R. Rodrigues & M. Matelski, *Monitor Racisme & Extreemrechts: Roma en Sinti*, Amsterdam: Anne Frank House / Leiden University 2004. A summary of the study is included in the sixth *Monitor Racisme & Extremisme* (chapter 5).

<sup>2</sup> The authors thank Mila van Burik for her valuable comments on an earlier version of this chapter.

<sup>3</sup> Also see H. O'Nions, *Minority rights protection in international law: the Roma of Europe*, Aldershot: Ashgate 2007.

<sup>4</sup> See the website of the Council of Europe for an overview of the publications and activities: <[http://www.coe.int/t/dg3/romatravellers/news\\_en.asp](http://www.coe.int/t/dg3/romatravellers/news_en.asp)> (30 August 2010).

<sup>5</sup> EU-MIDIS: *European Union Minorities and Discrimination Survey. Data in Focus Report 1: The Roma*, Vienna: European Union Agency for Fundamental Rights 2009, <[http://fra.europa.eu/fraWebsite/attachments/EU-MIDIS\\_ROMA\\_EN.pdf](http://fra.europa.eu/fraWebsite/attachments/EU-MIDIS_ROMA_EN.pdf)>. Also see the website of the Fundamental Rights Agency for an overview of publications <[http://fra.europa.eu/fraWebsite/roma/roma\\_en.htm](http://fra.europa.eu/fraWebsite/roma/roma_en.htm)> (30 August 2010).

<sup>6</sup> 'VN: forse stijging racisme in Frankrijk', *Het Parool*, 12 August 2010.

<sup>7</sup> Announcement of the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of Regions, *De sociale en economische integratie van de Roma*, Brussels 14 April 2010, COM(2010)133 def.

<sup>8</sup> *Kamerstukken II* 2009/10, 32 125, no. 14.

<sup>9</sup> *Derde rapport over Nederland*, Strasbourg: European Commission against Racism and Intolerance, 12 February 2008 <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Netherlands/NLD-CbC-III-2008-3-NLD.pdf>> (30 August 2010).

<sup>10</sup> *Kamerstukken II* 2009/10, 32 123 XVIII, no. 28, p. 25.

<sup>11</sup> *Kamerstukken II* 2009/10, 32 123 XVIII, no. 90, p. 3.

<sup>12</sup> P.R. Rodrigues & M. Matelski, *Monitor Racisme & Extreemrechts: Roma en Sinti*, recommendations 4, 5 and 8.

<sup>13</sup> *Ibid.*, recommendations 1, 2 and 3.

<sup>14</sup> *Ibid.*, recommendations 6 and 7.

<sup>15</sup> Concerning the period 2003-2009.

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- <sup>16</sup> W. Dinsbach, M. Coenders & I. Boog, *Kerncijfers 2009: landelijk overzicht van discriminatieklachten geregistreerd bij antidiscriminatiebureaus en meldpunten in Nederland*, Rotterdam: Art.12010, <<http://www.art1.nl/scripts/download.php?document=839>> (30 August 2010).
- <sup>17</sup> *Cijfers in beeld: discriminatiecijfers 2009*, Amsterdam: Landelijk Expertise Centrum Discriminatie 2010 (in production).
- <sup>18</sup> *Kamerstukken II* 2008/09, 30 950, no. 15.
- <sup>19</sup> ‘Roma bang voor heksenjacht’, *de Volkskrant*, 16 September 2010
- <sup>20</sup> I. Boog et al. (eds.), *Monitor Rassendiscriminatie 2009*, Rotterdam: Landelijk Expertisecentrum van Art.1 2010, p. 11, <<http://www.art1.nl/scripts/download.php?document=843>> (30 August 2010).
- <sup>21</sup> P.R. Rodrigues & M. Matelski, *Monitor Racisme & Extreemrechts: Roma en Sinti*, pp. 32-36.
- <sup>22</sup> M.M. van Burik, *5 jaar Triana*, Utrecht: Concreat 2010.
- <sup>23</sup> M. Hulsen & L. Mulder, *Speciale doelgroepen in het onderwijs: schooljaar 2002/2003*, Nijmegen: ITS 2005, pp. 59-60.
- <sup>24</sup> See the parliamentary questions, *Aanhangsel Handelingen II* 2008/09, no. 2002 en 2003.
- <sup>25</sup> H. Emaar (editor-in-chief), *Onderwijs en scholing voor Roma en Sinti in Nederland*, Utrecht: FORUM 2009.
- <sup>26</sup> European Court of Human Rights 16 March 2010, (*Grand Chamber*) *Oršuš et al. t. Kroatië*, in: *Nederlands Tijdschrift voor de Mensenrechten/NCJM-Bulletin*, 35 (2010) 5 (June), pp. 520-532 with case note by Davidović.
- <sup>27</sup> See *Projectvoorstellen Platform Roma-Gemeenten*, The Hague: Vereniging van Nederlandse Gemeenten 2010, <[http://www.vng.nl/Documenten/Extranet/werk\\_en\\_inkomen\\_2010/integratie/20100315\\_projectvoorstellen\\_platform\\_romageemeenten.pdf](http://www.vng.nl/Documenten/Extranet/werk_en_inkomen_2010/integratie/20100315_projectvoorstellen_platform_romageemeenten.pdf)> (25 August 2010). Also see de Jaarnota Integratiebeleid 2007-2011, *Kamerstukken II* 2009/10, 31 268, no. 34, pp. 11-12.
- <sup>28</sup> *Kamerstukken II* 2009/10, 32 123 XVIII, no. 27, p. 43.
- <sup>29</sup> Information on assessment criteria used by the ministries (innovative and only for educational purposes) was requested by Veerle Vroon from the public relations officer of the minister of Housing, Communities and Integration, dated 7 September 2010.
- <sup>30</sup> *Projectvoorstellen Platform Roma-Gemeenten*, pp. 3 and 4 (introduction) and further, incl. pp. 5, 7 and 8 (Nieuwegein), pp. 14 and 15 (Enschede and Oldenzaal), pp. 28 and 29 (Ede) and the city of Lelystad on pp. 34-35.
- <sup>31</sup> V. Vroon, ‘93 Roma-jongeren, waarvan 62 leerplichtig. Roma: Etnische registratie in Nederland’, *De Groene Amsterdammer* 21 September 2010, pp. 12-15, <<http://www.groene.nl/2010/38/93-roma-jongeren-waarvan-62-leerplichtig>> (21 September 2010).
- <sup>32</sup> Art. 18 in conjunction with 23 WBP.
- <sup>33</sup> V. de Graaf, ‘Nederland schiet tekort in naleving kaderverdrag minderheden’, *Nederlands Tijdschrift voor de Mensenrechten/NJCM-Bulletin*, 35 (2010) 5 (June), pp. 477-478.
- <sup>34</sup> See the Parliamentary questions, *Aanhangsel Handelingen II* 2008/09, no. 2012.
- <sup>35</sup> Directive 2000/43/EC, *Publication of the European Communities*, 2000, L 180/22.
- <sup>36</sup> Art. 3 under h Race Directive.
- <sup>37</sup> Also see *Report on the situation of fundamental rights in the European Union in 2003*, EU network of independent experts on fundamental rights, January 2004, p. 105, <<http://cridho.cpd.r.ucl.ac.be/documents/Download.Rep/Reports2003/CFRCDF.repEU.2003.pdf>> (30 August 2010).
- <sup>38</sup> ‘Woonwagengedwongen gediscrimineerd’, *De Telegraaf*, 23 February 2009.
- <sup>39</sup> ‘Buurt verfoeit komst van Romagezin’, *AD/Utrecht*, 4 June 2009.
- <sup>40</sup> ‘26 Roma in één appartement’, *Het Parool*, 29 August 2009.
- <sup>41</sup> ‘Roma mogen geen straatkranten meer verkopen’, *de Volkskrant*, 7 April 2010.
- <sup>42</sup> ‘14-jarige straatmuzikant bedelt voor haar ouders’, *de Volkskrant*, 16 April 2008.
- <sup>43</sup> ‘Valse muziek aan banden’, *Binnenlands Bestuur*, 9 July 2010.
- <sup>44</sup> Supreme Court, 26 June 2009, LJV BII 124
- <sup>45</sup> Den Bosch Court of Appeals, 25 April 2008, LJV BD0560.
- <sup>46</sup> Amsterdam District Court, 11 April 2007, LJV BA2747.
- <sup>47</sup> Amsterdam District Court 2 May 1995, in: E.R. van Eck, A. Kellerman and J. Nieuwboer (eds.), *Rechtspraak rassendiscriminatie: Editie 1995-2000*, Rotterdam: Landelijk Bureau ter bestrijding van Rassendiscriminatie 2001, no. 364 with note by Balai.
- <sup>48</sup> T. Prakken, ‘De Eurotop en het individuele daadstrafrecht’, in: *Nederlands Juristenblad* (NJB), 73 (1998) 10, pp. 442-446.

- <sup>49</sup> It was Niek Hendriksen, a Groningen law student, who drew attention to this in his thesis (2006). He is now a lawyer in Almelo. Rodrigues addressed this material on 24 January 2008 during a presentation at the study afternoon entitled 'Eén Europa – grenzen aan uitzetting EU-burgers?' at Leiden University.
- <sup>50</sup> Assen District Court, 21 October 2003, LJN AM1945.
- <sup>51</sup> Arnhem District Court, 21 October 2003, LJN AO1410 and confirmed on appeal by the Arnhem Court of Appeals, 19 October 2004, LJN AR4414.
- <sup>52</sup> Den Bosch District Court, 15 November 2005, LJN AU6170.
- <sup>53</sup> Jaarnota Integratiebeleid 2007-2011, *Kamerstukken II* 2009/10, 31 268, no. 34, p. 12.
- <sup>54</sup> This section is taken from A. Busser & P.R. Rodrigues, 'Staatloze Roma in Nederland', *Asiel&Migratierecht*, 1 (2010) 8, pp. 384-391.
- <sup>55</sup> According to Dokters van de Wereld; also see 'Hoe zit het? Hele Romafamilies belanden in Ter Apel', *de Volkskrant*, 20 April 2010.
- <sup>56</sup> *Aanhangsel Handelingen II* 2007/08, no. 1455.
- <sup>57</sup> Also see G.R. de Groot and M. Tratnik, *Nederlands Nationaliteitsrecht*, Deventer: Kluwer 2010, pp. 83-86.
- <sup>58</sup> See art. 3.4 paragraph 1 under W Vreemdelingenbesluit and B 14 / 3.2.2.1 Vreemdelingen-circulaire 2000.
- <sup>59</sup> L. Voorend et al., *Staatloos maakt radeloos: de situatie van staatloze Roma in Nederland 2009*, Amsterdam: Dokters van de Wereld with the cooperation of Amnesty International and the Anne Frank House 2010, <<http://www.doktersvandewereld.org/Staatloosmaakt-radeloos>> (30 August 2010).
- <sup>60</sup> V. de Graaf, 'Nederland schiet tekort in naleving kaderverdrag minderheden', pp. 466-67.
- <sup>61</sup> *Ibid.*
- <sup>62</sup> *Kamerstukken II* 2003/04, 26389, no. 9.
- <sup>63</sup> *Opinion on the Netherlands Adopted on 25 June 2009* (ACFC/OP/I(2009)002), Strasbourg: Advisory Committee on the Framework Convention for the Protection of National Minorities 2010 <[http://www.coe.int/t/dghl/monitoring/minorities/3\\_FCNMdocs/PDF\\_1st\\_OP\\_TheNetherlands\\_en.pdf](http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_1st_OP_TheNetherlands_en.pdf)> (25 August 2010).
- <sup>64</sup> 'Dertig jaar in het verdomhoekje', *Trouw*, 8 October 2009. Also see 'Roma-probleem Nieuwegein geen incident', *Binnenlands Bestuur*, 13 October 2010.
- <sup>65</sup> *Report by the Commissioner for Human Rights, Thomas Hammarberg, on his visit to the Netherlands 21-25 September 2008*, Commdh(2009)2, Strasbourg: Council of Europe 2009, <<http://www.unhcr.org/refworld/docid/49b798190.html>> (27 July 2010); for the government reaction, see *Kamerstukken II* 2008/09, no. 31 700 V, no. 95.
- <sup>66</sup> European Commission against Racism and Intolerance, *Derde rapport over Nederland*.
- <sup>67</sup> Meijers Commission, Letter of 28 May 2004, (CM0410) <<http://www.commissiemeijers.nl>> (9 August 2010).
- <sup>68</sup> Meijers Commission, Letter of 16 December 2003, (CM04-01).
- <sup>69</sup> See for example the World Court Project to Abolish Nuclear Weapons, Geneva, 1 May 2008, 'Good faith is a fundamental principle of international law, without which all international law would collapse,' Judge Mohammed Bedjaoui at the International Court of Justice.
- <sup>70</sup> *Gabcikovo-Nagymaros Project* (Hungary v. Slovakia), ICJ Rep. 1997, section 142; *North Sea Continental Shelf Cases* (Germany/Denmark and the Netherlands), ICJ Rep. 1969, p. 47; and more recently: *Legality of the threat or use of nuclear weapons*, *Advisory Opinion of 8 July 1996*.
- <sup>71</sup> See the Frame Convention's list of explanations and reservations <<http://conventions.coe.int/Treaty/Commun/ListeDeclarations.asp?NT=157&CM=&DF=&CL=ENG&VL=1>> en <<http://www.tatsachen-ueber-deutschland.de/en/federal-states/content/background-1/national-minorities.html?type=1>> (9 August 2010).
- <sup>72</sup> This section is based on M. Davidović & S.K. van Walsum, 'Ras en nationaliteit', in: C.J. Forder (ed.), *Gelijke Behandeling: oordelen en commentaar 2009*, Nijmegen: Wolf Legal Publishers 2010, pp. 27-52, <[http://www.cgb.nl/webfm\\_send/530](http://www.cgb.nl/webfm_send/530)> (30 August 2010).
- <sup>73</sup> H. Meijers, H. Poeth & B. De Rooij, 'Rechtsproblemen van buitenlandse zigeuners', in: P. Hovens & R. Dahler (eds.), *Zigeuners in Nederland: cultuur, geschiedenis en beleid*, Nijmegen: Instituut voor Culturele en Sociale Antropologie 1988, p. 285; W. Willems, L. Lucassen, *Ongewenste vreemdelingen: buitenlandse zigeuners en de Nederlandse overheid: 1969-1989*, The Hague: SDU Uitgeverij 1990, p. 75.
- <sup>74</sup> 'Roma en kroegbazen zijn elkaar beu', *AD/Utrecht*, 4 September 2008.
- <sup>75</sup> 'De Roma in Nieuwegein', *PREMtime*, 19 November 2008.
- <sup>76</sup> 'Nieuwegein overlegt over Roma-probleem', *RTV Utrecht*, 11 September 2008 <<http://www.rtvutrecht.nl/nieuws/196318>> (20 September 2010).
- <sup>77</sup> See the *Wisselgeld* page on the website of the city of Nieuwegein <<http://www.nieuwegein.nl/infotype/webpage/view.asp?objectID=22699>> (20 September 2010).
- <sup>78</sup> *Kamerstukken II* 2008/09, 31 700 XVIII, no. 90, p. 8.
- <sup>79</sup> *Report by the Commissioner for Human Rights, Thomas Hammarberg, on his visit to the Netherlands 21-25 September 2008*, section 151-153.

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- <sup>80</sup> ‘Roma woedend op Van der Laan. Minister: Sleutelfiguren in Roma-gemeenschap hebben allemaal strafblad’, *Trouw*, 26 August 2009.
- <sup>81</sup> ‘Gemeenten hekelen woordkeuze Van der Laan over Roma. Alleen Nieuwegein staat achter de minister’, *Trouw*, 27 August 2009.
- <sup>82</sup> *Kamerstukken II* 2009/10, 26283, no. 53.
- <sup>83</sup> C.C.J. van den Heuvel, *Wisselgeld: intensieve begeleiding voor multiprobleemgezinnen met een Roma achtergrond*, Rotterdam: RADAR 2008.
- <sup>84</sup> CGB judgements 2009-112 and 2009-113. We are limiting ourselves here to judgement 2009-112 and are omitting from the analysis any unequal treatment that is not directly connected with the *Wisselgeld* project.
- <sup>85</sup> *Ibid.*, p. 11. Italics added.
- <sup>86</sup> *Ibid.*, p. 17. Actually, the Dutch word ‘paaigedrag’ is used for spawning or mating in the animal kingdom.
- <sup>87</sup> J.E. Goldschmidt, ‘Positieve verplichtingen als bijdrage aan gelijkheid’, in: C.J. Forder (ed.), *Gelijke behandeling: oordelen en commentaar 2009*, pp. 255-269, <[http://www.cgb.nl/webfm\\_send/538](http://www.cgb.nl/webfm_send/538)> (30 August 2010).
- <sup>88</sup> See *Nieuwegein Gemeentenieuws*, 17 September 2008, Statement of the Executive Council <<http://www.nieuwnieuwegein.nl/download.asp?objectID=9436&link=20080917.pdf>> (23 August 2010).
- <sup>89</sup> A.E. Schilder, *De drang naar dwang, over bemoeizorg en bemoeizucht van de lokale overheid* (oration), The Hague: Boom Juridische uitgevers 2009, <<http://www.vu.nl/nl/onderzoek/hogleraren/rechtsgeleerdheid/schilder-ae/index.asp>> (10 August 2010); Also see S. van Beek, ‘Stop met pamperen van Tokkies’, in: *Binnenlands Bestuur*, 25 January 2010.
- <sup>90</sup> *Kamerstukken II* 2008/09, 31268, no. 23.
- <sup>91</sup> G. Stevens, V. Veen & W. Vollebergh, *Marokkaanse jeugddelinquenten: een klasse apart?*, Utrecht: Utrecht University, Nicis Institute 2009, <[http://www.uu.nl/SiteCollectionDocuments/Corp\\_UU%20en%20Nieuws/marokkaanse-probleemjongeren.pdf](http://www.uu.nl/SiteCollectionDocuments/Corp_UU%20en%20Nieuws/marokkaanse-probleemjongeren.pdf)>; Also see T. Müller, ‘Autochtoon jeugdgeweld? Bestaat dat? Te veel focus op allochtonen’, *NRC Handelsblad*, 27 November 2009.
- <sup>92</sup> *Kamerstukken II* 2009/10, 26 283, no. 52.
- <sup>93</sup> C. Prins, ‘Discriminatiesignalen’, in: *NJB*, 85 (2010) 2, p. 59, <<http://njblog.nl/2010/01/11/discriminatiesignalen>>.
- <sup>94</sup> *Kamerstukken II* 2008/09, 31 268, no. 13.
- <sup>95</sup> € 8,712,000 for Amsterdam, € 4,750,000 for Rotterdam, € 3,300,000 for The Hague and € 3,036,000 for Utrecht.
- <sup>96</sup> See *Kamerstukken II* 2008/09, 31 700 XVIII, no. 90.

## 9 The consequences of stigma

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In this chapter we will discuss the results of a research programme aimed at examining the impact of social identity on the well-being, the motivation and the performance of members of socially devalued groups, such as ethnic minorities.<sup>1</sup> The results show that it is essential for the motivation and performance of members of these groups – such as individuals from a particular culture or with particular religious convictions – that their identity be respected and supported by the surrounding community (such as important persons in their school or place of employment). Respect and recognition of ethnic minorities' social identity improves their well-being, increases their identification with society and raises their ambitions and performance in the areas of education and employment.

### 9.1 The consequences of stigma

Individuals define themselves not only on the basis of their personal characteristics and outcomes but also in terms of the social categories to which they belong, such as their gender, ethnicity, profession and their role as parents. This part of the identity – which is known as one's *social* identity – is central to people's lives and determines how they see themselves, how they distinguish themselves from others and how they respond to others. Social identity is therefore based on group categorisations: the individual defines himself or herself according to similarities he or she has with others in that category. One's social identity as a Dutch person, for example, represents the characteristics that a Dutch person shares with other Dutch people and that distinguish him or her from others who are not Dutch. The extent to which a certain identity directs the perceptions and behaviour of an individual depends on the value that the individual attaches to that specific identity, as well as on the situation in which the person finds himself.<sup>2</sup> Every specific identity has its own relevant dimensions for comparison and behavioural norms. Not only are these important for the measure of satisfaction that one derives from one's own behaviour and performance, but they also determine the ambitions and expectations that one has for the future.<sup>3</sup> Identities that are connected to socially relevant categories such as gender, ethnicity and age are especially influential because they are central to social discussions regarding the distribution of resources and regarding conflicts between groups in that society. Social identity is of special importance to groups with a lower social status and groups for whom there are negative stereotypes and low expectations, as is often the case with migrants or second-generation ethnic minorities.

A great deal of work in social psychology has been aimed at studying the processes related to social identity. This work has shown that to a significant degree social identity directs social behaviour. Social identity plays a major role in the commitment individuals feel towards a group and the extent to which they are prepared to devote themselves to their group, in the desire to distinguish themselves as a group from other groups, and in group behaviour, such as giving preferential treatment to members of one's own group as opposed to members of other groups.<sup>4</sup> In conducting research on social identity, social psychology focuses on underlying processes: exactly how do social identities manifest themselves, and what function do they serve? In this way, social-psychological research attempts to learn more about how the articulation of identity influences individual behaviour and what role social identity plays in social problems such as participation in the labour market, income discrepancies and differences in the attitudes of native Dutch and ethnic minority Dutch towards higher education.<sup>5</sup>

In our work, we have focused on the role of social identity in the motivation and performance



of members of devalued groups. More specifically, our work focuses on the effects of underrepresentation as opposed to integration in school and work situations on the well-being, motivation and performance of members of ethnic minority groups. Although the participation of minorities in education and paid employment has increased, integration is far from complete. Underrepresentation has assumed new forms in recent years, owing to the fact that members of minority groups attend certain schools or certain types of schools, or are chiefly represented in specific professions or at specific levels in the labour process. In addition, there are indications that ethnic minorities do not always function optimally, which is evident in a higher attrition rate, burn-out and health problems.<sup>6</sup> Relatively little is known about the conditions under which members of ethnic minorities are optimally motivated and achieve maximum performance in school and work situations. In fact, attempts to increase integration are often led more by ideological considerations than by social-scientific knowledge.

By means of various experiments and correlational studies in our laboratory and in real-life situations we have been able to obtain a clearer picture of the role that social identity plays in the motivation and performance of members of groups with a lower social status. In this chapter we will give an overview of our findings. The research provides insight into the way the psychological concept of social identity can be used to help these groups attain a higher social position, such as in schools and in the labour market. First we will give an overview of theoretical knowledge with regard to social identity and stigma (section 9.2). Then we will discuss the results of our research (section 9.3). In doing so we will look at the effects of segregation and integration on motivation and performance (section 9.3.1), the effect of social identity protection on motivation and performance (section 9.3.2) and the important role that the low status group plays in the motivation and performance of its members and in the behaviour of group members towards their group (section 9.3.3).

## **9.2 Theoretical framework: social identity and stigma**

Our research programme is based on theories from the social sciences that predict how individuals will react to the low status of the groups to which they belong, such as social identity theory,<sup>7</sup> social categorisation theory<sup>8</sup> and the stigma perspective.<sup>9</sup> These theories are based on the assumption that membership in a stigmatised or low status group can have negative effects on one's self-image. In addition, members of low status groups actively try to withstand the threat to their self-image caused by the low group status or stigma with which they have been confronted. Many social-scientific theories are based on the individual need for a positive self-image. The self-image of an individual develops by means of self-assessment, social comparisons with others and through the reflected assessments of others.<sup>10</sup> It is much more difficult for members of groups with a low status to maintain a positive self-evaluation because of the objectively lower outcomes of their group and because of the negative expectations and stereotypes that others have of their group. Research shows, however, that members of low status group are creative and flexible in preserving a positive self-image despite these challenges.<sup>11</sup>

If it is not possible to raise one's own status or the status of the group in a meaningful way, then members of low status groups can use various strategies to protect themselves from the threat of social comparison with higher-status groups. In social identity theory, the term *social creativity* is used in reference to these strategies because these strategies do not change the low status of the group but instead creatively improve the image that group members have of their group.<sup>12</sup> For example, low status group members prefer to compare themselves with others from the same social group so the low status of the group is less conspicuous.<sup>13</sup> Low status group members can also ascribe the cause of their low status to external causes (such as discrimination), thereby avoiding negative implications for themselves.<sup>14</sup> Finally, they can

make their feelings of self-worth less dependent on domains in which their group performs poorly (such as school or work) and focus on domains in which their group traditionally excels, such as music or sports.<sup>15</sup>

Each of these strategies for protecting the self-image has specific short-term and long-term costs and benefits. While devaluing the domains in which one performs more poorly is an effective strategy for protecting one's self-worth, this strategy probably reduces motivation and performance in central domains such as school and work, which have been given a lower value in order to protect self-worth.<sup>16</sup> By the same token, attributions to external causes may protect the self-evaluation of the low status group, but they can also lead to lowered expectations and lowered perceptions of control. This reduces motivation in the domain over the long term. The costs and benefits of a strategy partly determine which strategy is chosen. Whether members of low status groups are able to use a strategy in order effectively to protect their self-image depends on the social context. The social context offers a frame of reference with various social influences, norms and rules that make it easier or more difficult to use a particular strategy. The availability of members of one's own and other groups within this social context plays an important part here. Thus it is less easy to limit social comparisons to member of one's own group in an integrated environment where members cannot avoid being exposed to other groups. In the same way, in an integrated situation it is more difficult to devalue a domain in which the group does not perform well. Indeed, in integrated situations individuals are confronted with members of other groups who actually attach a high value to this domain. It can therefore be argued that integrated situations are more threatening because they necessarily impose comparisons with members of higher status groups and place a high value on domains in which the group does not perform well. This makes it more likely – not less – that in an integrated situation members of low status groups will devalue a domain.

We thus expect that two opposing processes will influence whether a self-protective strategy will be used: threats and social pressure. The degree of integration between low status groups and high status groups first has an effect on threat to social identity and self-image, and thereby on the self-protective strategies that will be used. Threats to self-image take place by means of social comparisons. When a member of a low status group finds himself in an integrated environment (such as a child of ethnic minority origins in an overwhelmingly White school), the difference in status between the groups will be emphasised because comparisons with members of the high status group are easier to make. So assessing one's self-worth depends not only on one's own performance but also on the average performance level in the environment.<sup>17</sup> A student of Moroccan origin will give a lower assessment of the performance of Moroccan students in the class if there are also native Dutch students in the class who are performing better. Because the difference in status between the two groups is easier to see in integrated situations, the threat to a person's social identity will be greater. To preserve his self-worth, the student can distance himself from the school domain and turn his attention to another domain in which he performs better. This helps to protect his self-image but can have a negative effect on school motivation. So the *threat hypothesis* states that integration can negatively affect motivation and performance.

But we also expect that the confrontation with members of higher status groups will have a positive effect. People whose main contacts are with members of their own low status group run the risk of being in a situation in which less emphasis is placed on the importance of good performance. After all, the average participation in the labour force is lower among members of their own group, fewer individuals are involved in advanced training, and important role models (such as parents, older brothers and sisters and acquaintances) have less experience with higher education and jobs. It can also be predicted that in an ethnically segregated environment there will be a tendency to turn away from domains in which the group performs

poorly and instead to concentrate on alternative domains that are important to the group, such as religion, culture and sports.<sup>18</sup> Members of high status groups focus mainly on the dimensions that give their group high status (such as school performance for native children). For this reason, when members of low status groups are in contact with these high status groups there is greater social pressure on them to perform well on the same dimensions. For a child from an ethnic minority group, the pressure to perform at school will therefore be higher in a class with a large proportion of native students than in a 'black' school. The *social pressure hypothesis* thus states that integration can have positive consequences for the motivation and performance of members of devalued groups.

We have studied the processes described here in experimental groups under controlled conditions as well as in existing groups in school and work situations. By taking this approach we are able to make unambiguous statements about cause-and-effect relationships that also can be generalised and applied to other situations in which these issues occur. We have concentrated on three lines of research. The first line of research examined the effects of integration on identification with important social domains that are relevant to status, such as school and work. The second line focused on gaining a better grasp of the way members of low status groups protect their social identity and the consequences of this for motivation and performance. The third line looked at the influence of the broader social group on the motivation and performance of individual group members.

### **9.3 The research results**

In the following sections we will discuss the results of the research. Specifically, we will examine the effects of integration, the effects of social identity protection and the role of the low status group.

#### *9.3.1 The effects of integration on motivation and performance*

Our first line of research examined the effects of integration on the extent to which members of low status groups identify with important social domains that are relevant to status, such as school and work. More specifically, we studied the role that threat and social pressure play in motivation and performance. In a series of studies we showed that members of low status groups who focus mainly on contacts with their own group do indeed show positive effects on well-being (reduced level of threat) but also negative effects on motivation and performance (reduced pressure to perform well). Integration, on the other hand, can positively affect motivation and performance by means of the increased social pressure to engage in domains relevant to status, such as school and work. However, this effort only pays off if the raised threat present in situations in which the high status group is strongly represented can be neutralised. The way these negative effects of integration can be neutralised is examined in the second line of research, which is discussed further on in this chapter.

In the first set of studies we focused on gaining a better understanding of the effects of integration on well-being, motivation and performance. An example of such an investigation is a study of ethnic minority and native Dutch primary school pupils.<sup>19</sup> The investigation built on the findings of Maurice Crul.<sup>20</sup> Crul asked a group of successful ethnic minority pupils how they had attained their relatively high position at school. The pupils indicated that they owed their good results to the fact that they had been integrated during the primary school years. Our study focused on the empirical tests of the connection Crul had predicted between integration and 'success' at school. As part of the study, sixteen classes of group eight pupils (group eight is the last year of Dutch primary school) were visited in Alkmaar, four in Leiden and seven in Rotterdam. The integration at the schools varied as a whole between 0% and 94% native Dutch pupils. Pupils filled in a questionnaire in which their identification with the

school domain and various alternative domains were measured (family, sports, social acceptance, appearance, behaviour and religion), and their self-worth, motivation and performance in the various domains was assessed. The degree of integration of the pupils was established on the basis of the percentage of native Dutch pupils in the class and on the basis of the (smaller) reference group of pupils with whom the pupil associated. The teachers also filled in a background questionnaire about the pupils in which they assessed the pupils' motivation and performance.

The results showed that the percentage of native Dutch pupils in the class correlated positively with the performance of the pupils. In addition, ethnic minority pupils in more integrated classes were given recommendations to attend higher-level secondary schools (in the Netherlands, the choice of what level of secondary school to attend is based on standardised tests and teacher recommendations). However, the results of our investigation also showed that a high percentage of native Dutch pupils in the class comes with a price tag for ethnic minority pupils because the environment it creates feel less safe. Although ethnic minorities in an integrated class did perform better on average, they had lower self-worth and said they were less motivated than ethnic minorities in a class with few native Dutch pupils. The results of this study thus partly support Crul's hypothesis that integration benefits school performance but comes at the expense of feelings of well-being and motivation.

Further studies in this line of research showed that integrated classes can be threatening because the social comparisons with the high status group in these situations is experienced as negative for members of the low status group. We conducted a detailed study as to why integrated performance situations lead members of low status groups to feel threatened and harm their motivation in dimensions that are important for status.<sup>21</sup> An example of this is a longitudinal study of first year students at Leiden University. This study showed that members of low status group in integrated situations perceive less respect for their identity and experience more negative stereotypes, prejudice and discrimination. Both native Dutch and ethnic minority students were involved in the study. At three points during the first year of their degree programme (the propaedeutic year) they were asked to fill in a questionnaire: at the beginning, halfway through and at the end of that year. Among other things, the questionnaire measured the student's identification with the study programme and with various alternative domains. Their self-worth, motivation and performance in different domains were also assessed, and observed stigmatisation, discrimination and attitudes with regard to various groups were all measured. The results showed that compared with native Dutch students, ethnic minority students had the feeling that their ethnic group was valued less at the university. This negative value in turn negatively affected the observed quality of the relations between the various ethnic groups and the university, the contacts that ethnic minority students had with other groups and their well-being and performances in this context. The observed discrimination, and the fear that the stereotypes would be substantiated also led to lower identification with the study programme.<sup>22</sup> This longitudinal study therefore showed that an integrated university context can be threatening for students from ethnic minority origins, which can negatively affect their level of performance.

### *9.3.2 The effects of social identity protection on motivation*

Our second line of research was aimed at better understanding how members of low status groups can protect their social identity, and what the consequences of social identity protection are for their motivation and performance. Earlier research showed that people who are confronted by the low status of their group are less motivated to perform on dimensions that are associated with high status groups.<sup>23</sup> This reduced motivation is partly the result of the aforementioned strategies that members of low status groups can use to protect their self-image, such as limiting social contacts and comparisons with members of their own group

(self-segregation) and reducing the importance of dimensions in which one's own group performs poorly (domain devaluation). These cognitive strategies reduce threats to social identity and thereby increase well-being among members of low status groups. However, the strategies may have adverse consequences for the actual status of the group members if the members turn away from performance dimensions that are important for status in that society, or if by segregating themselves they fail to realise that they have a status gap to bridge. In a series of investigations we studied how the use of these negative self-protective strategies can be avoided and how low status groups can be motivated to focus on dimensions that lead to higher social status.<sup>24</sup>

We examined whether members of low status groups can be motivated to perform better on dimensions that are important for status if they have the opportunity to protect their social identity. Naturally this social identity protection must occur in a way that does not at the same time harm motivation on dimensions that are important for status (such as domain devaluation and self-segregation). According to the social identity theory, members of low status groups can also protect their social identity by paying attention to positive aspects of their own group, such as the high performance of their group on alternative performance dimensions.<sup>25</sup> Ethnic minorities can focus attention on cultural or religious dimensions, for example. We investigated whether paying attention to positive aspects of the group enables members of low status groups to withstand threats to their social identity, and whether it is possible to do this without turning away from dimensions that are important for status so that motivation on these dimensions is maintained.

We conducted various studies in which we looked at members of low status groups who experience threats to their social identity (because they are in an integrated environment, for example). The results consistently show that members of low status groups are indeed more motivated to perform well on dimensions that are important for status when they protect their social identity by focusing attention on positive characteristics of their own group.<sup>26</sup>

Moreover, it appeared that this social identity protection can also come from the person's environment. Low status groups were more highly motivated and performed better on dimensions important for status if – in a situation in which emphasis is placed on dimensions important for status – respect was expressed in the surrounding environment for the high performance of the group on an alternative dimension. In two studies we investigated the influence of perceived stigmatisation in Dutch society of the person's own ethnic group on the person's attitude towards the labour market. An internet study among young working and studying Muslim women indicated that perceived stigmatisation by the native Dutch did affect young Muslim women's attitude with regard to their study and work. Muslim women who felt pressured by the native Dutch to conceal their religious identity reported less interest in the study and work domain than Muslim women who did not feel stigmatised because of their religious identity. Those who reported being positively valued by the native Dutch indicated that they identified more with Dutch society. An experimental study among young working and studying Muslim women that was conducted through various Islamic organisations supported these results and also confirmed the causal direction of the found relationships. In this study, a systematic comparison was made among women who were placed in a situation in which their social identity was or was not supported by their immediate environment. Here, too, female Muslims reported being more highly motivated in the domains of work and study if their social identity was supported by the immediate environment. If the immediate environment gave more support for a person's ethnic identity, it also resulted in greater identification with Dutch society.

The results of these studies show that if Muslim women are to participate in Dutch society they must have the freedom and ability to communicate their identity as Muslims in educational institutions or in the labour market. Confirming their valued social identity

therefore has positive societal implications. Attention to ethnic identity alone is not enough, however. Members of low status groups in work and school situations benefit especially from so-called double value. Value for one's ethnic identity is important for dispelling a sense of threat (threat hypothesis), while value for the educational or work domains is important for motivating the person to perform well (social pressure hypothesis). Only double value assures that members of low status groups will demonstrate higher motivation in school and work domains as well as in areas that are important to their own ethnic or religious identity. Only then are they more likely to identify with Dutch society.

This second line of research therefore shows that a positively valued social identity is a requirement for high motivation among members of low status groups. When members of low status groups feel that their social identity is being protected, this stimulates them to perform well on dimensions that can lead to higher social status. The results of the first line of research point to the risk of integrated situations. Integration evokes a sense of inevitable failure if it undermines people's social identity. Adding to this, our second line of research shows how members of low status groups can still be motivated to perform well in this threatening environment on dimensions that are important for status. Specifically, it is important that members of low status groups have the feeling that their social identity is positively valued and respected by members of the high status group. This makes the integration less threatening and motivates members of low status groups to improve their performance on dimensions that will lead to a higher social status – even if these are primarily associated with high status groups. Our work also shows how important it is that members of low status groups feel valued and respected as a group, especially in integrated situations in which the threat is high. Only in situations that allow them to maintain a positive image of their group will they achieve optimal performance on dimensions through which they can improve their position.

### *9.3.3 Social identity protection and the group*

So far we have mainly looked at the influence of persons who are immediately present in school or work situations. In the first two lines of research we focused on how the presence of native Dutch students in the classroom, or positive recognition from native colleagues at work, influence the motivation and performance of ethnic minority students and employees. In a third line of research we look at the broader social context. This was an investigation of how more generally the expectations of others influence the motivation and performance of members of low status groups. The results of these lines of research show that strategies used by individual group members to protect their social identity also have social consequences for the position of the group as a whole.

Members of low status groups can try to improve their position by attempting to achieve better results individually (individual upward mobility) or by striving for better results for the whole group (collective mobility or social change). It is often thought that the position of low status groups will improve when all members of that group try to perform as well as possible on their own on dimensions that lead to higher social status. Research shows, however, that individual mobility does little to improve the position of low status groups as a whole, and in some respects can even lessen the opportunities for other members of the group.<sup>27</sup> Improving the position of a low status group as a whole will mainly be achieved when group members specifically try to challenge and improve the low status of their group.<sup>28</sup>

In our work we looked at what kinds of upward mobility are supported by members of low status groups, and at how different forms of social identity protection affect the status of the social group. The results show that members of low status groups find it important that members of their group pursue upward mobility in a way that is consistent with the identity of the group.<sup>29</sup> Minorities are more supportive of group members who aspire to upward

mobility in activities that are compatible with the interests of the group (ingroup domains) than in activities that are seen as contrary to the interests of the group (outgroup domains). For example, a member of an ethnic minority group who accepted a good job at the Ministry of Justice in the Immigration and Naturalisation Service (with activities that serve the interests of the native Dutch group) is seen as someone who contributes less to the interests of the group than an individual who accepted exactly the same job but with the Department of Civic Integration (with activities that serve the interests of minorities). The first individual consequently received less support from other group members for this kind of upward mobility. Group members who aspire to upward mobility in ingroup domains are seen as more loyal to their own group, and as more closely identified with and sympathetic towards the group. The research showed that for it is these factors that lead to these group members to be given more support.

We also found that the manner in which members of low status groups reduce social identity threat affects the way the individual behaves toward other members of the low status group. As described in the second line of research, we attempted to combat the negative effect of social identity threat by making group members conscious of positively valued characteristics of their *group*. An alternative way to reduce threats to social identity is to point out to group members the positive aspects of their *personal* identity.<sup>30</sup> In principle, both social identity protection and personal identity protection can increase the motivation of low status group members to perform well on dimensions that are important for status. However, there are differences in the *ways in which* members of low status group aspire to higher positions, and the *consequences* of this aspiring are also different.<sup>31</sup> Members of low status groups who focus on their personal identity are primarily interested in improving their own position in the status hierarchy, even at the cost of other people's opportunities.<sup>32</sup> However, members of low status groups who are able to protect their social identity will not only try to perform better on dimensions that are important for status but will also try to improve the positions of other members of the group so the group as a whole will achieve better results.<sup>33</sup> For example, when a female employee works in a company in which the prevailing climate is positive with regard to the performance of women (social identity protection), she will not only improve her own position but will also help other women to advance in their careers. In contrast, when women work in an environment in which they feel that women are less valued than men, they are more likely to focus on their own individual qualities rather than the qualities related to their gender. As a result they will feel less involved in the fight against gender discrimination in general.<sup>34</sup> These results indicate the advantages of social identity protection over more individual forms of self-protection: when group members can maintain a positive image of their group, despite the devaluation of their social identity, they will also be more inclined to pursue a better position for the whole group instead of only trying to improve their own position by distancing themselves from the prevailing negative image of their group. These findings thus demonstrate the importance of a positive social identity for members of a low status group. In principle, low status groups can motivate themselves in dimensions that are important for status by noting that they may be able to achieve better individual results than other members of their group. The results of our research show that this does not help the group as a whole and can even be counterproductive. The low status group as a whole has a better chance of improving its social position if members of low status groups are able to derive a positive self-image from their group membership instead of focusing on their own personal identity. Only when members of groups with a low social status have the opportunity to maintain a positive image of their group will they strive for better results for themselves and other group members. Only then will they also be given the support of members of their own group, which is an important basis for increasing motivation and performance and thereby improving their chance of success.<sup>35</sup>

#### 9.4 Conclusion

In this chapter we discussed the results of a programme of research that investigated the role of social identity in well-being, motivation and performance. The results show that for the motivation and performance of members of low status groups, such as ethnic minorities, it is important that their identity – as people with a certain culture or certain religious convictions – be respected and supported by others in their environment, especially by important persons in the school or work situation. Whenever this happens, there is a marked improvement in their well-being, motivation and performance and a stronger identification with Dutch society. These are conditions for success in school and work situations, which is of great importance to the full social integration of these groups. The results of the research programme show that identities need not be negative factors but can be harnessed for the purpose of achieving positive societal outcomes and improving the position of minorities in society.

The results of the research programme discussed here have important implications for the integration of ethnic minority groups by means of education and employment. The current government policy appears to be based on the idea that the best way to integrate ethnic minorities into Dutch culture is to pay not too much attention to differences in ethnic origins, and to encourage people to focus on their own personal identity and on Dutch culture. The research programme discussed here, however, shows that these ideas fail to acknowledge the psychological need individuals have for a positive social identity. Because low status groups base their self-image partly on their group, and because they need the support of that group, they will only be motivated to achieve success in society when they can maintain a positive image of their group. If they have the feeling that their identity is not being valued, they will focus on reducing the threat to their social identity through such means as turning away from society and from the dimensions that determine status in that society. However, if they perceive that their identity is being respected, they will be more likely to aspire to successful participation in that society, regardless of the negative feedback that they may sometimes receive. In addition, in an environment that values their identity low status group members not only perform better on dimensions that are important for status, but they also help other members of their group achieve the same success.

These conclusions should not be interpreted as an appeal to solve the problems related to the integration of minorities with ‘coddling’ or ‘tea drinking’. The results of our investigation show unequivocally that *double value* is essential. Value for one’s own ethnic identity is necessary to remove the sense of threat (threat hypothesis). But value for dimensions that are important for status is essential in motivating members of minority groups to perform well in important social domains, such as school and work (social pressure hypothesis). Measures that focus exclusively on valuing ethnic or cultural differences (‘coddling’ or ‘tea drinking’) only remove the threat to identity. This may increase well-being, but it does not increase motivation to become integrated or to perform well on dimensions that lead to societal success. An integration policy that keeps harping on the importance of good school results and participation in the labour market will be experienced as a threat unless attention is paid to the specific background or the circumstances that members of ethnic minorities have to manage. The self-protective strategies that enable them to live with this threat (by restricting themselves to comparisons within their own group or by focusing on other performance domains) make it less likely that they will pursue the kinds of performances that truly promote integration. The only policy that will be effective in promoting integration is one that succeeds in combining both aspects: communicating value for the identity of the low status group, and making it clear that commitment is expected in domains in which societal success can be achieved.



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## Notes

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## 10 Anti-discrimination restrictions and criminal prosecution in 2009

*Marija Davidović*

In this chapter we will examine the nature and scale of racial discrimination and the role of the police and the Public Prosecutor. We will also undertake a year-by-year analysis of the available figures,<sup>1</sup> which were provided to the Anne Frank House by the National Police Services Agency (Korps Landelijke Politiediensten; KLPD) and the National Expertise Centre for Discrimination (Landelijke Expertise Centrum Discriminatie; LECD) of the Public Prosecution Service (Openbaar Ministerie; OM). As in previous years, these authorities make a distinction between the articles of the law that refer specifically to discrimination and criminal offences that are aggravated by discriminatory behaviour, such as threats or arson. The latter occur frequently but generally are not registered as discriminatory acts. Because of this there is no comprehensive overview of all discriminatory incidents, in addition to the unwillingness to report them.

The data in this chapter follow up on and partly overlap the chapter dealing with the same matter for 2008 in the Racial Discrimination Monitor, commissioned by the Ministry of Housing, Spatial Planning and the Environment, insofar as developments for 2009 are mentioned there.<sup>2</sup>

### 10.1 Discrimination and the government

This chapter will attempt to answer some frequently asked questions concerning discrimination and the role of criminal law. When can we say that discrimination has taken place? Autonomy – the right to make your own choices without being excluded on irrelevant grounds – and human equality are fundamental to the operation of our society. Establishing discrimination can be quite simple, but there are also a multitude of complex situations in which discrimination is less obvious.

It becomes more difficult to establish discrimination when the right not to be discriminated against clashes with another right, or when, intentionally or not, a group of people with the same ethnicity are adversely affected by government policy. Prohibiting a Dutch citizen from following a particular course of study because she or he also has Iranian nationality is an example of such a policy. In her research, Terlouw shows that the policy does not increase public safety as it was intended to do, but it does imply that Iranians – even those with a Dutch passport – constitute a danger as a group. Van der Vlies is also critical of the policy and notes that ‘the constant repetition of the accusations can give the impression that they are correct.’<sup>3</sup>

Profiles can be helpful in providing public assistance, but they can also make it easier to track people down. It does need to be kept within the statutory framework, certainly when it comes to ethnic profiles. Contrary to what is generally thought, the effectiveness of police action does benefit from respecting anti-discrimination laws. This has been demonstrated in several studies carried out by the Open Society Institute (OSI) on the application of ethnic profiles in investigatory activities.<sup>4</sup> In the context of counterterrorism, Bovenkerk explains clearly that the chance of successfully finding and apprehending terrorists decreases when ethnic profiles are used.<sup>5</sup> This is partly because of the use of incorrect terrorist indicators. He also refers to the consequences of eliminating experiential knowledge (which the police need for tracking down terrorists). Another European study about the Netherlands shows that ethnic minorities often think they are being stopped because of their origins. Discrimination, whether perceived or not, is detrimental to trust in the police – who need that trust to carry out their work properly.<sup>6</sup>

In addition to these so-called ethnic profiles, there are other measures that can disproportionately affect certain ethnic groups, such as the power of the police to conduct preventive body searches. Under this measure everyone within a designated area can be searched, regardless of whether you are suspected of having committed a punishable offence.<sup>7</sup> Here, too, there are strong doubts as to whether such actions contribute to public safety, while it is believed that people who look foreign are being searched with disproportionate frequency.<sup>8</sup> While discrimination is often not a matter of purposeful action, stereotypical images are involved on an unconscious level.<sup>9</sup> Exposing these mechanisms helps make detective work more effective. The discriminating effect of preventive searches in real-life situations – that is, the application of this authority – has never been investigated.<sup>10</sup> It is imperative that such a study be carried out for the sake of a safe and diverse society for *all* residents, and to determine in a broader sense whether the measures are effective in fighting criminality and what the side effects are.

The data in this chapter are mainly concerned with discrimination between members of the public. Before considering discrimination in terms of the registered numbers, an overview is given of relevant laws and regulations and of the authorities that register discriminatory incidents.

## **10.2 Laws and regulations**

Dutch discrimination legislation is influenced by the international legal systems of which the Netherlands is a part. For this reason, we provide below a brief explanation of the most relevant legal instruments.

### *10.2.1 International Convention on the Elimination of All Forms of Racial Discrimination*

The *International Convention on the Elimination of All Forms of Racial Discrimination* (CERD) has applied to the Netherlands since 1972 and resulted in a few amendments to the Dutch Penal Code.<sup>11</sup> The basic premise is that people are not to be hampered by discrimination in the way they function socially. The Committee on the Elimination of Racial Discrimination supervises compliance with the CERD. In its most recent *Concluding Observations*, the Committee stated that the Dutch government is not doing well in fighting racial discrimination on a number of points. One point of criticism had to do with the ethnic registration of young people as cited above.<sup>12</sup>

### *10.2.2 Criminal law: anti-discrimination restrictions*

The CERD forms the basis for anti-discrimination restrictions in most Western countries. In the Netherlands, new anti-discrimination articles were added to the Penal Code in the run-up to the ratification of this convention in 1971,<sup>13</sup> followed by a few more amendments. A recent addition to the anti-discrimination restrictions is art. 137h (removal from one's profession for discrimination). The article went into effect on 25 March 2010.<sup>14</sup> A study of the application of this punishment for reasons other than discrimination (such as for fraud or sexual offences) indicates that the judiciary is reticent in applying it. In addition, there appears to be little enforcement of the professional disqualification,<sup>15</sup> so what the article will contribute to the struggle against discrimination remains to be seen.

In principle this study is concerned with discrimination on the grounds of race, which is explained in conformity with the broad definition provided in the first article of the CERD. It covers discrimination based on skin colour, place of origin, national or ethnic descent. One interesting feature is the relationship between the grounds of race and religion. In some situations in which there is evidence of discrimination, these grounds are interchangeable

because of their interrelatedness, an example being anti-Semitism. The anti-discrimination restriction on the grounds of religion can count on an increase of interest after the upcoming abolition of the blasphemy restriction (147 of the Penal Code).<sup>16</sup> The other grounds fall outside the scope of this Monitor insofar as there is no ethnic component. Briefly summarised, the Dutch anti-discrimination restrictions are as follows:

- article 90quater of the Penal Code is the definition of discrimination;
- article 137c prohibits discriminatory defamation (except on the grounds of gender);
- article 137d criminalises inciting hatred, discrimination or violence;
- article 137e prohibits the distribution of discriminatory statement;
- article 137f prohibits rendering support to discriminatory activities;
- article 137g prohibits discrimination in the exercise of an office, a profession or a business, but only on the grounds of race;
- article 137h allows for removal from a profession as an additional punishment for discrimination;
- article 429quater is the misdemeanour variant of art. 137g (that is, without the required intent), but for more grounds than race alone.

The full text of these anti-discrimination restrictions can be found in Appendix I.

### *10.2.3 Criminal law: Discrimination Instruction*

Another piece of national legislation that needs to be mentioned is the *Discrimination Instruction*.<sup>17</sup> These are official instructions from the Board of Procurators-General, the purpose of which is to guarantee the quality of investigation and prosecution in cases of discrimination being dealt with by the police and the Public Prosecutor. In criminal law, discrimination occurs in two forms. One is the violation of the aforementioned anti-discrimination articles. There are also ‘criminal offences aggravated by discriminatory behaviour’: violation of *other* articles of the Penal Code in which ‘underlying discriminatory factors’ are present. If, for example, a fire is started to protest the building of a mosque, or someone is assaulted on account of his origins, these offences are only registered as arson (art. 157 of the Penal Code) or assault (art. 300 of the Penal Code). This makes it difficult or impossible to trace the discriminatory aspect in the registration systems of the police and Public Prosecutor.<sup>18</sup> The *Instruction* requires, among other things, that harsher penalties be imposed for these offences under general criminal law, but also that they be registered, naturally in addition to the registration of the anti-discrimination restrictions.

The *Instruction* also requires that each police force have a portfolio holder for these cases at the strategic level (for making policy) and a discrimination liaison officer at the operational level (for implementing policy). The requirement that reports must be recorded is also included. The same holds true for the requirement that the report results in a criminal response – such as a summons, a transaction settlement or dismissal – unless the report does not refer to a punishable offence. The decision to regard the report as an informal notification should always be made in consultation with the Public Prosecution Service (OM). Mediation may only take place in exceptional cases.

With regard to the OM, the *Instruction* specifies that the undesirability of discrimination be clearly demonstrated via the criminal law, in part by means of the media attention that cases of discrimination sometimes receive. The *Instruction* also stipulates that if there are indications of a discriminatory offence, a summons in principle should always be issued. Only in lighter cases can a transaction settlement first be offered. With regard to discretionary dismissals, restraint should always be exercised.

Another section of the *Instruction* concerns consultative structures. It requires that the subject be put on the agenda of the tripartite consultation composed of the chief public prosecutor,

the mayor and the chief of police at least twice a year. It also devotes attention to the regional discrimination consultation (RDO), which takes place at least twice a year as well and is made up of the police, the public prosecutor's office, the public administration (usually the municipality) and the anti-discrimination service (ADV). The RDO makes use of what is called a uniform case review: an Excel file in which all known cases of discrimination are entered along with their characteristics, the progress of the case and the way the case was settled. An investigation was carried out on the functioning of the RDOs, the results of which are expected in 2010.<sup>19</sup>

The final responsibility for compliance with the *Instruction* is in the hands of the Public Prosecution Service, insofar as the action of the local public administration is not involved. In this study, the *Instruction* serves as a frame of reference for assessing the data.

### 10.3 Registration

The discrimination statistics have two defects, which are generally acknowledged. First is the incompleteness of the figures. In a survey of 24,000 individuals conducted by the Fundamental Rights Agency (FRA), which is the human rights advisory organ for the European Union, it was demonstrated that perceived discrimination occurs with great frequency,<sup>20</sup> especially among Muslims, and that more than three-quarters of all incidents are never reported.<sup>21</sup> This seems to indicate that the vulnerable groups who experience a great deal of discrimination are less willing to report.

The second defect is the fragmentation of the figures. In the Netherlands, discrimination is dealt with by both the Public Prosecutor and by the agencies listed below (there are others), some of which are exclusively active in the area of discrimination and to a greater or lesser degree are in contact with the police, the Public Prosecutor or both. Each has its own registration method.

At least three international reports on the Netherlands that were issued in 2009 expressed concern about this situation.<sup>22</sup> The third report contained two other salient points.<sup>23</sup> The first point concerns the factors that contribute to the creation of a climate in which discrimination can take place. Discriminatory defamation in public (such as intolerant speech) is mentioned, as well as stereotyping and prejudice, but so is that fact that the government can exacerbate this situation by the use of ethnic profiles. An explicit reference is also made to intolerant speech that can make people feel that discrimination is socially acceptable. Intolerant speech is not the same as discrimination, but according to the report it can aggravate social tension and make the groups concerned feel unsafe or unprotected. The figures related to the discrimination experienced by these groups do not tell us everything, but they can be useful in an effective plan to tackle discrimination.

#### 10.3.1 Anti-discrimination services

Anti-discrimination services, or ADVs, refers to the network of anti-discrimination agencies and municipal access points where discrimination can be reported. The ADVs, most of which are affiliated with the organisation Art. 1, deal with complaints and provide information and advice for the region. On the basis of their data the organisation Art. 1 compiles national figures.<sup>24</sup>

A few comments about registration methods should be made at this point. Art 1 and the ADVs register discrimination on more grounds than those mentioned in the Penal Code. The agencies also receive complaints about situations that people have *experienced as* discriminatory. That is, these are subjective interpretations of a situation where there is no indication that discrimination has taken place according to the legal norms. Some complaints are redirected to the Equal Treatment Commission (CGB) or the police.

There is no complete and integrated file of all the figures from the many agencies that register discrimination.<sup>25</sup> Not all the ADVs register the complaints they receive with the common system that has been in use since 2008. Work is being done to correct this as well as to reduce ambiguity by employing the same definitions, concepts and classifications. To this end an arrangement has been reached through the Ministry of the Interior that establishes a uniform registration form.<sup>26</sup> This form has not been adequately brought into line with the registration method used by the police and the Public Prosecutor, so even if the ADVs make optimal use of it its added value will remain limited. There are also a few flaws, such as the absence of anti-Semitism as a category, lack of clarity with regard to breaking down the category of race into ethnicities, and whether information from the suspects is being registered. So in terms of professionalism and the creation of a national network this effort leaves much to be desired. It is important that it be improved, not only in order to comply with the requirements laid down in the national ADV network act but also because a well-functioning ADV is vital to the RDOs mentioned in section 10.2.

#### *10.3.2 Police: National Expertise Centre for Diversity*

The National Expertise Centre for Diversity (Landelijk Expertise Centrum Diversiteit; LECDiv) is the knowledge centre for the police and is part of the Police Academy.<sup>27</sup> The centre deals with problems of diversity, and discrimination is only one of its constituent portfolios. As of 2010 the discrimination portfolio became an integral part of the LECD.<sup>28</sup> The centre provides the corps with advice and support.

An important point of focus for the LECDiv, besides the challenges with regard to registration under the anti-discrimination articles, are the criminal offences aggravated by discriminatory behaviour. Despite a long-standing requirement – as contained in the *Discrimination Instruction*, for example – these incidents were rarely registered by the police, if at all, until the end of 2008. As a result, it was not possible to construct a comprehensive crime picture containing both kinds of registered incidents of discrimination. In 2008 registration improved when almost all the corps began making use of the ‘uniform case review’, and the first *Criminal Discrimination Report (Poldis)* was published in 2009.<sup>29</sup>

This was followed in September 2010 by the second report, *Poldis 2009*.<sup>30</sup> The improvements that were planned in response to the 2008 report had been delayed, and as a result the new report follows the same methodology as in 2008.<sup>31</sup> A few improvements were made such as separate registration for anti-Semitism,<sup>32</sup> since this form of discrimination can be both religious and ethnic. The next report will attempt to formulate clear research questions and a uniform national registration. This effort will be assisted by the Common Approach to Discrimination workgroup (Gezamenlijke Aanpak Discriminatie; GAD), in which the Ministry of Housing, Spatial Planning and the Environment, the OM and the police, Art. 1, the Association of Netherlands Municipalities and the Equal Treatment Commission all participate.<sup>33</sup>

Of the 2,212 incidents registered in 2009 (26 less than in 2008), discrimination on the grounds of race was the most frequently registered, although there is a decrease in the total number. In 2009, 761 incidents were registered, and in 2008 that was 898. Up until now, data collection has appeared vulnerable to regional shifts in interest and personnel. The police themselves have warned of an incomplete picture of discrimination based on these figures (which mainly reflect the priorities of the various corps and the methods of registration) and from the lack of willingness of people to report.<sup>34</sup>



In 2009 there was also substantial criticism of the new national computer system that the police use to register reports. In the policy response to *Poldis* it was remarked that the system 'has had a negative effect on registration'.<sup>35</sup>

The so-called Basic Facility Enforcement programme (Basisvoorziening Handhaving; BVH) was supposed to bring about improvements in the area of discrimination, for example, by facilitating the registration of criminal offences aggravated by discriminatory behaviour. In the system as it now stands, the question about discriminatory behaviour is a required field. Before this such information had been optional, which does not help in the registration of an offence that is relatively infrequently reported. In an earlier report on the BVH, the IJsselland police region noted that because of all the red tape, police officers were more likely to ignore the administrative requirements in cases that had been dealt with.<sup>36</sup> This influences the reliability of the figures for use in research and in making political decisions. According to the corps, the differences between planning and results as well as deviations from the trend in numbers of offences, clear-up rates and OM suspects are partly due to lack of familiarity with the new system. In the explanation to the annual report and the progress report, it is noted that problems with registration are taking place on a national scale.<sup>37</sup>

Generally speaking, the appointment of a strategic portfolio holder, discrimination liaison officer and discrimination 'task accent holders' is going ahead for all the corps, but on the ground things are running less smoothly. Some corps lack the necessary know-how or ability to carry out the tasks that these functions require in the allotted time. This may change with the introduction of 200 trained task accent holders (at the district level) that was ordered by the Board of Chief Commissioners.<sup>38</sup> In the policy response to *Poldis 2009* there appeared to be increased tension regarding registration quality. The planned improvements for *Poldis* are being 'accelerated', and the use of the uniform case review is being stimulated. The Board of Chief Constables will report on the progress of the new BVH registration system at the end of 2010.

Despite the problems with the operating system, the corps have not been sitting idle. In 2009 the Amsterdam-Amstelland corps issued the report *Ongelijkwaardigheid en veiligheid* (Inequality and safety). This theme was put on the agenda by the Board of Chief Commissioners, since it is not only a social risk but also a safety risk if one person's dignity or freedom weighs more in the scale than that of someone else.<sup>39</sup> The report mentions stumbling blocks such as unfamiliarity with the rules within the corps with regard to such matters as the requirement to register a report and the tendency to mediate in cases of discrimination, as well as the disobligingness on the part of the police due to prejudice and stereotypical thinking.

### *10.3.3 The Public Prosecution Service: National Expertise Centre for Discrimination*

Since 1998 the Public Prosecution Service has had its own expertise centre: the National Expertise Centre for Discrimination (Landelijk Expertise Centrum Discriminatie; LECD).<sup>40</sup> As the name suggests, this knowledge point for the Public Prosecution Service is especially entrusted with the subject of discrimination. In each of the eleven regional public prosecutor's offices there is a public prosecutor for discrimination who, because of the specialised character of the material, is responsible for settling cases of discrimination. An advocate general for discrimination works in each of the five public prosecutor's offices at the courts of appeal. In the Board of Procurators General a procurator general is charged with the discrimination portfolio. The method used for registering discriminatory offences is described in section 10.5.

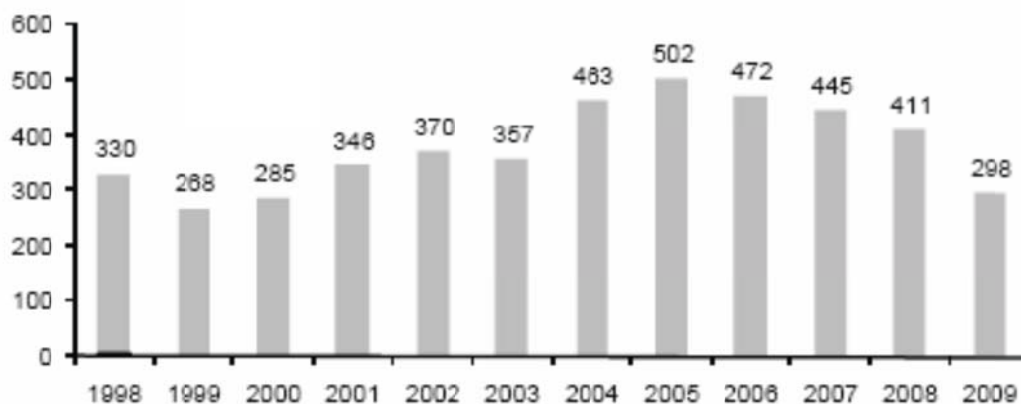
#### 10.4 Statistics: National Police Services Agency (KLPD)

Taking into account the aforementioned challenges to registration facing the police, we continue with the figures concerning discrimination. Thanks to the National Police Services Agency (the KLPD), the Monitor project has had at its disposal a constant supply of the figures that the KLPD has collected on discrimination over the years, making it possible to identify certain trends.

The KLPD uses the Recognition Services System (Herkenningdienst Systeem; HKS), which is *personalised*. That is, it contains data on arrested suspects that are stored by specialised area, which in this case is discrimination. In this system the KLPD can search for arrested persons who were suspected of violating at least one of the anti-discrimination restrictions. The HKS is only concerned with felonies, such as anti-discrimination restrictions 137c-g of the Penal Code. Violations of art. 429quater of the Penal Code – discrimination in the exercise of an office, profession or business but without intent – are not taken into account.

Figure 10.1 shows the changes in the number of suspects arrested for discrimination in the period 1999-2009. After the peak of 2005 a protracted decline set in. In 2009 almost 300 persons were arrested for discrimination (298 to be precise). Only in 1999 and 2000 was there a similar drop below 300 in the number of arrested suspects. At that time, however, the relative decrease in relation to the previous years was not as great as it was in 2009 (a drop of 28% in relation to 2008).

**Figure 10.1** Number of suspects arrested for violation of anti-discrimination restrictions: arts. 137c-g of the Penal Code<sup>41</sup>



Source: KLPD

In the following table, a more specific breakdown by article of the law provides insight into the nature of the decline. Most of the suspects were arrested for discriminatory defamation, in 2009 as well. In 2009 this amounted to 152 persons. That number has not been so low since the figures were first made available (in 1996, 309 of the 531 arrested persons were charged on the grounds of art. 137c of the Penal Code).

The number of people suspected of discrimination in the exercise of an office, profession or

business (art. 137g of the Penal Code) was strikingly low in 2009. While in 2007 and 2008, this accounted for 25% and 33% respectively of the total number of persons arrested for discrimination, in 2009 it was only 19%. Although in 2008 an exceptionally large number of suspect were arrested on the grounds of this article, the drop in 2009 is also significant when compared with the years before 2008. This may indicate a decline in this form of discrimination, but it may also have to do with a problem of observation.

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**Table 10.1 Number of suspects arrested for violation of anti-discrimination restrictions per article of the law in the period 2004-2009<sup>42</sup>**

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Article of the law	2004	2005	2006	2007	2008	2009
137c	254	274	224	165	172	152
137d	147	205	131	143	94	90
137e	54	91	68	47	35	32
137f	6	38	16	15	9	1
137g	73	75	110	98	137	57

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Source: KLPD

### **10.5 Statistics: Public Prosecution Service (OM)<sup>43</sup>**

The figures on the OM's approach to discrimination are made available by the LECD. The ways in which the offices of the public prosecutor register discriminatory offences largely determine the LECD's operating procedure and options. In 2008, after a long delay, the OM began introducing the new GPS registration system.<sup>44</sup> This system distinguishes between standard cases and customised cases. By December 2009, a little less than half the standard cases had been input in the new system, which meant that the plan to switch over completely to GPS by the end of 2009 was not realised. The customised cases, including discrimination, have not yet been entered into the GPS. A pilot project for inputting these cases was started in late 2009. It is now expected that it will be possible to issue the first discrimination figures with the GPS in 2013.<sup>45</sup> Cases of discrimination are still being registered using the old system. COMPAS was the judicial data processing system that the OM previously used to register all information on inflow and settlement.

The data in COMPAS are only accessible by region. For this reason, data from COMPAS are filtered out from the discriminatory offences for the LECD via the ICT department by searching for anti-discriminatory restrictions (arts. 137c-g and 429quater of the Penal Code). According to a study carried out in Amsterdam back in 2004, the absence of general criminal offences is not to be blamed on the system.<sup>46</sup> Announcing the arrival of a new system has not changed this situation, however, even though the introduction of the GPS has been delayed several times. Once the new system is up and running, it is also supposed to provide insight into general criminal offences aggravated by discriminatory behaviour. Another improvement announced by the OM is that the GPS will have a greater data capacity than the old system. Part of the operating procedure is also being reversed. Before a case is input and assigned a public prosecutor's office number, it is checked on the basis of intake criteria to make sure everything is in order. Otherwise it is sent back to the police.

The new operating procedure and the new system have also taken their toll.<sup>47</sup> The training of OM employees has meant diverting time normally spent on regular tasks. Thus fewer cases

have been passed on to the courts.<sup>48</sup> In addition to the delays there are also various risks that come with ‘going full digital’, such as digital privacy protection.

Before moving on to the figures that were provided for 2009, an important closing comment should be made. The figures of the LECD, unlike those of the police, do not reflect the number of persons suspected of discrimination. The OM figures that are dealt with in this section concern discriminatory *offences*. One case may involve several offences, and these are registered separately.<sup>49</sup>

#### 10.5.1 Inflow

In 2009, an unusually small number of discriminatory offences were registered with the OM, as we see in table 10.2. Only in 2001 and 1999 did the number of offences drop just below 200 (198 and 193 respectively).<sup>50</sup> The 160 discriminatory offences for 2009 were well below that mark. There is only one possible explanation for this, and that is that according to the figures from the LECD the Rotterdam public prosecutor’s office registered considerably fewer reports of discrimination than in the two previous years. In 2008 there was a record number of 61 because of the cases against the National Alliance, a right-wing extremist organisation.<sup>51</sup> In 2009 there were only 17 discriminatory offences.<sup>52</sup> This means the Rotterdam region has returned to the low numbers of 2005 and 2006 (17 and 13 respectively).

In addition to registering reports from the public and tracking down suspects, the police are supposed to send their official police reports on to the OM. Earlier Monitors mentioned the need for transparency concerning the inflow of discrimination to the police and the inflow (or referral) to the OM.<sup>53</sup> The difference between the police figures and the OM figures was also considerable in 2009 (298 arrested suspects and 160 incoming discriminatory offences), although a decrease can also be seen in the KLPD figures.

The figures in table 10.2 show a considerably smaller inflow for art. 137c and art. 137g of the Penal Code in 2009. Each article’s proportion of the whole has remained almost constant over the years, however. Approximately three-quarters of the discriminatory offences concern discriminatory defamation, while inciting hatred, discrimination and violence constitutes less than a fifth of all the discriminatory offences. The rest is fairly equally divided among the other anti-discrimination restrictions.

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**Table 10.2 Inflow of discriminatory offences to the OM per article of the law 2005-2009**

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Article of the law	2005	2006	2007	2008	2009
137c	166	187	166	168	119
137d	46	18	27	24	26
137e	10	25	7	19	8
137f	2	1	0	1	0
137g	9	10	16	15	7
429quater	8	5	0	5	0
Total	241	246	216	232	160

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Source: LECD

### 10.5.2 Settlement

With such a low inflow, a drop in settlement figures is also to be expected. Just over 100 fewer settled discriminatory offences in 2009 (194) than in 2008 is a considerable difference. Compared with the inflow, however, the results are not so drastic. The settlement rate of 121% is comparable to that of 2008 (125%), when 291 offences were settled by the OM. Except for a few sudden drops, such as in 2007 (93%), settlements have been 20% higher than inflow for several years. There are a few explanations for this. Offences from earlier years might be settled a year later than their year of inflow. Finally, an offence can be settled with a dismissal against which a complaint is successfully submitted (art. 12 of the Code of Criminal Procedure). In that case, the OM has to prosecute anyway and the case counts twice as settled.

The relatively high number of summonses (71%) is positive. This is higher than the 59% of discriminatory offences for which summonses were served in 2008. Comparing the dismissals for discrimination (18%) with the dismissal rate for *all* punishable offences is also positive. This was 16% in 2008 as it was in 2009.<sup>54</sup> The OM is hereby showing that over the years it has been acting in conformance with the *Discrimination Instruction*.

**Table 10.3 Types of settlement of discriminatory offences by the OM, 2005-2009**

	2005	2006	2007	2008	2009
Summons	152	198	140	173	137
Transaction settlement	35	62	29	48	20
Conditional dismissal	4	4	4	3	3
Dismissal	49	38	28	67	34
Total	240	302	201	291	194

Source: LECD

Table 10.4 concerns settlement by the courts and is also an indication of the performance of the OM. After all, a summons is served in order to reach a conviction for a punishable offence, such as discrimination. One major difference between table 10.4 and table 10.3

**Table 10.4 Cases settled by the courts, 2005-2009**

	2005	2006	2007	2008	2009
Conviction	131	153	89	114	135
Acquittal	10	17	13	27	16
Summons invalid	0	3	1	0	2
Prosecution barred	0	0	0	0	1
Discharge from further prosecution	0	0	0	0	0
Conviction with the imposition of penalty	1	4	1	0	0
Referred to another forum	0	0	1	0	0
Unknown	6	9	2	12	7
Total	148	186	107	153	161

Source: LECD

(Types of settlement of discriminatory offences) is that table 10.3 shows the number of *offences* for which summonses were served by the OM. The table of cases settled by the courts concerns *cases* of discrimination (rather than *offences*). Like the OM, the courts do not always deal with all cases brought to them in the same year, which explains the difference in settlement with that of the OM.

In recent years, the proportion of convictions for *all* offences has decreased slightly from 94% in 2004 to 91% in 2008.<sup>55</sup> It is not possible to deduce from the documents how many convictions there were for the cases brought by the OM in 2009 regarding discrimination. For cases of discrimination, this ‘success rate’ is usually a bit below average (still just above 80%), with a dip in 2008 to 75%. In 2009 it rose again to its old level (84%).

### *10.5.3 Factors behind discriminatory offences*

Section 10.5 describes the LECD’s general methodology. The figures in this section were obtained in another way. In addition to data from COMPAS, the LECD also gathers information via the Discrimination Registration Code (DRC), which is a uniform questionnaire sent to the regional public prosecutor’s offices that provides information on who is discriminating, who is being discriminated against and where.

Why do we want to know what is being reported on discrimination to the police (and sometimes the OM)? It is in the public interest that an adequate system for the protection of minorities be implemented in order to guarantee a peaceful society. Besides guaranteeing specific standards for minorities, such a system also includes non-discrimination.<sup>56</sup> Gaining a clear picture of the types of and grounds for discrimination helps the government perform this task, so that the rights of one person do not outweigh those of any other – at least not on the basis of irrelevant personal characteristics or grounds.

Why do we want to know more about the suspects than just their names and addresses when a case is tried? Discrimination is not always easy to establish. A fight between a young man of Dutch ethnicity alone and a young man of both Dutch and Indonesian nationality takes on different connotations if it is known that the Indonesian youth is a member of a militant Islamic movement, the Dutch boy has White Power tattoos or that the fight had to do with an overdue group assignment at school. Knowing more about the suspect is therefore important so that discriminatory incidents that reach the police and the Public Prosecutor can be registered as precisely as possible and the response can be appropriate. In the case of suspects who discriminate *repeatedly*, the legal possibility to increase the severity of the sentence, which is already provided in the anti-discrimination restrictions, can thereby be employed more effectively.

Discrimination is often expressed in forms that are different from those prohibited in the anti-discrimination articles. Examples include the kind of violence described above, threats, arson and other criminal offences aggravated by discriminatory behaviour. Data about a suspect can help establish such discriminatory behaviour. Although it is not visible in the registration, information on people charged with criminal offences aggravated by discriminatory behaviour is important to the individual case. According to the *Discrimination Instruction*, the demanded punishment must then be increased in order to reflect the presence of discrimination as a special objectionable feature.

Looking back at the Discrimination Registration Code (DRC) and the figures it produced for 2009, the following sections have to do with who was discriminated against (the victims) and who did the discriminating (the suspects).

#### 10.5.4 Grounds for discrimination

The anti-discrimination restrictions in the Penal Code provide the grounds on which people may not be excluded or offensively addressed. Information on all six grounds is obtained using the DRC.<sup>57</sup> The registry of the OM supplements this, however (as do the police in *Poldis 2009*). In addition to the legal grounds for discrimination, anti-Semitic incidents are also registered. When anti-Semitism is indicated, it is not always clear whether the discrimination is based on race or religion. A separate category in the registry obviates this indistinctness.

Of all the grounds, discrimination on the grounds of race (51%) and anti-Semitism (35%) appear most frequently in the statistics. The figure of 7% for discrimination on the grounds of religion or personal beliefs follows in third place, which is a drop of 10% over 2008. Gender (0% for years, with the exception of 1% for 2008), disability (consistently 0%), and sexual orientation (a stable 4% since 2007) comprise hardly any incidents, as table 10.5 shows.

**Table 10.5** Grounds for discrimination, 2005-2009

	2005	2006	2007	2008	2009
Race	46%	55%	67%	69%	51%
Anti-Semitism	23%	33%	19%	17%	35%
Religion/personal beliefs	6%	6%	7%	10%	7%
Homosexual orientation	3%	2%	4%	4%	4%
Gender	0%	0%	0%	1%	0%
Disability	0%	0%	0%	0%	0%
Other grounds	21%	0%	0%	0%	1%
Unknown	1%	3%	1%	0%	2%
Total	100%	100%	100%	100%	100%

Source: LECD

The first salient detail is the 18% drop from 2008 to 2009 for the grounds of race and the increase in the percentage of anti-Semitic discriminatory offences. One explanation for the latter may be the close connection between the grounds of anti-Semitism and international political developments, such as the Gaza war in the beginning of 2009.<sup>58</sup> Another possibility is that people have discovered the route to the media and the police station. For many years, discrimination on the grounds of race has been the most frequently registered and rapidly growing problem in the fight against discrimination. This trend came to an end, at least partly, in 2009 (as did the figures of the police in *Poldis 2009*).

In table 10.6, the grounds of race are broken down even further. At first glance, discrimination on the grounds of skin colour seems to have been registered with the same relative frequency as it was in 2008, and the registration of discrimination on the grounds of 'national or ethnic origins' seems to have decreased. As in previous years, it is still unclear how this categorisation is done. In what category does discrimination against an Antillean woman belong, for example? Is she being discriminated against because of her gender, her skin colour or her national or ethnic origins? Or all three perhaps? If the various public prosecutor's offices were to impose consistency in registration, the total picture of this form

of discrimination would be more reliable. Whether the public prosecutor's offices are engaged in a consistent practice is not apparent from the figures, but the LECD intends to promote consistency through its activities.

**Table 10.6 Race as grounds for discrimination, 2005-2009**

	2005	2006	2007	2008	2009
Skin colour	29%	27%	21%	22%	22%
— Negroid	29%	17%	14%	11%	16%
— Coloured (not negroid)		9%	6%	11%	5%
— White		2%	0%	1%	1%
National or ethnic origins	17%	28%	47%	47%	29%
— Surinamese/Antilleans	3%	3%	5%	5%	2%
— Turks/Moroccans	15%	11%	20%	26%	12%
— Roma/Sinti		0%	0%	0%	1%
— Ethnic minorities/ foreigners		9%	15%	13%	11%
— Other national or ethnic origins		6%	6%	2%	2%
Total	46%	55%	67%	69%	51%

Source: LECD

Nevertheless, it would clear things up considerably if the various minorities and population groups were listed in the sub-table to replace the current breakdown by skin colour and origins. This method would also eliminate the need to use the none too neutral term 'negroid' or to place Turks and Moroccans in the same group. It is also striking that in the figures of the OM there is a 14% drop for these two groups. In *Poldis 2009*, where discrimination against Moroccans and Turks is registered in separate categories, there is only a drop for the Turks. The number of registered incidents concerning the Moroccans increased by 17%.<sup>59</sup>

#### 10.5.5 Suspects

Most of those suspected of discrimination are young men. Since 2005 there have been more suspects from other age groups, and the category '19 years and younger' is no longer so strikingly overrepresented. We know that there is a general tendency to punish young people more quickly, but they also commit serious crimes less frequently.<sup>60</sup> The overwhelming majority can be punished with an alternative settlement such as community rehabilitation. In 2009, 40% of the suspects were between 20 and 39 years of age, one-third were under the age of 19 and one-quarter were between 40 and 64. The percentage of male suspects fluctuates between 86% and 90%.

Because of the small numbers it is difficult to recognise trends. Table 10.7 does indicate that discrimination based on political and religious convictions was registered somewhat more frequently in 2009 than in previous years, but five of the six are offences charged to Wilders. What is also striking is the drop in the number of white suspects and suspects with right-wing extremist sympathies. These numbers comprise non-racial violence or punishable offences other than the anti-discrimination restrictions. They are partly offset by the data as discussed



in chapter 2, ‘Racial and right-wing extremist violence in 2009.’

There are a growing number of suspects whose ethnic background is unknown. When combined with the categories ‘Other non-white private’, ‘Other’ and ‘Unknown’, this raises questions concerning the added value of these last two categories. As with the registration of grounds for discrimination, a transparent and consistent registration method must be used to produce reliable data.

**Table 10.7 Suspects of discriminatory incidents, 2005-2009**

	2005	2006	2007	2008	2009
Extreme right	30	51	26	24	13
Religion/personal beliefs	0	0	1	1	6
Political convictions	2	2	1	1	6
By investigating officer	4	2	3	1	0
Private individual,					
Surinamese/Antillean	2	1	2	4	1
Private individual,					
Turkish/Moroccan	3	5	14	15	20
Other non-white, private individual	2	7	2	2	2
White, private individual	185	144	152	178	88
Private individuals (ethnic background unknown)	8	17	14	5	18
Other	3	8	1	0	2
Unknown	2	9	0	1	6
Total	241	246	216	232	160

Source: LECD

One closing remark that should be made about the suspects is that in 2009 not one investigating officer was suspected of discrimination. The police have their own complaints commissions where complaints of discrimination may be registered. May be, because most complaints are recorded under the heading ‘treatment’, which makes it almost impossible to tell whether the complaint has anything to do with discrimination.<sup>61</sup> Insofar as the complaints are already published – and publication is compulsory – the *decision* taken about a complaint is not published. There is no central, national registration of the complaints being lodged, nor do the annual reports of the various police regions provide a definite answer. In short, it is quite difficult to obtain information on this point. Without further investigation it is impossible to determine whether complaints of discrimination on the part of investigating officers should instead be lodged with the police and OM rather than the complaints commissions.

For several years a descending trend has already been spotted among the anti-discrimination agencies (ADVs), where no final judgement is made as to whether the complaint was justified or not. In 2008 and 2009 there were 198 and 282 complaints respectively. The lion’s share of the complaints concern the regional police corps.<sup>62</sup> This suggests that people prefer approaching an ADV with complaints of discrimination by an investigating officer rather

than the police themselves. One possible explanation is that anyone with a complaint about the behaviour of an official from the criminal justice chain would be reluctant to report it to the same chain. Nevertheless, the improbably low number of investigating officials who are suspected of discrimination presents a problem with regard to the balance and transparency of these figures. This is all the more serious in light of the fact that special records *are* kept of the frequency with which police officers are the victims of discrimination – even though this is not grounds protected in the anti-discrimination articles.<sup>63</sup>

## 10.6 Conclusion

Results from the present research, and from the chapter in the Racial Discrimination Monitor of the same name, show that racial discrimination, including anti-Semitism, accounts for the lion's share of the figures. The government's response to the latter reflects its concern about the fragmentation of the figures and endorses the researchers' warning about promulgating generalities.<sup>64</sup> So it is surprising to see that this is exactly what the government does in its response to international criticism when it uses the same figures to deny that Dutch society is becoming more harsh. The police registration of discrimination is vulnerable to regional shifts in focus and personnel, but in *Poldis* the criminal offences aggravated by discriminatory behaviour are also reported. As for the OM, it is still not possible to generate statistics that contain both the anti-discrimination articles and criminal offences aggravated by discriminatory behaviour. The rollout of the GPS registration system was held in 2006, and it is expected to produce its first figures in 2013.

Mindful of the problems facing registration that occur when new computer systems are introduced (GPS for the OM and BVH for the police), it is possible to point out a few general changes and trends. The number of *suspects arrested* for discrimination was 298 in 2009 and still 411 in 2008, while *Poldis* shows a smaller decrease by 26 *incidents* (2,212 in 2009 and 2,238 in 2008). The OM reported an inflow of only 160 *discriminatory offences* in 2009 and 194 settled (in 2008 that was 232 and 291 respectively). Comparison of these figures is difficult owing to the use of different registration methods, but they do show that the proportion based on racial grounds has dropped for the first time in a long time.

When the grounds of race is broken down, it is striking that the OM figures show a decrease of 14% for Turks and Moroccans, who are registered in the same category. In *Poldis 2009*, where the discrimination against Moroccans and Turks is registered in separate categories, there is only a decrease for the Turks. The number of registered incidents involving Moroccans increased by 17%.

Additional observations include the improbably low number of investigating officials suspected of discrimination and the fact that special records are kept of how frequently a police officer is a victim of discrimination – without this being grounds that are protected in the anti-discrimination articles. This method of registration is problematic with regard to the balance and transparency of the figures and the policy on which they are based. In the policy reaction to *Poldis 2009*, measures are mentioned for improving the quality of registration, but this imbalance is not among them.

Criminal law and the corresponding policy regulations, along with the anti-discrimination restrictions, provide a formal answer to the question of when one can speak of discrimination. The next question is what to do with the gathered data. Registration is not a goal in itself; it is a means by which the instruments used to tackle this form of criminality are more effectively employed. Recognising the need for registration entails not only the effort involved in the registration itself but also the critical evaluation of the effort in terms of its effectiveness. This also requires looking at new and existing government regulations.

The small number of reports of discrimination remains an area of concern, as it does in *Poldis*

2009 and the government's reaction to it. One reason for the reduced willingness to report is the lack of trust in the usefulness of reporting and in the agencies that serve as reporting centres. Several international reports that are referred to in this chapter point out that members of minority groups are more frequently stopped – disproportionately more frequently – and asked for their identity cards, questioned and searched than native Dutch people. In addition, according to the Commissioner for Human Rights of the Council of Europe, ethnic profiling is often applied to groups that are already frequently exposed to discrimination.<sup>65</sup> This is disastrous for trust in the police and the government, which should be attempting to strike the right balance between the government's two tasks: safety and protection of the rule of law. In addition to evaluating the effectiveness of the measures being taken, such as the use of the Young People at Risk Reference Index or preventive searches, attention should also be paid to the aforementioned effects.

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## Notes

<sup>1</sup> The researcher would like to thank those involved who made the figures available and provided the given explanations.

<sup>2</sup> M. Davidović, 'Discriminatieverboden en de strafrechtelijke aanpak in 2008', in: I. Boog et al. (eds.), *Monitor Rassendiscriminatie 2009*, Rotterdam: Landelijk expertisecentrum van Art.1 2010, pp. 205-220.

<sup>3</sup> I.C. van de Vlies, 'Discriminatie naar nationaliteit', *Nederlands Juristenblad* (NJB), 85 (2010) 6, p. 8.

<sup>4</sup> R. Delsol, *Addressing ethnic profiling by police: a report on the strategies for effective police stop and search project*, New York, NY: Open Society Institute 2009, <[http://www.soros.org/initiatives/justice/focus/equality\\_citizenship/articles\\_publications/publications/profiling\\_20090511](http://www.soros.org/initiatives/justice/focus/equality_citizenship/articles_publications/publications/profiling_20090511)> (4 October 2010); R. Neild, *Ethnic profiling in the European Union: pervasive, ineffective and discriminatory*, New York, NY: Open Society Institute 2009,

<[http://www.soros.org/initiatives/justice/focus/equality\\_citizenship/articles\\_publications/publications/profiling\\_20090526](http://www.soros.org/initiatives/justice/focus/equality_citizenship/articles_publications/publications/profiling_20090526)> (4 October 2010); I. Goris, F. Jobard & R. Levy, *Profiling minorities: a study of stop-and-search practices in Paris*, New York, NY: Open Society Institute 2009,

<[http://www.soros.org/initiatives/justice/focus/equality\\_citizenship/articles\\_publications/publications/search\\_20090630](http://www.soros.org/initiatives/justice/focus/equality_citizenship/articles_publications/publications/search_20090630)> (4 October 2010). For more studies see <[http://www.soros.org/initiatives/justice/focus/equality\\_citizenship/articles\\_publications/sub\\_listing](http://www.soros.org/initiatives/justice/focus/equality_citizenship/articles_publications/sub_listing)> using the search term 'profiling'.

<sup>5</sup> F. Bovenkerk, *Wie is de terrorist? Zin en onzin van ethnic profiling*, Utrecht: FORUM 2009.

<sup>6</sup> *EU-MIDIS: European Union Minorities and Discrimination Survey. Data in Focus Report 2: Muslims*, Vienna: European Union Agency for Fundamental Rights 2009, <[http://fra.europa.eu/fraWebsite/attachments/EU-MIDIS\\_MUSLIMS\\_EN.pdf](http://fra.europa.eu/fraWebsite/attachments/EU-MIDIS_MUSLIMS_EN.pdf)> (7 August 2009).

<sup>7</sup> (Preventive) search policy is provided for in the Code of Criminal Procedure (art. 55b, in which a suspicion of a punishable offence is required), and the Weapons and Ammunition Act (arts. 50-52) and the Municipalities Act (art. 151b, designation of security risk area), without suspicion of a punishable offence being required.

<sup>8</sup> R. Salet, 'Preventief fouilleren als praktijk: van proefballon tot symbolische maatregel', *NJB*, 84 (2010) 27, pp. 1724-1728. Besides the studies from the Open Society Institute already mentioned, also see M. Arbouw, 'Ons selectief fouilleerbeleid', *Amsterdam Centraal*, 24 October 2007,

<<http://www.amsterdamcentraal.nl/archief/2007/10/24/ons-selectief-fouilleerbeleid>> (27 July 2010).

<sup>9</sup> Ellen de Bruin, 'Een man krijgt wél die cursus: sociaal psycholoog Naomi Ellmers over alledaagse discriminatie', *NRC Handelsblad*, 3 November 2009, p. 8. For the research work of Naomi Ellmers, see KNAW Onderzoek Informatie <<http://www.onderzoekinformatie.nl/nl/oi/socialewetenschap/psychologie/PRS1241325/>> (17 August 2010).

<sup>10</sup> Also see the speech by Eduard Nazarski during the awarding of the 2009 Police Diversity Prize, 'Politiewerk in Europees mensenrechtenperspectief', 6 April 2010, <<http://www.websitevoordepolitie.nl/archief/politiewerk-in-europees-mensenrechtenperspectief-742.html>> (27 July 2010).

<sup>11</sup> *Staatsblad* (*Stb.*) 1971, 96. After these provisions were introduced, a few amendments proved necessary. First, article 429quater of the Penal Code – which prohibits discrimination in running a business or practising a profession – was tightened up (*Stb.* 1981, 306). Then the anti-discrimination restrictions were tightened up as of 1 February 1992 and new grounds for discrimination were added (*Stb.* 1991, 623).

<sup>12</sup> Committee on the Elimination of Racial Discrimination, *Consideration of reports submitted by states parties under article 9 of the Convention: concluding observations of the Committee on the Elimination of Racial*

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*Discrimination, seventy-sixth session 15 February – 12 March 2010: Netherlands*, Geneva: Office of the United Nations High Commissioner for Human Rights 2010, <<http://www2.ohchr.org/english/bodies/cerdoc/docs/co/CERD-C-NLD-CO-18-20.doc>> (4 October 2010).

<sup>13</sup> *Stb.* 1971, 96.

<sup>14</sup> *Stb.* 2009, 245 and *Stb.* 2010, 139.

<sup>15</sup> M. Malsch et al., *Beroepsverboden in Nederland: de strafrechtelijke ontzetting uit beroep of ambt nader bekeken*, The Hague: Boom Juridische Uitgevers 2010.

<sup>16</sup> *Kamerstukken II* 2009/10, 32203, no. 4. Also see Raad van State, 'Advies over afschaffing verbod op godslastering', 26 January 2010 <[http://www.raadvanstate.nl/adviezen/samenvattingen/samenvatting/?summary\\_id=39](http://www.raadvanstate.nl/adviezen/samenvattingen/samenvatting/?summary_id=39)> (17 August 2010).

<sup>17</sup> *Staatscourant (Stcrt.)* 2007, 233.

<sup>18</sup> Compare C. Brants, R. Kool & A. Ringnalda, *Strafbare discriminatie*, The Hague: Boom Juridische Uitgevers 2007 p. 22, <<http://www.wodc.nl/onderzoeksdatabase/strafmaat-discriminatiezaken.aspx>> (18 August 2008).

<sup>19</sup> Landelijk Expertise Centrum Diversiteit, *Diversiteit, een onomkeerbare realiteit: jaarverslag 2009*, Apeldoorn: Politieacademie 2010, p. 39

<<http://www.lecd.nl/Algemeen/publicaties/Documents/100308%20LR%2010-015%20Jaarverslag%202009%20-%20A4%20Landscape%20spread.pdf>> (4 October 2010).

<sup>20</sup> *EU-MIDIS at a glance: introduction to the FRA's EU-wide discrimination survey*, Vienna: European Union Agency for Fundamental Rights 2009, <[http://fra.europa.eu/fra-Website/eu-midis/eumidis\\_glance\\_en.htm](http://fra.europa.eu/fra-Website/eu-midis/eumidis_glance_en.htm)> (4 August 2009).

<sup>21</sup> *EU-MIDIS: European Union Minorities and Discrimination Survey. Data in Focus Report*

2: *Muslims*. Also see M. Coenders, I. Boog & W. Diensbach, 'Discriminatie-ervaringen: een onderzoek naar ervaren discriminatie op grond van land van herkomst, geloof en huidskleur', in: I. Boog et al. (eds.), *Monitor Rassendiscriminatie 2009*, pp. 33-74.

<sup>22</sup> *Report by the Commissioner for Human Rights, Thomas Hammarberg, on his visit to the Netherlands 21-25 September 2008*, CommDH(2009)2, Strasbourg: Council of Europe 2009,

<<http://www.unhcr.org/refworld/docid/49b798190.html>> (27 July 2010); for the government response, see *Kamerstukken II* 2008/09, no. 31 700 V, no. 95; ECRI, *Derde rapport over Nederland*, Strasbourg: European Commission against Racism and Intolerance, 12 February 2008 <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Netherlands/NLD-CbC-III-2008-3-NLD.pdf>> (7 August 2009); for the government response, see *Kamerstukken II* 2007/08, 30950, no. 12.

<sup>23</sup> *Hate crimes in the OSCE region – incidents and responses: annual report for 2008*, Vienna: OSCE Office for Democratic Institutions and Human Rights 2009, <[http://www.osce.org/publications/show\\_publication.php?id=41314](http://www.osce.org/publications/show_publication.php?id=41314)> (4 October 2010).

<sup>24</sup> W. Dinsbach, M. Coenders & I. Boog, *Kerncijfers 2009: landelijk overzicht van discriminatieklachten geregistreerd bij antidiscriminatiebureaus en meldpunten in Nederland*, Rotterdam: Art.12010,

<<http://www.art1.nl/scripts/download.php?document=839>> (30 August 2010).

<sup>25</sup> *Ibid.*, pp. 9-10.

<sup>26</sup> *Stcrt.* 2010, 959 <<https://zoek.officielebekendmakingen.nl/stcrt-2010-959.pdf>> (17 August 2010).

<sup>27</sup> See the website of the Landelijk Expertise Centrum Diversiteit, <<http://www.lecd.nl/>> (6 July 2010).

<sup>28</sup> Landelijk Expertise Centrum Diversiteit, *Diversiteit, een onomkeerbare realiteit: jaarverslag 2009*, p. 11.

<sup>29</sup> F. Tas & W. de Wit, *Poldis 2008: criminaliteitsbeeld discriminatie*, Apeldoorn: Politieacademie 2009, <<http://www.rijksoverheid.nl/bestanden/documenten-en-publicaties/rapporten/2009/06/25/criminaliteitsbeeld-discriminatie-2008/criminaliteitsbeelddiscr.pdf>> (30 August 2010); Also see *Kamerstukken II* 2008/09, 30 950, no. 15.

<sup>30</sup> W. de Wit & E. Sombekke, *Poldis 2009: criminaliteitsbeeld discriminatie*, Nijmegen: ITS, Radboud University 2010, <<http://www.rijksoverheid.nl/bestanden/documenten-en-publicaties/rapporten/2010/07/20/Poldis-2009-het-landelijkcriminaliteitsbeeld-discriminatie-van-de-politie/Poldis-2009-criminaliteitsbeelddiscriminatie.pdf>> (13 September 2010).

<sup>31</sup> *Ibid.*, p. 1.

<sup>32</sup> *Ibid.*, p. 24.

<sup>33</sup> *Kamerstukken II* 2010/11, 32 123 VII, no. 74, pp. 9-10.

<sup>34</sup> *Ibid.*, p. 2.

<sup>35</sup> *Ibid.*, p. 3.

<sup>36</sup> E.J. Hamel, 'Politie: onze statistieken zijn onbetrouwbaar', *Webwereld*, 26 January 2010 <<http://webwereld.nl/nieuws/64959/politie--onze-statistieken-zijn-onbetrouwbaar---update.html>> (3 August 2010).

<sup>37</sup> See *Toelichting op het Jaarverslag 2009*, Zwolle: Politie Regio IJsselland <[http://www.politie.nl/IJsselland/OverDitKorps/Resultaten/01toelichting\\_1.asp](http://www.politie.nl/IJsselland/OverDitKorps/Resultaten/01toelichting_1.asp)> (3 August 2010); *Voortgangsgesprek*

- politiekorps IJsselland*, Zwolle: Politie Regio IJsselland 2010, <[http://www.politie.nl/IJsselland/Images/5%20agendapunt%203%20voortgangsgesprek%20politie%20ijsselland%20en%20bzk\\_tcm9-582584.pdf](http://www.politie.nl/IJsselland/Images/5%20agendapunt%203%20voortgangsgesprek%20politie%20ijsselland%20en%20bzk_tcm9-582584.pdf)> (3 August 2010).
- <sup>38</sup> Landelijk Expertise Centrum Diversiteit, *Diversiteit, een onomkeerbare realiteit: jaarverslag 2009*, p. 40.
- <sup>39</sup> *Ongelijkwaardigheid en veiligheid*, Amsterdam: Regiopolitie Amsterdam-Amstelland 2009, p. 8.
- <sup>40</sup> See the website of the Public Prosecution Service, <[http://www.om.nl/onderwerpen/discriminatie/landelijk\\_expertise/](http://www.om.nl/onderwerpen/discriminatie/landelijk_expertise/)> (6 July 2010).
- <sup>41</sup> The figures from 2009 will be processed a second time to overcome disparities in the regional police force, after which the number will probably be higher.
- <sup>42</sup> The total is not included in this table because one suspect may have been arrested for several anti-discrimination restrictions.
- <sup>43</sup> Unless otherwise indicated, the information in the introductory section was obtained from the *OM Jaarbericht Online 2009* <[http://www.jaarberichtom.nl/jaarverslag-2009/typeinfo.belinfo/aDU1026\\_GPS-in-de-praktijk.aspx](http://www.jaarberichtom.nl/jaarverslag-2009/typeinfo.belinfo/aDU1026_GPS-in-de-praktijk.aspx)> (29 July 2010).
- <sup>44</sup> GPS was tested and found acceptable in 2005, and ‘according to the plan, GPS will be introduced in all the public prosecutors’ offices in 2007’, Public Prosecution Service, *Jaarbericht 2005*, p. 37, <[http://www.om.nl/publish/pages/93896/Jaarbericht\\_2005.pdf](http://www.om.nl/publish/pages/93896/Jaarbericht_2005.pdf)> (29 September 2010). GPS stands for *Geïntegreerd Processysteem Strafrecht* (Integrated Criminal Law Processing System). Public Prosecution Service, *Jaarbericht 2009*, <[www.jaarberichtom.nl](http://www.jaarberichtom.nl)> (22 July 2010), p. 11.
- <sup>45</sup> *Kamerstukken II 2010/11*, 32 123-VII, no. 74, p. 9.
- <sup>46</sup> P.R. Rodrigues, ‘Opsporing en vervolging in 2005’, in: J. van Donselaar & P. R. Rodrigues (eds.), *Monitor Racisme & Extremisme: zevende rapportage*, Amsterdam: Anne Frank House / Leiden University 2006, p. 188.
- <sup>47</sup> Also see E.J. Hamel, ‘Politie: onze statistieken zijn onbetrouwbaar’
- <sup>48</sup> *De rechtspraak: kengetallen gerechten 2009*, p. 66, <<http://www.rechtspraak.nl/Gerechten/RvdR/Publicaties/Jaardocumenten.htm>> (22 July 2010).
- <sup>49</sup> Only cases in the first instance are considered. The courts of appeal and the Supreme Court are not taken into account.
- <sup>50</sup> J. van Donselaar & P.R. Rodrigues, *Monitor racisme & extreem-rechts: zesde rapportage*, Amsterdam: Anne Frank House / Leiden University 2004, p. 95 and J. van Donselaar & P.R. Rodrigues, *Monitor racisme & extreem-rechts: vijfde rapportage*, Amsterdam: Anne Frank House / Leiden University 2002, p. 129.
- <sup>51</sup> *Cijfers in beeld: discriminatiecijfers 2008: overzicht discriminatiecijfers 2004-2008*, Amsterdam: Landelijk Expertise Centrum Discriminatie 2009, p. 5.
- <sup>52</sup> This table is not included in this chapter.
- <sup>53</sup> See M. Davidović, ‘Discriminatieverboden en de strafrechtelijke aanpak in 2008’, p. 212 and M. Davidović & P.R. Rodrigues, ‘Opsporing en vervolging in 2007’, in: J. van Donselaar & P.R. Rodrigues (eds.), *Monitor Racisme & Extremisme: achtste rapportage*, Amsterdam: Anne Frank House / Leiden University 2008, p. 212.
- <sup>54</sup> Public Prosecution Service, *Cijfers 2008*, pp. 11 and 18, <<http://www.om.nl/publish/pages/99445/jb08defcijferboekje090409.pdf>> (7 August 2009) and Public Prosecution Service, *Jaarbericht 2009*, <[www.jaarberichtom.nl](http://www.jaarberichtom.nl)>. (22 July 2010), search term ‘Kerncijfers’.
- <sup>55</sup> Public Prosecution Service, *Cijfers 2008*, p. 12.
- <sup>56</sup> M. Ambrus, *Enforcement mechanisms of the racial equality directive and minority protection: theory and four cases studies: the interpretation of the enforcement provisions of the racial equality directive, their implementation in four member states (Belgium, Estonia, Hungary and the Netherlands) and their implications for minority protection* (doctoral dissertation University of Groningen), Utrecht: Eleven International Publishing 2010.
- <sup>57</sup> Race, religion or personal convictions, gender, heterosexual or homosexual orientation or physical, psychological or mental disability.
- <sup>58</sup> See chapter 7 (Anti-Semitism) of this Monitor
- <sup>59</sup> W. de Wit & E. Sombekke, *Poldis 2009: criminaliteitsbeeld discriminatie*, p. 5.
- <sup>60</sup> *Kamerstukken II 2009/10*, 31101, no. 8.
- <sup>61</sup> P.R. Rodrigues, ‘Politie en justitie’, in: I. Boog et al. (eds.), *Monitor Rassendiscriminatie 2009*, p. 129.
- <sup>62</sup> W. Dinsbach, M. Coenders & I. Boog, *Kerncijfers 2009*, p. 46.
- <sup>63</sup> Also see W. de Wit & E. Sombekke, *Poldis 2009: criminaliteitsbeeld discriminatie*, p. 17: 176 incidents were registered, which is a 7.5% decrease over 2008.
- <sup>64</sup> *Kamerstukken II 2009/10*, 30950 no. 18 <<https://zoek.officielebekendmakingen.nl/kst-30950-18.html> en bijlage bij kamerstuk <<https://zoek.officielebekendmakingen.nl/blg-72026.pdf>>.
- <sup>65</sup> T. Hammarberg, *Viewpoint: Stop and searches on ethnic or religious grounds are not effective*, Strasbourg: Council of Europe, Commissioner for Human Rights 2009, <[http://www.coe.int/t/commissioner/Viewpoints/090720\\_en.asp](http://www.coe.int/t/commissioner/Viewpoints/090720_en.asp)> (30 August 2010).

## 11 Concluding Remarks

*Peter R. Rodrigues and Jaap van Donselaar*

The *Racism & Extremism Monitor* is a research-based collaborative project of the Anne Frank House and Leiden University. The aim of the Monitor is to investigate the various forms of racism and extremism – and responses to these phenomena – and to publish the results in periodical reports. This means looking at forms of expression and forms of exclusion. Different kinds of victims *and* perpetrators are also identified, involving either native Dutch or ethnic minorities. The response to racism and extremism can vary, in terms of kind – legal, administrative and political, for example – and in terms of actors – such as governmental authorities, media, politicians and civil society.

The recurrent monitoring of racism and extremism, as well as the responses to these phenomena, serves a range of objectives. It seeks to contribute to the general understanding of the problem itself and to finding solutions to racism and extremism as social problems. The longitudinal research that is conducted, and the periodical reports ensuing from it, result in an accumulation of knowledge. A picture emerges of developments over the somewhat longer term. In addition to recurring themes, the Monitor project also deals with new subjects of research.

In this eighth report of the Racism & Extremism Monitor, the following subjects are examined:

- racial and right-wing extremist violence;
- right-wing extremist groups;
- the extreme right and the discriminatory quality of the PVV;
- Islamic extremism in the Netherlands;
- Islamic extremism in police practice;
- anti-Semitism;
- antiziganism;
- the consequences of stigma;
- anti-discrimination restrictions.

This final chapter consists of two parts. The results and conclusions are presented in each of the separate chapters. In the first part of this chapter these will be repeated, not *in extenso* but briefly summarised. In the second part a few conclusions will be drawn based on these chapters that go a bit further than the individual reports. This analysis will concentrate on the fundamental tension between freedom of expression and the anti-discrimination restrictions.

### *Racial and right-wing extremist violence in 2009*

The year 2009 had the lowest number of violent incidents (148) since the Monitor began its research in 1997. The explanation for this may have to do with the decrease in the number of right-wing extremist street activists as well as with the vanishing problem of the Lonsdale youth. In the period covered by this Monitor report, the decrease in violence against Muslims and Muslim targets is particularly striking. Two important comments should be made with regard to the violence figures: 1) in all probability the inventory on which our findings are based suffered from underreporting, i.e. the failure to report incidents to the police; and 2) recent survey studies show a trend of stabilisation rather than a decrease in violence. This makes it difficult to answer any questions regarding the scale of racial violence in the Netherlands in 2009.

### *Right-wing extremist groups*

Over the past Monitor period there was a decline in the importance of the classical extreme right. Support for street groups with a National Socialist orientation has shrunk and the number of right-wing extremist demonstrations has decreased. This was partly caused by internal conflicts within these groups and the failure to attract new followers. With the disappearance of the Lonsdale youth culture a potential source of new supporters dried up. In addition to this decline in followers there are also signs that a number of groups are undergoing a certain measure of ‘professionalisation’: group members are more careful and considered in the way they confront their opponents. There is also a stronger international orientation among some right-wing extremist groups.

### *The extreme right and the discriminatory quality of the PVV*

The PVV can be seen as the new extreme right. The comments made by Wilders have not become less harsh over the past few years, and this designation is all the more applicable given the content of the PVV party platform. Wilders’s ideas also have an international appeal. The groups with which the PVV maintains contact were chosen on the basis of a similar view of Israel and the absence of anti-Semitism. The measure of radicalism is not a criterion.

As the criminal proceedings against Wilders continue, earlier pronouncements by the European Court of Human Rights will be of importance. These state that while politicians may be allowed more freedom of expression, a national conviction may be sustained if there is evidence of inciting hatred and intolerance.

### *Islamic extremism in the Netherlands*

Islamic extremism is a worldwide, socio-political movement whose most radical elements express themselves through terrorist actions. This extremism is based on Salafist jihadism, an ideology that is singularly characterised by mechanisms of exclusion. Important factors that have played a role in the development of Islamic extremism are the growing presence of the West in Islamic countries and the increased migration from Islamic to Western countries.

There is also support for Islamic extremism in the Netherlands. The Islamic networks consist largely of young people. Some second-generation young people see Islamism as an alternative to the traditional values of their parents and the values of the secular society in which they must find their way. The search for identity has proven to be an important factor in the process of radicalisation. Another factor is social protest, prompted to no small degree by the experience of social discrimination and exclusion.

The internet has made it much easier to gain access to extremist groups and their ideology over the past decade. This medium has enabled young people to construct their own versions of their faith and to make trans-border contacts. To illustrate the ideological components of extremist doctrine, an analysis was given of texts from now dismantled Dutch networks in which young people participated.

### *Islamic extremism in police practice*

What exactly are we talking about when we say ‘Islamic extremism’, and what kinds of incidents have taken place? The incidents with which the police were confronted in 2009 can be broken down into threats, bomb scares, white powder letters, assaults, missing identity documents and possible indications of extremist violence. The research produced no clear indications of an actual attack and few definite cases of violence. What is clear is that in 2009 there was a high level of perceived threats, which received intensive police attention. The vast majority of these threats could be identified as false alarms, so their connection with

Islamic extremism amounted to no more than a fear of such extremism. This does not mean that the danger of Islamic extremism does not exist, the authors argue. Terrorism is a form of psychological warfare in which the whole point is to create fear. This effect is clearly reflected in the incidents of 2009. Despite all indications to the contrary, however, vigilance is in order.

#### *On gas chambers, Jewish Nazis and noses*

Anti-Semitism has a long history which reached its absolute low with the Holocaust. How has anti-Semitism developed in the Netherlands since then? An important factor influencing this development has been the Israeli-Palestinian conflict. Thus the slogan encouraging the retroactive return of Jews to the gas chambers is often linked to the Palestinian Hamas: an expletive that is also used by football hooligans against Ajax football players. Causes can be found in the 'blaming the victim' paradox and the growing opposition to the dominance of the Holocaust in the Western world. There is also evidence of a fatal triangle consisting of anti-Semitism, anti-Zionism and criticism of Israel. The New Dutch play an important role in this. In today's era of globalisation, the internet is an exceptionally effective instrument for spreading anti-Semitism, with cross-references to the most diverse groups and individuals. The conclusion is that anti-Semitism is multifunctional, since there's something in it for everyone.

#### *Antiziganism*

In the Netherlands there is still little systematic knowledge available concerning the discrimination of Roma and Sinti. The arrival of people from states that have recently joined the European Union has resulted in new Roma coming to the Netherlands from Poland, Bulgaria and Romania and other countries. There is also a relatively large number of stateless people among the Roma, who usually congregate along the margins of society. To avoid the structural deprivation and marginalisation of these target groups, the government must be more thoroughly informed about them. Given the widespread prejudice against them, focusing only on problems *with* the Roma is not enough. Tackling the problems that the Roma themselves experience is at least as important a goal. In the search for solutions, Roma professionals and minority organisations should also be involved.

#### *The consequences of stigma*

Current government policy is based on the assumption that ethnic minorities stand the best chance of integrating into Dutch society if not too much attention is paid to differences in ethnic origins and people focus on their own personal identity and on the Dutch culture. However, the results of the research programme on the role of social identity in well-being, motivation and performance show that people have a psychological need for a positive social identity. Low status groups will only be motivated to achieve success in society when they feel that their social identity is positively valued. The conclusions of this study must not be seen as an appeal to solve the problems of the integration of minorities by means of 'coddling' or 'tea drinking', however.

#### *Anti-discrimination restrictions and criminal prosecution in 2009*

Racial discrimination, including anti-Semitism, still accounts for the lion's share of all forms of discrimination (51%). This is the upshot of an analysis of the available figures for the year 2009. Despite the introduction of a new Public Prosecution Service registration system, it is still not possible to obtain figures on general criminal offences aggravated by discriminatory behaviour. In the meantime, the police have made these figures available in their *Poldis* reports. The small number of reports of discrimination being made to the police may suggest



a lack of trust in the usefulness of reporting or in the agencies that serve as reporting centres. The author urges the periodic evaluation of both the registration of discrimination and policy measures that can have discriminatory effects.

### **The fundamental tension between freedom of expression and anti-discrimination restrictions**

The ninth Monitor report offers a range of results that lend themselves to further consideration. Examples are the interchangeability of the role of victim and perpetrator and the changes in the right-wing extremist landscape. In our opinion, the most salient is the fundamental tension between the right to freedom of expression and anti-discrimination restrictions.

The social and political debate on migrants is dominated by the feeling that many native Dutch people find this group a great nuisance and the idea that the unvarnished displeasure this causes should be publicly expressed. Usually an appeal to freedom of speech is made to legitimise any harsh criticism. The right to freedom of expression is fundamental, of course, and deserving of respect, but that does not mean the right is unrestricted. This is true of all rights and therefore also of human rights. In short, rights reach their limit when there is evidence of the abuse of rights or infringement on the rights of others. The adage ‘you can say what you want’ is therefore only partly true. The decisive factor is how you say it. If you speak the truth, you may still be committing a wrongful act if you say it in an unnecessarily offensive way.

There are several statutory provisions that limit our right to freedom of expression. These include intellectual property rights but mainly they have to do with expression offences such as lese-majesty, defamation of character, threats, slander and libel. The restriction on discriminatory defamation in its present form is based on the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) of 1966. Since the adjustment of Dutch criminal law in 1971, discriminatory group defamation and inciting hatred, violence and discrimination have all been made punishable. In making this change, the lawmakers wanted to express the fact that defamation is already prohibited, and that society experiences discriminatory defamation as even more serious than that. The maximum punishment for defamation is three months, and for discriminatory defamation it is twelve months.

It is conceivable that these norms are out-of-date and ought to be repealed. After all, the law is here to serve us and not the other way round. Yet when it comes to fundamental rights, it is important that we look beyond the limits of national law. In the case of discriminatory defamation and inciting hatred, the norms are based in the ICERD, a convention that was drawn up in part on account of the revived anti-Semitism in Europe after the Second World War. Is this norm on the wane? In 2008 the European Union (EU) drew up a Framework Decision for combating racism and xenophobia by means of criminal law. Each contracting state is to make inciting hatred punishable, and the state may choose to impose this restriction only if the public order is being disturbed or if the expressions are threatening, offensive or defamatory. There is a strong feeling within the EU that discrimination should be combated, and to this end various directives against discrimination on the grounds of race (among others) have been adopted in addition to the Framework Decision. With these directives, in combination with the EU’s Charter of Fundamental Rights, the safeguards against discrimination are firmly anchored. At the present time, European law also influences national law with regard to discrimination.

This anchoring of safeguards in the human rights conventions and in European law does not mean that the restrictive norms are anchored forever. The anti-discrimination restriction has been explicitly defined within the EU several times in recent years. Adopting EU law requires a fair amount of time and can only be realised with a majority of the member states. If the view is propagated that the prohibition of discriminatory defamation, or inciting hatred, is no longer a contemporary issue, then the legislative machinery of the EU should be set in motion. The courts can make a reasonable attempt to interpret laws according to the spirit of the times.

Suspending a law, however, is the responsibility of the legislature, in this case the EU legislature: the Netherlands together with the other member states. The alteration of human rights conventions, such as the ICERD, is by no means a simple matter either, unless is it decided to revoke the convention entirely. By opting for the latter, the Netherlands would be withdrawing from international standards of decency that have been inspired by history and have been laid down in these conventions. The protection of values such as combating anti-Semitism, of which Islamic extremists are guilty, would be abandoned. Restrictions on the freedom of expression have also been put in place to protect society against Islamic terrorism. Freedom of speech and anti-discrimination restrictions can only serve society by working hand-in-hand. If they fail to do so, the protection of values that are essential to society as a whole will be abandoned. Depending on the times, these two basic rights can fall out of balance. When that happens, the solution is not to discard the scales but to make the effort to find a new balance point.

## **Appendix I: Overview of anti-discrimination restrictions**

### **Article 90quarter**

Discrimination or discriminating shall be defined as any form of distinction, any exclusion, restriction or preference, the purpose or effect of which is to nullify or infringe upon the recognition, enjoyment or exercise on an equal footing of human rights and fundamental freedoms in the political, economic, social or cultural fields or any other field of social life.

### **Article 137c**

1. Any person who verbally or by means of written or pictorial material gives intentional public expression to views insulting to a group of persons on account of their race, religion or convictions, their heterosexual or homosexual preferences or their physical, psychological or mental disability, shall be liable to a term of imprisonment not exceeding one year or to a fine of the third category.
2. If the offence is committed by a person who does so professionally or habitually, or by two or more persons in alliance, he or they shall be liable to a term of imprisonment not exceeding two years or to a fine of the fourth category.

### **Article 137d**

1. Any person who verbally or by means of written or pictorial material publicly incites hatred against or the discrimination of other persons, or commits acts of violence against the person or property of others on account of their race, religion, convictions, sex, heterosexual or homosexual preference or their physical, psychological or mental disability, shall be liable to a term of imprisonment not exceeding one year or to a fine of the third category.
2. If the offence is committed by a person who does so professionally or habitually, or by two or more persons in alliance, he or they shall be liable to a term of imprisonment not exceeding two years or to a fine of the fourth category.

### **Article 137e**

1. Any person who for reasons other than the provision of factual information:
  - (1) makes public an utterance which he knows or can reasonably be expected to know is insulting to a group of persons on account of their race, religion or convictions or heterosexual or homosexual preference or their physical, psychological or mental disability, or which incites hatred against or the discrimination of other persons or violence against the person or property of others on account of their race, religion or convictions, sex, heterosexual or homosexual preference or their physical, psychological or mental disability;
  - (2) conveys any object which he knows or can reasonably be expected to know contains such an utterance to someone, other than at that person's request, or has the object in stock with the intention of distributing it or making it public; shall be liable to a term of imprisonment not exceeding six months or to a third-category fine.
2. If the offence is committed by a person who does so professionally or habitually, or by two or more persons in alliance, he or they shall be liable to a term of imprisonment not exceeding one year or to a fine of the fourth category.

### **Article 137f**

Any person who participates in, or provides financial or other material support for, activities aimed at discrimination against persons on account of their race, religion, convictions, sex or heterosexual or homosexual preference, or their physical, psychological or mental disability, shall be liable to a term of imprisonment not exceeding three months or to a second-category fine.

**Article 137g**

1. Any person who in the exercise of his office, profession or business, intentionally discriminates against persons on account of their race shall be liable to a term of imprisonment not exceeding six months or a third-category fine.
2. If the offence is committed by a person who does so professionally or habitually, or by two or more persons in alliance, he or they shall be liable to a term of imprisonment not exceeding one year or to a fine of the fourth category.

**Article 137h**

If the offender commits one of the punishable offences described in articles 131 through 134, 137c through 137g and 147a as part of his professional activities, he is liable to being barred from the exercise of that profession.

**Article 429quater**

1. Any person who in the exercise of his office, profession or business discriminates against persons on account of their race, religion, convictions, sex or heterosexual or homosexual preference shall be liable to a term of detention not exceeding two months or a third-category fine.
2. The same punishment shall be imposed on a person whose actions or negligence in his official capacity, profession or business, without reasonable grounds, are intended to or can have the effect of negating or infringing the acknowledgement, the enjoyment or the equal opportunity to exercise human rights and fundamental freedoms in the political, economic, social or cultural spheres, or in other spheres of society, of persons with a physical, psychological or mental disability.

## Appendix II List of abbreviations

ADV	Anti-discrimination services
AEL	Arab European League
AFA	Anti-Fascist Action
AIVD	General Intelligence and Security Service
AWGB	Equal Treatment Act
BNP	British National Party
BVH	Basic Facility Maintenance programme
CBRN	Chemical, Biological, Radiological, Nuclear
CBS	Statistics Netherlands
CERD	Committee on the Elimination of Racial Discrimination
GCB	Equal Treatment Commission
CIDI	Centre for Information and Documentation on Israel
COMPAS	Communication and Administration System of the Public Prosecution Service
CTC	Centre for Terrorism & Counterterrorism
DRC	Discrimination Registration Code
DTN	Terrorist threat in the Netherlands
ECRI	European Commission against Racism and Intolerance
EDL	English Defence League
EU	European Union
FPÖ	Freiheitliche Partei Österreichs
FRA	European Union Agency for Fundamental Rights
GAD	Common Approach to Discrimination
GPS	Integrated Criminal Law Processing System
HKS	Recognition Services System
HR	Supreme Court
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
IPOL	International Police Information
ISPR	Information Switchpoint Radicalisation
IVOE	Institute for Training and Education
KLPD	National Police Services Agency
LECD	National Expertise Centre for Discrimination of the Public Prosecution Service
LECDiv	National Expertise Centre for Diversity of the police
LDD	List Dedecker
LJN	National Case Law Number
LPF	List Pim Fortuyn
MDI	Discrimination on the Internet Reporting Centre
MDTB	With the Animals Against the Beasts
NCTB	National Coordinator for Counterterrorism
NJ	Netherlands Case Law
NJB	Netherlands Legal Journal
NJN	National Youth Netherlands
NSA	National Socialist Action
NSB	Dutch National Socialist Movement (during the Second World War)
NVU	Netherlands People's Union
OCW	Ministry of Education, Cultural Affairs and Science

OM	Public Prosecution Service
OSCW	Organisation for Security and Co-operation in Europe
OSI	Open Society Institute
PA	Palestinian Authority
PLO	Palestinian Liberation Organisation
PNR	Passenger Name Record
POLDIS	Police review of discriminatory crime
PVU	Free Utrecht Party
PVV	Party for Freedom
RAF	Rote Armee Fraktion
RB	District court
RDO	Regional discrimination consultation
RVF	Racial Volunteer Force
STB	Bulletin of Acts, Orders and Decrees
STCRT	Government Gazette
UN	United Nations
VIA	Antillean Reference Index
VIR	Reference Index for At-Risk Youngsters
VNG	Association of Dutch Municipalities
VROM	Ministry of Housing, Spatial Planning and the Environment
WWI	Ministry of Housing, Communities and Integration

## About the authors

Marija Davidović is a lawyer on the staff of the Anne Frank House, where she conducts research on racism and extremism. She collaborates with other researchers, the police, the judicial authorities and partners in the field. Since 2008 Marija has served on the editorial staff of the Equal Treatment Commission's collection of judgements. She is also interested in the role played by ethnic minority women in securing human rights, including the right to equality. Marija is a member of the board of *Vereniging Vrouw en Recht* (Association for Women and the Law).

Mark Dechesne is a psychologist and senior researcher at the Centre for Terrorism & Counterterrorism of Leiden University – Campus The Hague. He received his doctorate in 2001 with a dissertation on the effects of fear on social behaviour. Since then his research and teaching activities have increasingly been focused on terrorist motivation, the way terrorist organisations function, and reactions to terrorism. From 2006 to 2008 he was associated with the University of Maryland in the United States, where he worked for the National Consortium for the Study of Terrorism and Responses to Terrorism.

Belle Derks is an assistant professor on the faculty of Social and Organisational Psychology at Leiden University. Her research focuses on how members of stigmatised groups are influenced and how they cope with the psychological and physiological stress that social exclusion can cause. She also studies how dominant groups view minorities and how their acceptance of diversity can be increased. Her research consists of experimental studies involving the measuring of psychological and physiological processes as well as applied studies among women and minorities in school and work situations.

Jaap van Donselaar is a cultural anthropologist and associate professor with the Centre for Terrorism & Counterterrorism and the Institute of Public Administration at Leiden University. He has devoted a great deal of time to conducting research on extremism, hate crimes and polarisation, and to the patterns of response to these phenomena. His research and teaching practice occur where the theoretical intersects with the practical. Van Donselaar is the founder of the Racism & Extremism Monitor. He has also been intensively involved in the monitoring activities of the European Union.

Naomi Ellemers is a professor of Social and Organisational Psychology at Leiden University. Her research on group processes and intergroup relations consists of experiments and research in practical situations and addresses the effects of social identity on motivation and performance. The topics on which she has published include diversity and innovation, motivation and leadership in organisations, and the careers of members of stigmatised groups. Her current research projects concern hostility towards minorities and the role of cultural differences in the development and solving of conflicts.

Evelien Gans is a professor occupying an endowed chair in Contemporary Judaism, its history and its culture at the University of Amsterdam. She is a researcher for the Netherlands Institute for War Documentation (NIOD). In 1999 she received her doctorate with an historical study of Jewish social democrats and socialist-Zionists in the Netherlands, *De kleine verschillen die het leven uitmaken* (The small differences that life is made of), which was awarded the Henriette Roland Holst Prize. In 2007 the first volume appeared of her double biography *Jaap en Ischa Meijer: Een joodse geschiedenis 1912-1956* (Jaap and Ischa Meijer: A Jewish history, 1912-1956). She is directing the NWO research project 'The

Dynamics of Contemporary Anti-Semitism in a globalising context: “The Jew” as a framing model in the Netherlands, Morocco, Poland and Turkey’.

Colette van Laar is associate professor of Social and Organisational Psychology at Leiden University. Her research focuses on the social psychology of low social status and stigma, and the consequences of stigma for cognition, emotion, motivation and performance. In addition to these topics, she conducts research on social identity and intergroup relations, making use of both laboratory research with experimental groups and field research with existing low status or disadvantaged groups such as women and ethnic minorities.

Peter Rodrigues is a senior researcher at the Anne Frank House as well as a part-time professor of Immigration Law at Leiden University. Rodrigues has published widely on Dutch and European anti-discrimination law, group actions, cross-border discrimination and Roma. From February 1995 to October 2000 he was a member of the Equal Treatment Commission. In September 2007 he successfully defended his dissertation *Anders niets? Discriminatie op grond van ras en nationaliteit bij consumententransacties* (How may I not help you? Discrimination on the grounds of race and nationality in consumer transactions).

Ineke van der Valk is a senior researcher at the Anne Frank House. She studied education and ethnic studies and received her doctorate with a dissertation in social sciences/text linguistics on a comparison of the perception of ethnic questions in politics in the Netherlands and France: *Difference, Deviance, Threat* (Amsterdam, 2002). Before this she worked at the University of Amsterdam and the University of Vienna. Her earlier publications have to do with racism, public perception, human rights, citizenship and assimilation, the minorities discourse, migration history and education and upbringing.

Willem Wagenaar works at the Anne Frank House as a researcher with the *Racism & Extremism Monitor*. He is specialised in right-wing extremism and racial violence and combating these problems through the criminal courts. He has also conducted research on processes of radicalisation and deradicalisation and the role of youth cultures in those processes.



## About the Racism & Extremism Monitor project

The aim of the Racism & Extremism Monitor is to track several forms of racism and extremism – as well as reactions to these phenomena – and to publish the results in periodical reports. These reports cover forms of expression, such as politically organised racism, as well as forms of exclusion, such as discrimination in hotels, restaurants and bars. Various kinds of victims and perpetrators are also identified, whether native Dutch or foreign, with the latter further subdivided into various ethnic minority groups. The response to racism and extremism can vary, in terms of the nature of the response, such as educational, legal, administrative or political, and in terms of actors, such as governments, media, politicians and civil society.

The periodical monitoring of racism and extremism, as well as the response to these phenomena, serves several purposes. An attempt is made to contribute to insight into the problem itself as well as to finding solutions to racism and extremism as social problems. Longitudinal research and the ensuing periodical reports result in an accumulation of knowledge, producing a picture of developments over the longer term.

The Monitor project was launched in 1996 at Leiden University and the first report came out in 1997. Since 2001 the study has been carried out jointly by Leiden University and the Anne Frank Stichting.

All research reports can be found on the project website: [www.monitorracisme.nl](http://www.monitorracisme.nl). The reports differ in nature. Some are broad, general reports that are published approximately every two years and whose subtitles are numbered, such as *Racism & Extremism Monitor, eighth report*. Then there are more concise special reports – *cahiers* – with interim up-dates on special sub-topics, such as discrimination of Roma and Sinti, and the ‘Lonsdale problem’. Also featured on the website is a range of documentation dealing with Monitor project subjects.

The following publications in this series have already appeared:

### REPORTS

*Monitoring racism and the extreme right: first report.* Jaap van Donselaar, 1997.

*Monitoring racism and the extreme right: second report.* Jaap van Donselaar, final editing, 1998.

*Monitoring racism and the extreme right: third report.* Jaap van Donselaar, 2000.

*Monitoring racism and the extreme right: fourth report.* Jaap van Donselaar and Peter R. Rodrigues, 2001.

*Monitoring racism and the extreme right: fifth report.* Jaap van Donselaar and Peter R. Rodrigues, 2002.

*Monitoring racism and the extreme right: sixth report.* Jaap van Donselaar and Peter R. Rodrigues, 2004.

*Racism and extremism monitor: seventh report.* Edited by Jaap van Donselaar and Peter R. Rodrigues, 2006.

*Racism and extremism monitor: eight report.* Edited by Jaap van Donselaar and Peter R. Rodrigues, 2006.

## CAHIERS

*Racial violence and violence incited by the extreme right in 2002.* Jaap van Donselaar and Peter R. Rodrigues, 2003.

*Investigation and prosecution in 2002.* Jaap van Donselaar and Peter R. Rodrigues, 2003.

*Roma and Sinti.* Peter R. Rodrigues and Maaïke Matelski, 2004.

*The Lonsdale problem.* Final editing by Jaap van Donselaar, 2005.

*Racial and extreme right-wing violence in 2006.* Jaap van Donselaar and Willem Wagenaar, 2007.

*Investigation and prosecution in 2006.* Marija Davidović and Peter R. Rodrigues, 2007.

*Deradicalisation in practice.* Froukje Demant, Willem Wagenaar and Jaap van Donselaar, 2009.

*The extreme right: entry and exit.* Ineke van der Valk and Willem Wagenaar, 2010.