

Louk Hulsman: an obituary

Andrea Beckmann remembers an inspirational criminologist.



The Rotterdam penal law and criminology professor emeritus Louk Hulsman died on 28 January 2009 at the age of 85. He was, apart from Nils Christie and Thomas Mathiesen, one of the most important penal abolitionists worldwide.

Louk was also the director of the Rasphuys Institute and was, amongst other commitments, a leading member of the European Group for the Study of Deviance and Social Control, the Netherlands representative of ICOPA (International Conference on Penal Abolitionism) as well as Chair of The Coornhert League for the Reformation of the Criminal Law.

In the Netherlands, Louk is regarded as the founder of liberal drugs policy as his influential work and stance contributed significantly to the alteration of the Opium Act in 1976. His most influential publications include the *Report on Decriminalisation* (Council of Europe, 1980) and *Peines perdues. Le système pénal en question* (written together with Jacqueline Bernat de Celis, 1982). He is perhaps most well known for 'Critical criminology and the concept of crime' which was first published in 1986 and has been widely reproduced since.

Louk was born in Kerkrade in 1923 and, after attending boarding school and the St. Bernadis Gymnasium, he became active in the resistance to Nazi Germany's occupation of his country. In return for his brave activism he was interned in the concentration camp in Amersfoort. He managed to escape and continued to work in the resistance. It is perhaps these early experiences that made Louk profoundly question the legitimacy of penal law, of state authority as well as the meaningfulness of the category of 'crime' as he kept reminding us that an awful lot of things were and are categorised as 'criminal' but that this does not say anything about their wrongness or indeed their harmfulness.

Louk worked as a civil servant in Dutch defence and justice administrations during the 1950s. In 1964 he became the first professor of Criminal Law at the Erasmus University, Rotterdam. Louk Hulsman always engaged in a critical manner with the state (e.g. when serving as a Councillor in the Dutch Ministry of Justice, as Chair of

the Dutch Probation Service, Chair of the Dutch Association for Penal Reform, as a member of the advisory boards of the Dutch Police Academy and of the first Dutch Committee on Drug Policy). He continued his important work with worldwide lectures, workshops and seminar engagements that stimulated critical reflections and further developed alternative ideas to the hegemonic belief systems that govern much of the fields of law, criminology, the media and often strongly impact on public opinion.

He also acted as the Netherlands' representative on the European Committee on Crime Problems of the Council of Europe in the 1980s and was once again an important and outspoken influence at last year's Cannabis Tribunal in The Hague. He contributed to the development of European common study programmes on drug policy and critical criminology (with Frederick McClintock and Stephan Quensel), preparing the ground for the Erasmus and Sokrates programmes within the European Union. He thus facilitated the development of new generations of critical criminological scholarship within Europe and worldwide.

Louk's important contribution was fundamentally interdependent with his extraordinary personality. He embodied and lived the humanistic, open and eclectic core of abolitionist thought that takes care to be sensitive to the contextual, situational and personal interpretations of 'lived experiences' as they are defined by people. In the current context of 'penal overkill' that characterises so many societies, it is important to re-appreciate the anascopic ('from the bottom up') stance and associated practices that lie at the heart of Louk's life-work.

Louk was also a close friend who is now sadly missed by many, who was a genuinely cosmopolitan and warm-hearted person, who enjoyed being with people, in nature and to be in the midst of life itself. Louk continues to be an inspiration for the ongoing struggle of challenging the very foundations of legitimising systems of coercion that generate harm and suffering and to value and practice solidarity. His legacy as a pedagogue lies certainly within the tradition of critical pedagogy as Giroux (1994) argued: 'Pedagogy in the critical sense illuminates the relationship among knowledge, authority, and power'. Louk fulfilled this task as a critical criminologist.

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Reference

Giroux, H. A. (1994), *Disturbing Pleasures: Learning Popular Culture*, New York: Routledge.