



THE ENCOUNTERS OF... SONJA SNACKEN

Back and Forth: From Activism to (Social) Science, From law to Criminology

Sonja SNACKEN* Interviewed by Steven DE RIDDER**

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1 Introduction

Criminological Encounters considers criminology as a discipline of numerous encounters between social sciences, humanities, and both exact and natural sciences. This diversity certainly also applies to the professional careers of scholars in the field of criminology.

Criminological Encounters includes a “*The encounters of ...*” section to provide the reader with a road map of the professional careers of leading scholars in the field of criminology demonstrating the numerous encounters and related challenges, pitfalls, and joys they encountered along the way.

We start with **Sonja SNACKEN**, Professor of Criminology, Penology, and Sociology of Law at the Vrije Universiteit Brussel (Belgium). She currently also acts as Vice-Rector for International Relations at the same university.



Photo: Vrije Universiteit Brussel, 2017

2 A Career Full of Encounters

2.1 From Reality to Law Studies

Starting as a law student with the ambition “to change the world” by going into politics, Sonja’s life at the university started with what she calls **the encounter between law and reality**. The idea was that many things in life are regulated by rules, regulations, and laws and studying them would enable her to get a grip on reality and change it for the better. This encounter immediately confronted Sonja with the limits of law as an instrument for social change: “[D]uring my law studies there wasn’t that much input about that reality and about changing reality; it was very much about the rules, the normative aspect, and that was something I was missing in this legal training.”

2.2 Criminology as a Rescue?

The switch to criminology gave Sonja a way out of these limitations and filled the empty space between the normative regulation of society and the reality she was eager to grasp and change. Although her legal

background helped her in studying the different levels and actors within criminal justice systems, she tried for many years not to think anymore as a lawyer but as a social scientist. This meant switching from a **normative legal approach to an empirical social scientist approach** – initially without a background in social science methodology. Starting originally from a positivistic view on how to apprehend reality empirically, criminology helped her to grasp the complexity of the different possible constructions of that reality by different actors. It also made her realize that *“the problems we try to understand cannot be solved by just knowing law and sociology, because there are so many other aspects you need to master if you want to understand the phenomena we study, whether it is crime or the reactions to crime. It’s about psychology, it’s about history ... so again that was quite a challenge”*.

Sonja tried to overcome this challenge by moving gradually from a **multidisciplinary to an interdisciplinary** approach. As she once wrote together with her PhD supervisor em. Prof. dr. Christian Eliaerts, criminologists have the unique ability to operate as translators between different disciplines who use different concepts and different languages, because they know enough of each of these disciplines to understand what they are trying to do. At the same time, this multidisciplinary puts criminologists in a vulnerable position because they are not an expert in each of these disciplines. Sonja found out soon that *“[o]nce you chose to be at that crossover between at least two disciplines you’ll always have the feeling that you are missing something”* (laughs). However, 30 years of this multidisciplinary empirical research eventually led to an attempt at real interdisciplinarity in her book with Prof. dr. Dirk van Zyl Smit *Principles of European Prison Law and Policy. Penology and Human Rights* (2009), where the authors integrated legal and human rights arguments with an empirical social scientist approach. Looking back at the exercise, Sonja states: *“[T]ogether with my co-author, being both lawyers and criminologists, we were very happy that it was so well received; in that sense it gave some confidence that this point of encounter where we found ourselves is interesting for other people as well.”*

2.3 Balancing Between Science and Values

However, Sonja’s career didn’t solely develop by trying to bridge different disciplines in her research. She recalls the terrible prison conditions she observed back in 1975 during a visit to the psychiatric institution/prison of Tournai for mentally ill offenders and patients in the southern part of Belgium. As mentioned during the award ceremony at the ESC conference in Porto (2015) where Sonja received the ESC Criminology award, this visit really encouraged her to do research on those who live and work in prison while striving for human rights and human dignity, less use of imprisonment, and better prison conditions in general. She was supported and inspired in this perspective by Prof. dr. Christian Eliaerts, whose own PhD had focused on prisoners’ rights. Striving for these humanitarian values also created a particular challenge: coping with and **questioning your own values** and making sure they are not perverting your research. Therefore, Sonja tried to assess her own activist perspective through a more scholarly approach to human rights.

2.4 Different Disciplines, Different Levels

One particular challenge that all criminologists face according to Sonja is that the different disciplines they try to include in their studies (psychology, social psychology, sociology, law, political sciences, history, among many others) are situated on three different levels: **macro, meso, and micro**. While we need these three levels to understand the phenomena we study as criminologists, it is very difficult – not to say impossible – to combine them all in one project, particularly considering how research projects are currently financed. Sonja included these three different levels in her application for a prestigious ERC advanced grant on “Human Rights and Penal Power: A Challenge for Criminology, Comparative Penology, and Prison Studies”. She proposed a comparative analysis of the human rights consciousness of prisoners in different countries with a different history in the legal enshrinement of prisoners’ rights and different levels of punitiveness, and how this influences power relations and quality of life in prisons. Although she was not rewarded for her attempt, Sonja stands firm: *“I still think that is what criminology should do: in order to understand these phenomena, we should aim at understanding the interactions between all these levels.”*

2.5 Making Policy, Drafting Legislation... Changing Reality?

Being involved in the process of preparing and drafting the new national prison and early release legislation and policy is something that *“has been both enriching and frustrating”*. For Sonja, this period in her career brought together her scholarly approach and her activist stance. After all, it always remained a question as to whether the draft legislation would pass through parliament without losing too much of its coherence and value in terms of prisoners’ human rights and dignity. At the same time, it made her reflect on the role this new body of legislation could play and what its impact would be. From a criminological perspective, Sonja knew of course that legislation doesn’t change reality or solve a problem in itself. As a sociologist of law, she knew that

legislation is only one (and not necessarily the most important) instrument in a social field where many different actors try to achieve many different goals: “[I]f there is no legislation then of course social actors can’t use it; creating legislation doesn’t offer a solution in itself, but it can become one of the instruments that some of those actors can use to achieve some of those goals.” But “the **encounter with politics and policy** – especially with the early release legislation – [...] made me think ‘well it’s time to go back to science’” (laughs). In the aftermath of this period of active involvement in national law and policy development, Sonja obtained a research fellowship for ten years (2006–2016) from the Vrije Universiteit Brussel, based on an international selection. This gave her the opportunity to really focus on research again.

2.6 At Ease at the European Level

She remained active, though, in standard setting and policymaking at the level of the Council of Europe. This further increased her fascination with the similarities and diversity within Europe. The encounters with the **Central and Eastern European and Baltic systems** were particularly enriching. It also made her realize what her own stance regarding Europe was: “I am very European in the way I think. So I felt at ease within that European context – even if it was with 47 countries.” This diversity, of course, raised particular challenges in trying to find compromises and a consensus between these 47 countries, each with their own particular penal history, traditions, political ideas, and programmes. Overall, this process was highly rewarding, creating common standards and monitoring their implementation – though their impact on reality remains, again, a constant challenge.

2.7 As Frank Sinatra Would Sing, “If I Can Make it There, I’ll Make it Anywhere, It’s Up to You, New York, New York”

In 2009, Sonja was invited to join New York University as a visiting scholar for one year (2010–2011) by Prof. dr. Jim Jacobs and Prof. dr. David Garland. Living in New York and personally experiencing how American people often **think differently** about society and many aspects of their daily lives compared to European people helped her to better understand the differences in both criminal justice systems. This experience is very much in accordance with the reasoning of David Nelken, whose work on comparative research inspires Sonja. At the same time, spending one year in New York raised a significant existential awareness: “Going to New York for one year made me realize even more how European I am” (laughs).

3 Conclusion

The encounters that emerged throughout Sonja’s career go far beyond what one would expect considering the multidisciplinary character of criminology, including encounters with social sciences, law, psychology, medicine, etc. Her career path is also impacted by internationalization, European decision-making, and policymaking. Most of all, it has been a continuous reality check with strong personal values and questioning of what it takes or what it’s like to be a legal scholar and a social scientist. In this regard, the numerous encounters have been enriching for both the scientist and the person Sonja is.

4 Who is Sonja Snacken?

Sonja Snacken is an expert on penalty in Belgium and Europe, focusing on sentencing and the implementation of custodial and non-custodial sanctions and measures. She has been involved in over 40 European, national, and local research projects. These projects immediately reveal a very prominent encounter in her career: the integration of an empirical social scientist approach with human rights concerns. More recently, she broadened her scope towards forms of (extreme) dependency in non-penal institutions such as health-care and asylum centres.

Sonja Snacken has acted since 1994 as an expert to the European Committee for the Prevention of Torture (CPT). She was a member (2001–2012) and President (2006–2012) of the Council for Penological Cooperation of the Council of Europe, which has drafted recommendations such as the European Prison Rules (2006) and the Council of Europe Probation Rules (2010). In Belgium, she was actively involved in drafting the Prison Act (2005) and the Act on the External Legal Position of Prisoners and the Rights of Victims (2006).

She was awarded the Belgian Francqui Chair at the Université Catholique de Louvain (2008–2009) and the Ernest-John Solvay Prize for Scientific Excellence in the Human and Social Sciences by the Flemish Science

Foundation (FWO, 2010). At the European Society of Criminology conference in Porto (2015), she was awarded the ESC European Criminology Award for her lifetime contribution to European criminology

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