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Necropolitics and state-sponsored drug violence: the death penalty for drug offences in Indonesia

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ABSTRACT

Background: Much of the literature on drug-related violence focuses on the Americas, its applicability to other regions of the world unobvious (Liem and Moeller, 2025). Focusing on the death penalty for drug offences in Indonesia – with findings generalisable to other Southeast Asian jurisdictions – we find that, while contemporary theories focus on the violence *within* drug markets, here the violence is unidirectional: from the state to civilians.
Methods: We apply a necropolitical theoretical framework (Mbembe, 2003) to data from interviews and focus groups with high level judges (8 participants), prosecutors (32), narcotics police (8) and other police officers (6) in Jakarta, Indonesia from 2023 to 2024.
Results: Our data reveal three key features of the necropolitical theoretical framework:
1). State of exception and siege: our participants harnessed the language of a 'drugs emergency' in Indonesia, with concerns about invasion, a foreign 'insurgency' of drugs, justifying the most punitive criminal justice response.
2). Annihilation for preservation: judicial and extrajudicial executions of drug traffickers are justified for the protection of current and future generations from the scourge of drugs.
3). Racism in post-colonial practice: executions for drug offences have been disproportionately directed at foreign nationals.
Conclusion: This paper invites the reader to zoom out from the typical focus on violence *within* the drug trade to consider punishment – judicial and extrajudicial – as a form of state-sponsored, necropolitical violence, part of the continuum of 'drug-related violence' rather than simply a matter of penal policy.

Introduction

Former Indonesian President Joko 'Jokowi' Widodo publicly proclaimed in 2017: 'I have told you, just be firm, especially with foreign drug dealers who enter the country and resist [upon arrest]. Gun them down. Give no mercy' (Halim, 2017). That year, the Indonesian human rights organisation, Lembaga Bantuan Hukum Masyarakat (LBHM) recorded 159 cases of police shootings in relation to potential drug offences, with 199 victims, of whom 68 were killed (Harm Reduction International, 2024). What is more, during his presidency, Jokowi oversaw the judicial execution of 18 people, all for drug trafficking, 15 of whom were foreign nationals. Judicial executions (not extra-judicial killings) are the subject of this article, though in Southeast Asia there is considerable overlap between the two (Lasco, 2020).

Capital punishment scholar, Dudai (2023) writes that '[t]he global death penalty is arguably a coherent part of a contemporary landscape of violence, suffering and injustices, part of what Mbembe (2003) termed "necropolitics": the range of policies that give the sovereign the power to determine whose lives are expendable (and of which the death penalty is only one)' (143). Utilising a criminological approach, here we adopt the theoretical lens of necropolitics to analyse data from interviews and focus groups with high level judges (8), prosecutors (32), narcotics police (8) and other police officers (6) in Jakarta from 2023 to 2024 to present two key arguments. First, to show that drug violence in Southeast Asia – unlike in other parts of the world which have been the focus of much scholarship on drug markets – is mainly perpetrated by the state against its citizens, rather than within and between drug trading communities. Second, in developing this theme, it will be argued that the death penalty for drug offences in Southeast Asia (concentrating on the case-study of Indonesia) should rightfully be conceived of as a

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form of state-sponsored, necropolitical violence, and as such, should be categorised as part of the continuum of 'drug-related violence'.

Literature review

The International Narcotics Control Board (2003) characterised violence associated with drug abuse as follows: 'There are forms of crime and violence associated with international cartels, there is violent crime perpetrated by or against individual drug abusers [sic] and there are innocent individuals who are caught in the crossfire of violent drug cultures' (1). This definition has no room for states perpetrating violence against those involved, or suspected to be involved, in the illicit drug trade. Similarly, recent research on violence associated with illicit drug markets (Andreas & Wallman, 2009), which has proliferated since the 1980s, following the advent of crack cocaine in the United States (US), has focused on violence associated with the production, distribution and consumption of drugs), with no mention of violence at the hands of the state.

The extant research focuses on the 'Americas', particularly Latin America and the Caribbean, finding that over the past decades large, well-equipped rival drug cartels have attacked each other - with violence a clear consequence of fragmentation and cooperation within and between criminal enterprises (Atuesta & Perez-Davila, 2018) - as well as the state, following efforts to crackdown on drug production and distribution (Lessing, 2017; Dell, 2015; Andreas & Wallman, 2009:226; Reuter, 2009). Scholars now suggest we need to shift our empirical gaze from the West, and the Americas in particular:

> '[to] include data from countries from the Global South …. Including these countries in empirical work will likely unveil the multifaceted socio-economic dynamics, historical legacies, and geopolitical factors driving drug-related violence' (Liem & Moeller, 2025:83).

The argument seems to be that shifting attention to under-researched jurisdictions in the Global South will provide further empirical support for the assumption that violence happens *within* drug trading communities rather than *to* them.

Drug-related violence in Southeast Asia

Studies have found that 'violence seems to be less inherent in Southeast Asia's drug trade than is the case in …. other places where narcotics … are actively grown and sold' (Tagliacozzo, 2009:249), with little evidence of sustained inter-cartel warfare in the region (Meehan & Dan, 2023). Indeed, at just 2.3 homicides per 100,000 population, Asia has a low homicide rate compared to 15 per 100,000 in the Americas, where the expansion of the transnational drug trade has increased violence across Latin America and the Caribbean (United Nations Office on Drugs and Crime (UNODC), 2023). Across East and Southeast Asia, the drug trade tends to be highly fragmented with mutually isolated groups of local entrepreneurs performing small tasks within networks and relationships motivated by trust, rather than coercion (Chin & Zhang, 2015). Therefore, 'Unlike their counterparts in Latin America, who are extremely violent and often involved in drug-related homicides, Vietnamese drug trafficking groups consist mostly of minor businesses who take all possible precautions to limit investigation by and confrontation with [Law Enforcement Agencies] or each other' (Luong, 2020:91). Thailand's drug markets too are 'essentially non-violent' (Windle, 2016:10).

In contrast with the Americas, in Southeast Asia, scholarship on drug-related violence is focused on the violence of state actors *against* civilians (Reyes, 2016). Counter-narcotics operations in numerous countries in the region have led to extrajudicial arrests and killings (United Nations Human Rights Committee, 2005). A stark example is provided by the Philippines, where former President Duterte's War on Drugs led to the extrajudicial killings of thousands of civilians (Ratcliffe, 2025; Reyes, 2016; Johnson & Fernquest, 2018). At the time of writing, Duterte is facing trial at the International Criminal Court for crimes against humanity having presided over a deadly war on illicit drugs, with reports suggesting that >6000 suspects were killed by police or unknown assailants throughout his leadership, from 2016 to 2022, with further deaths occurring prior to this, during his time as Mayor of Davao city (Guinto & Head, 2025). The Philippines is but the worst example; brutal and uncompromising 'wars on drugs' have been prevalent across South and Southeast Asia, including in Thailand in 2003 (Hasson & Hoyle, 2024) and Bangladesh in 2018 (Kenny, 2019; Lasco, 2020).

Turning to Indonesia: soon after he became president, Jokowi declared, in December 2014, that his government would empty death row of its (then) 64 prisoners convicted for drug offences to tackle the 'drugs emergency' (McRae, 2017). The state promptly executed 14 such prisoners within six months. While only another four executions followed, in 2016, illegal state killings gathered pace. The Indonesian human rights monitor, KontraS estimated that the police and National Narcotics Agency (BNN) officers fatally shot 106 drugs suspects between September 2016 and September 2017, with many such killings since, coinciding with further punitive rhetoric from the president. In an alarmingly graphic statement, the then head of BNN was reported to have said drug criminals should be 'cut up and fed to crocodiles' (McRae, 2017). These fatal shootings, and their threat, allowed the government to maintain a hardline image on drugs without the international furore occasioned by judicial executions, particularly of foreigners (Gunawan cited in Cassrels, 2017).

Necropolitics and the global war on drugs

The 'necropolitical' theoretical approach is attributed to Cameroonian historian and political theorist, Achille Mbembe (2019), who extends Foucault's (2003) theorising on 'biopolitics'. While Foucault (2003) was interested in the 'work of life' and how politics is characterised by the power to decide who has the right to live, Mbembe (2019) was instead concerned to examine 'under what practical conditions is the power to kill, to let live, or to expose to death exercised?' (66). He (2003) argues that sovereignty in postcolonial states is 'expressed predominantly as the right to kill' (16), relating necropolitics to both the 'state of exception' and 'the state of siege' which have become the 'normative basis of the right to kill' (Mbembe, 2019:70). Moreover, racism is central to necropolitics: it acts as a 'condition for the acceptability of putting to death' – something that, as we will see, features prominently in Indonesian drug policy (Foucault, 2003:228 cited in Mbembe, 2003:17).

Flacks (2021:15–17) offers a comprehensive overview of the different necropolitical dimensions of the global War on Drugs, including high arrest rates for drugs of people of colour (Alexander, 2010), drug-related offences fuelling increasing worldwide imprisonment rates (Prison Reform International, 2018), extrajudicial killings (BBC, 2016), the raiding of housing in 'suspect' areas (Websdale, 2001), harm reduction policies or lack thereof (Stevens, 2019) and human rights violations against people who use drugs including compulsory detention and rehabilitation (Prison Reform International, 2018).

Much of the existing work on necropolitics in relation to drug crime focuses on Mexico, where there have been at least 460,000 homicides since the government declared a war on drug cartels in 2006 (Council on Foreign Relations, 2025). Estèvez (2019) links deaths from the drug war to femicide in the country: she argues that racialised others ('dark-skinned, uneducated, Indigenous, unemployed urban males') have historically and currently been excluded from the legitimate market and so turn to 'necrocapitalism' including drug trafficking, kidnapping and the sex trade (107–108). Similarly, Wright (2011) explores the political meaning of death against the backdrop of narcopolitics and femicide in Ciudad Juárez, with, on the one hand, feminists campaigning against femicide, and on the other, the ruling elites referring to lethal violence as evidence of the positive actions of the government in the war against drugs.

Research on necropolitics and the War on Drugs does not exclusively focus on the Global South, with studies from the Global North tending to focus on harm reduction measures, or more commonly, their absence (López, 2020; Fleming et al., 2025). By way of example, Tucker and colleagues (2025) studied the 2024 closure of a supervised consumption site in Northern Ontario, Canada, where in the preceding year the drug-related death rate was triple the provincial average, leaving people who use drugs isolated and at risk of overdose or transmission of infectious diseases (1,3). In absence of such infrastructures, people are pushed into what Mbembe (2019) calls 'death worlds' which are characterised by 'new and unique forms of social existence in which vast populations are subjected to living conditions that confer upon them the status of the living dead' (Tucker et al., 2025:92). In this way we see that government action (namely extrajudicial killing of drug users and dealers) as well as inaction (reluctance to fund harm reduction measures) form part of a continuum of necropolitical drug violence.

Methods

As part of a wider programme of research in Indonesia we conducted interviews (81 participants) and focus group discussions (55 participants) with a range of different criminal justice professionals between 2023 and 2024. To theorise specifically the relationship between the state and drug-related violence, we draw only on data from interviews and focus groups with high level judges (8), prosecutors (32), National Narcotics Board 'BNN' police officers (8) and officers from the Indonesian National Police 'INP' (6), as these participants all work for the state and set and enforce the government's response to drug crime. Through our focus group discussions and interviews we sought to understand how these actors characterise and understand the state's position on drugs, and by extension, the state's stance on violence within, and in response to, the drug trade. With regards to our first key argument in the paper – that drug violence is mainly perpetrated by the state against citizens – we rely upon our review of the extant literature. Our qualitative data inform our second claim – that the death penalty for drugs in Indonesia should be categorised as part of a continuum of state-sponsored drug-related violence.

Having carried out research in Indonesia for four years, at the start of this project, we had a partner organisation to help to facilitate access to other institutions, the CSO, Lembaga Bantuan Hukum Masyarakat (LBHM). Working closely with them, we were able to design research informed by local politics, laws and culture, meeting the high ethical standards for empirical work required by the University. However, participant recruitment was achieved in consultation with two other Indonesian community research partners, the *Indonesian Institute for Independent Judiciary (LeIP)* and the *Indonesian Judicial Research Society*. We sought a sample that included different locales – including those working in metropolitan centres, more remote cities, and close to the borders – as well as participants of varying levels of rank. Details of the participants including their names, age, gender, job title and location have been omitted to preserve their anonymity. Focus groups were the preferred format of data collection (43 participants) as they enabled greater insights through participants' interactions with one another's responses, but semi-structured interviews (11 participants) were conducted for participants in more senior positions, as we had been advised that this was a more appropriate form of engagement at that level. The interviews lasted around one hour, with focus groups ranging from one to two hours. The focus groups and interviews were co-conducted with our aforementioned Indonesian community research partners, following training from our research team. Some were conducted in English, and others were conducted in the Indonesian language (Bahasa Indonesia), and involved assistance from professional interpreters. The focus groups and interviews were held at the participants' places of work, and often in a hybrid format, with some participants and researchers participating in-person and some via *Zoom*. We obtained informed consent from all participants, having previously shared with them participant information forms. The study received ethical clearance from our university and was approved by the Indonesian Ministry for Research and Technology (as is required for research projects conducted by foreign researchers).

Our focus group discussions and interviews had a semi-structured format, with discussion and interview questions that explored participants' perceptions of the following issues: what and who are the key determinants of drug policy in Indonesia (what is the role of different actors; politics; history; international relations)? How is the 'drugs issue' framed (a public health issue; a matter of national security; a human rights issue)? How is effective is Indonesian drug policy in achieving its aims (deterrence, rehabilitation, incapacitation, etc.)? The discussions and interviews were recorded, transcribed and professionally translated. The data were thematically coded using *NVivo*, from which emerged interesting reflections on drugs as a 'state of exception', the need to eliminate those who trade in drugs, and prejudicial attitudes, with 'othering' following racial lines, particularly in relation to foreign nationals. Hence, we turned to the literature on necropolitics as our conceptual framework, and here we focus on our theoretical analysis of the following themes: 'extraordinary crime', 'human rights', 'security', 'War on Drugs', and 'foreign drug traffickers'.

Findings

Theme 1. *'Proxy war': Establishing a state of exception*

Establishing a 'state of exception' is a key component of necropolitics: 'power … continuously refers and appeals to the exception, emergency, and a fictionalized notion of the enemy' (Mbembe, 2019:70). We see similar justifications and rhetorical devices at work in the focus group discussions and interviews with Indonesian law enforcement, as revealed in the following quote from an Indonesian national police officer in discussing the foreign shipments of drugs into Indonesia:

> 'This could be a proxy war to beguile our nation so that we will not develop. The hallucination effect will make us lazy, stupid, etc. [Drug traffickers] become rich while we become addicts. Geographically we are close to the sources. … We are being attacked since the supplies keep coming … they bring tens of tonnes and do the wholesale in the middle of our seas.' (INP officer)

This language of 'war' and being 'attacked' is echoed in other justice professionals' accounts with descriptions of a quasi-invasion of drug dealers in relation to Indonesia's geographic vulnerability:

> 'Due to Indonesia's archipelagic nature, it is more prone to the shipping of drugs' (BNN Officer).

> '…the territory of Indonesia, it covers the border at the sea, land and both are very wide and cannot be rigidly secured by security forces' (High Prosecutor).

> 'Because our country is an archipelagic country with quite extensive sea area, it has a very large territory, so it is difficult to monitor the illicit circulation of narcotics before they enter Indonesia. This makes the northern part of Sumatra Island a target for operations by narcotics dealers in the Golden Triangle and Golden Treasure'[1] (Attorney General's Office).

This perception of Indonesia's vulnerability is compounded by unreliable government statistics which overstate drug use (and 'abuse'), as one BNN officer reminded us: 'from BNN research in 2021, there are 3.6 million users compared to 3.4 million in 2019', not to mention new

[1] The 'Golden Triangle' refers to an area of drug production between Myanmar, Thailand and Laos. The 'Golden Treasure' refers to a network of drug trafficking between Afghanistan, Iran and Pakistan.

substances entering the market: 'in the newest Minister of Health regulation, there were around 167 New Psychoactive Substances (NPS)'. The Indonesian government has a history of misusing statistics on drug use to justify punitive policies, with Jokowi in 2014 citing a drugs 'emergency', alleging that 4.5 million Indonesians needed to be rehabilitated and 40 to 50 young people died each day due to illicit drug use. Informed scrutiny of his figures reveals reliance on 'studies with questionable methods and vague measures' (Stoicescu, 2015).

In this context, the death penalty is positioned as justifiable, as one member of the INP stated: 'narcotics as extraordinary crimes also need extraordinary measures', a sentiment echoed by a District Prosecutor: 'we carry out the death penalty so that the top will know that the government really pays attention to punishment for narcotics cases'. A High Prosecutor concurred: 'it serves as a warning for the dealers that the state is present'. Indeed, in the Southeast Asian region we see the death penalty framed as the state's 'sovereign right', particularly in Singapore (Hoyle & Hutton, 2024), which accords with Mbembe's (2019) argument that '[t]he ultimate expression of sovereignty largely resides in the power and capacity to dictate who is able to live and who must die. To kill or let live thus constitutes sovereignty's limits, its principal attributes' (66).

Theme 2. ***'Perpetrators violate the rights of others; they deserve the severest of punishments'***

Central to the necropolitical agenda is the notion that some must be allowed to live, while others must, necessarily, die. Indeed, as articulated by Flacks (2021):

> '[I]t is the legitimatisation and authorisation of punitive and destructive drug laws and policies, in the name of preserving or protecting the life and vitality of others, particularly … children, that warrants consideration of the support of such technologies as an instantiation of necropower' (14).

Likewise, for Wright (2011), '[b]iopolitics is intimately wound into necropolitics, since governments protect the lives of some by justifying the deaths of others' (209). As is common in anti-drugs discourse across jurisdictions, children are presented as the 'ideal victims' (Christie, 1986) of drug crimes, in need of saving from the scourge of 'evil' drug traffickers (Flacks, 2021), though in Indonesia fears extend to the wider polity:

> 'The impacts of [drugs] are cases such as a child who arsons his/her house, a child who kills his/her parents when they are denied money to buy drugs' (INP Officer).

> 'The more drugs get into our country the more dangerous it is. If everyone is contaminated, then no one will be able to think and defend our country' (INP Officer).

> 'When we imagine that one gram could be consumed by three people. The amount that goes into our country could reach tonnes. Our nation is being damaged. … For me, dealers deserve the harshest punishment' (INP Officer).

In continuation of this theme, others talked about how, accordingly, it was justifiable to end the life of a drug trafficker, with arguments about trumping their rights with the rights of citizens at risk of grave harms:

> 'The international community sees [the death penalty] as a human rights violation of the right to life. But we need to see that rights are not absolute, there are limitations. The enjoyment [of human rights] shall not violate the rights of others. From the state's perspective, we see that dealing is a grave crime. The effect could destroy future generations and lives of many. Therefore, the perpetrators violate the rights of others. They deserve the severest punishment' (BNN Officer).

> 'In my opinion a person's human rights are limited by the rights of other people. What this means is that there are rights for people and society to live safely and comfortably, without the circulation of narcotics' (District Prosecutor).

This position was held by previous Indonesian President Megawati Sukarnoputri (2001–2004) who oversaw the creation of the National Narcotics Board (BNN) under her renewed War on Drugs. She held that, '[m]ajor offenders, like producers and dealers, should be punished by death. For me, it is better to have a person suffer capital punishment than to see the whole community become addicted to drugs' (Unidjaja, 2001 cited in Fransiska, 2019:183).

This rationale has similarly justified extra-judicial killings of drug traffickers in other Southeast Asian jurisdictions where wars on drugs have exterminated tens of thousands of civilians, as described above (Raffle, 2021). Their leaders 'deployed biopolitical patterns of discourse to legitimize the murder of those associated with the drug trade' by appealing to 'the threat of drugs to children through the biopolitical lens of the integrity of the family, national health, and therefore the future of the nation' (Raffle, 2021:1). Whether deploying such rhetoric to justify judicial or extra-judicial executions, Southeast Asian leaders are operating within a continuum of state-sponsored drug violence when revealing their appetites to eliminate drug dealers.

Theme 3. ***Colonial legacy and the racist application of the death penalty for drugs***

Racism is a central component of Mbembe's (2019) necropolitical theory; indeed, 'the function of racism is to regulate the distribution of death and to make possible the state's murderous functions' (71). It is inherent in the legal regulation of drugs in Indonesia and its interconnectedness with the country's colonial past:

> 'The War on Drugs…leads to the most vulnerable and impoverished members of Indonesian society facing the criminal justice system with no knowledge of the law, as well as foreign nationals who may not speak the language. Again, we see a legal system that protects different members of society to different degrees, just as when there were separate legal systems applied to different groups in the Colonial period' (Fransiska, 2019:186).

Moreover, Fransiska finds that 'the language of sub-humanity developed by European racism has subsequently evolved to be applied to new categories of peoples, such as drug users' (2019:180–181). When it comes to drug traffickers, there is an 'inherent association' with foreign nationals, particularly West African and Chinese immigrants: '[t]he BNN described the Chinese as a source of drug precursor chemicals used to produce synthetic drugs, and West Africans, such as Nigerians, as being at the centre of heroin and cocaine smuggling networks' (Fransiska, 2019:188, 183).

On that matter, it is worth noting that three of the last four people to be executed in Indonesia, in July 2016, were from Nigeria.[2] One, Humphrey Jefferson Ejike Eleweke, had been sentenced to death for drug offences in 2004 following a prosecution marred by a lack of due process and claims that he was repeatedly beaten and threatened to be shot if he did not sign a confession or implicate others. The court judgment revealed explicit racism, with the trial judge stating that 'black-skinned people from Nigeria' are 'under surveillance by police because they are suspected of drug trafficking in Indonesia' (Anti-Death Penalty Asia Network, 2011). His lawyer, Ricky Gunawan, told us that his sentence was upheld by the Supreme Court though the former owner of his restaurant had confessed to planting the drugs at Jefferson's restaurant to frame him.

[2] Seck Osmane, Humphrey Jefferson Ejike and Michael Titus Igweh.

Five of the 14 prisoners executed for drug offences in the previous year were Nigerian,[3] and only two were Indonesians. Verified data shared with the authors show that 30 out of the 94 foreign nationals sentenced to death for drug offences in Indonesia from 1999 to 2018 were Nigerians, which equates to a third of all foreign nationals and one-fifth of all individuals on death row in the jurisdiction. Moreover, 12 of those 30 Nigerians have been executed since 2008.

Our focus group discussions confirmed police officers' suspicions of Nigerian and other West African drug traffickers in Indonesia:

> 'There is this new method – the Nigerians use Indonesian females to bring drugs into our country. For example, they become acquaintances through social media, video calls, then become a couple. After 3 months, the man will offer to send her branded items but ask her to claim it through customs. These women, although educated … will do it, given the intense relationship, the woman was promised to be married, and luxury items' (INP).

While West African drug traffickers appear to be the main focus of drug interdiction efforts, we heard about the 'menace' of 'foreign drug traffickers' more generally, with one INP officer proclaiming the need:

> '…to map the foreigners, what they do, where they live. Many that get caught brought the precursor from abroad and they manufacture it in houses. … The foreigners are enjoying their life here, are able to run business smoothly and get a lot of money' (INP Officer).

The framing of drug trafficking as an external, national security threat, leaves foreign nationals as scapegoats for the drugs menace (Lasco, 2020:5), the proverbial 'folk devils' (Cohen, 1972), facing the death penalty, often without due process, having been marginalised at the 'intersections of race, religion and citizenship' (Hoyle, 2019). Clearly, Fransiska's (2019) claim that the logic of European colonial racism has been applied to people who use drugs as well as, crucially, racialised foreign nationals in Indonesia, is borne out by our data.

Discussion

Our review of the extant secondary literature suggests that, in Southeast Asia, in contrast to the Americas, drug-related violence is more often perpetuated by the state towards its citizens, rather than occurring within the drug trade itself (Reyes, 2016; Johnson & Fernquest, 2018; Lasco, 2020). Southeast Asian leaders seem to be less worried about violence within the drug markets, asserting instead concern for the younger generation at risk of addiction and the impact on the nations' economic productivity. This may be partly motivated by 'postcolonial fears of foreign intervention or invasion' – in this case, in the form of drugs which may 'subjugate' the productive population (Lasco, 2020:2). And indeed, former Indonesian President Jokowi's 'War on Drugs' also subscribed to this rhetoric, stating, in June 2015, that drug abuse has 'the potential to greatly disrupt the nation's competitiveness and progress' (Liputan6, 2015). Those working to protect the nation from drugs, and utilising lethal violence to do so, are framed as 'protectors' of the young. Indeed, the Head of BNN from 2015 to 2018 was quoted as saying in 2018 that: '[a]s of now almost 6 million children with productive age that [sic] become the victims of drug abuse. I have to say that death penalty execution is not something that [is] delightful, but it is necessary to redeem our nation' (cited in Napitupulu et al., 2018:30).

Interestingly, we see from our research participants that the 'drugs issue' is framed as a 'state of exception', using the rhetoric of 'warfare' in order to justify the most punitive, and most violent, of responses. Our participants exhibited a 'siege mentality', expressing concerns about a foreign 'insurgency' of drugs, which vindicates annihilation with the aim of preserving current and future generations of Indonesians. We can surmise that this notion of a 'state of siege' works to suspend criminal justice professionals' moral judgement of their state's policy stance towards drugs. Within this frame, racist tropes are harnessed to rationalise disproportionate targeting or punishment for foreign nationals, which is borne out both in the Indonesian execution statistics, but also in our participants' derogatory discussions of criminal 'foreigners'. In our participants' framing of the 'drugs issue' in Indonesia, we witnessed Mbembe's (2019) normative bases for state killings.

Crucially, our findings connect with academic and civil society research from across the region; research that is not just focused on the death penalty, but also on extrajudicial killings. This suggests that we should consider capital punishment as part of a wider continuum of state-sponsored drug violence. Similar rationales are provided for extra-legal violence, for example, as a way of protecting the younger generation, as exposed by former President of the Philippines, Duterte, who is quoted as stating: 'you harm the children on whose hands the future of the Republic is entrusted, and I will hound you to the very gates of hell' (Rappler, 2017 cited in Raffle, 2021:7). We have also witnessed war-like rhetoric, which justifies the suspension of human rights, in other Southeast Asian jurisdictions too. For example, former Thai Prime Minister Thaksin Shinawatra's 2003 'scare campaign' against methamphetamines, led to an estimated 2245 to 2800 extrajudicial killings (Roberts, Trace & Klein, 2003). A year after the campaign ended, then King Bhumibol declared '[v]ictory in the War on Drugs is good. They may blame the crackdown for >2500 deaths, but this is a small price to pay' (Lasco, 2020:3). And indeed, Lasco (2020) argues that the concept of the 'war on drugs' is a populist trope in Southeast Asia which drives *both* extrajudicial killings and the expansion of the death penalty to include drug offences, in order to ensure the targeting of state surveillance and violence on vulnerable 'others'.

Limitations

Though we were fortunate to have many criminal justice professionals agree to be interviewed or participate in our focus groups, some interactions were slower because there was not a common language. Dialogue mediated through an interpreter can never be as fluent and may militate against full and detailed answers. There is also the risk that interpreters or translators miss nuances in conversations, though using Indonesian interpreters and translators, fluent in English, rather than the other way round, reduces that risk. Furthermore, to further mitigate risks, we engaged professional interpreters who had previously been contracted by international drug organisations and so were familiar with the relevant technical language. We also employed professional transcribers to translate recorded discussions that took place in Bahasa Indonesia to English so that we could check what had been said during the interpretation. Despite these limitation, our study is unique in that we were able to gain the first-hand perspectives of those on the frontlines of the 'war on drugs', unlike extant studies which have focused on a secondary analysis of populist leaders' discourse (Lasco, 2020; Raffle, 2021).

Conclusion

By shifting our critical gaze to Southeast Asia, and away from the Americas, we find that violence in relation to the drug trade looks quite different. While in Latin America, so-called 'narco-wars' between the state and organised crime groups and within cartels are characterised by high levels of reciprocal lethal violence, in Southeast Asia, academic and civil society attention is rightly focused on state violence, justified by the 'war on drugs'. There, violence is much less often perpetrated *within* the drug trade, and more often *by the state* to its citizens. While there are certainly drug cartels in Southeast Asia, there is little evidence that they control their trade through excessive violence and coercion. Instead, loose networks maintain the drug trade at local levels, with relationships

[3] Daniel Enemuo, Martin Anderson, Raheem Agbaje Salaami, Sylvester Obiekwe Nwolise and Okwudili Oyatanze.

characterised by trust, rather than fear and threats of violence (Hoyle & Jabbar, 2025). It is likely that the changing nature of the drugs now typically produced and consumed has made this more apparent. While at one time, kingpins were essential for moving vast quantities of drugs across the borders of Southeast Asia, the dramatic shift from opioid-based drugs to amphetamines, primarily methamphetamine, allows for greater local production and reduced reliance on cartels.

Recognition of the differences in violence and the drug trade from one side of the world to the other necessitates a shift in focus from knowledge acquired in Latin America to evidence from Southeast Asia. It demonstrates the limitations of transplanting theoretical and policy findings from one side of the world to the other without empirical scrutiny of differences across jurisdictions and reinforces the need for criminology and other social sciences to widen our academic gaze across the 'global south'. In so doing, we can conceive of the death penalty for drug offences as a form of state-sponsored, necropolitical violence and moreover we can explicitly categorise it as part of the continuum of 'drug-related violence' rather than as simply a matter of penal policy.

In concluding, it is worth remembering that our empirical focus has been on the death penalty as a punishment allowed under international law, albeit with strict procedural safeguards, too often honoured in the breach. However, in exploring the wider context in Southeast Asia, we have shown that discourse on extrajudicial killings, clearly proscribed by international law, is not dissimilar to states' accounts of their sovereign right to sentence to death and execute. In both cases, the denial of human rights of some is justified within the wider remit of preserving and protecting the lives of other citizens deemed to be vulnerable to harms caused by illicit drug use and trading. When states use the same rationales for illegal actions as for their sanctioned punishment regimes, we should take note.

CRediT authorship contribution statement

Lucy Harry: Writing – review & editing, Writing – original draft, Project administration, Methodology, Investigation, Formal analysis, Conceptualization. **Carolyn Hoyle:** Writing – review & editing, Writing – original draft, Supervision, Resources, Project administration, Methodology, Funding acquisition.

Declaration of competing interest

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

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