



Mapping the Political Economy of Drugs and the Death Penalty in Southeast Asia



Introduction

UN data shows soaring production and trafficking of drugs across Southeast Asia. States have responded with a 'war on drugs', committing to criminal justice solutions over health measures, including through the use of the death penalty. States assert their sovereign right to determine which offences cause the most serious harms within their communities and the appropriate punishments, claiming that capital punishment for drug crimes does not breach international law.

A core assumption driving the use of the death penalty for drug offences in the region is that those convicted are the worst offenders – the powerful 'kingpins', deserving of the harshest punishments. There is a lack of data to support these claims, with no comprehensive dataset on those on death row in any Asian country, and only imprecise information on those executed. Initial research suggests that those on death row are in fact more likely to be precarious, disadvantaged and vulnerable.

The resort to capital punishment is also motivated by the belief that the harshest punishments have the power to deter would-be drug offenders. It is claimed that without death sentences and executions, drug production, trafficking and use – and related harms – would be much higher. Robust research on 'deterrence theory', primarily in the US, has established no clear deterrent effect from death sentences or executions, and there is no reliable data on the possible deterrent effect of the death penalty for drug offending.

This three-year research project (2022-25), co-directed by the Death Penalty Research Unit and the Death Penalty Project, will test the veracity of these assumptions about who is convicted of drug offences and the deterrent effect of the death penalty. It will generate new empirical knowledge about who is on death row for drug offences and the factors that influence decisions to commit (or resist) drug offences, while placing the data in the context of historical and contemporary power relations, politics and culture. To do this, we need macro- and micro-level data; without one, we can only tell a partial story.

Mapping Death Row for Drug Offences

At the macro level, we will undertake a 'mapping project', creating an interactive database of those sentenced to death and executed for drug offending across Southeast Asia. Mapping who is convicted for drug offending across the region, the database will present case-based data on individuals' nationality, gender, ethnicity and crimes they were convicted for, among many other variables, as well as their experiences of the criminal justice system, where possible. This database will be developed in partnership with an existing network of human rights organisations from the region.

Indonesia: A Case Study of motivations for drug offending

At the micro level, we will focus on Indonesia - which has the highest rate of death sentences in Southeast Asia, excluding Vietnam - as a case study to learn more about individuals' motivations for and pathways to drug offending. Working with Atma Jaya University in data collection, we will undertake two studies: one with drug offenders in prison, who are sentenced to death or to life, and the second with those in the community involved in drug networks.



This project is funded by the UK Economic and Social Research Council. Project consultants and partners from University of Atma Jaya, LBH Masyarakat, Columbia University and Harm Reduction International.



Prison study

For the prison study, we will interview a sample of approximately 200 prisoners from prisons in four regions, analysing the factors that shaped their decisions to commit drug crimes as well as gathering detailed information on their backgrounds as well as their experiences of the justice system and incarceration.

Drug network study

In the community, we will interview approximately 100 individuals, across four regions, who are situated within drug use/trading networks but have not been convicted of serious drug offences in the past five years. Interviewing those in the community will be important to understand the decision-making processes of those who may have resisted involvement in serious offending, or evaded detection - perhaps by exposing other more vulnerable individuals to punishment.

This project will expand contemporary theories of the political economy of capital punishment and will be an important resource for academics. The findings will have the potential to assist policymakers, practitioners and politicians who want evidence-led penal policy and can be harnessed to encourage debate, challenge rationales for retention, and shift policy and practice.

For more information, please contact Jocelyn - jocelyn.hutton@crim.ox.ac.uk