



## Locating The Case of Mary Jane Veloso in The Context of the Securitization of Illegal Drugs in Indonesia

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Received 29 June 2024; Received in revised form 24 March 2025

Accepted 4 June 2025; Available online 19 June 2025

### Abstract

This paper revisits the case of Mary Jane Veloso, a Filipina arrested in Indonesia on charges of transporting illegal drugs to the country. Convicted and sentenced with the death penalty, Veloso was in prison in Indonesia from 2010 to 2024, before being sent back to the Philippines where she is to be incarcerated awaiting further developments as to whether the case would be commuted leading to her release. The case of Veloso intersects issues of human rights, transnational crime, human trafficking, and illegal drugs and has witnessed numerous campaigns that advocate for her release. The paper focuses on the dimension of illegal drugs and locates the case within a broader discussion of the international drug control regime and Indonesia's punitive policy on illegal drugs. In particular, Joko Widodo's presidency and war on drugs is presented as an important context that demonstrates the securitization of illegal drugs in Indonesia. Within this frame, the paper makes a case to further understand the complexity of Veloso's arrest, conviction, and detention as it has become an international issue as well as a domestic concern in Indonesia.

### Keywords

Mary Jane Veloso, Indonesia, War on Drugs, Securitization, Drug Policy

## **Introduction**

In June of 2023, Mary Jane Veloso, a Filipina sentenced to the death in Indonesia was able to reunite with her family when they were finally able to travel to Yogyakarta after five years (ABS-CBN News, 2023). This came as part of the continuing reprieve granted by the Indonesian government to allow her to testify in relation to the case of human trafficking which has been cited as the main conduit that placed her in her precarious condition. In 2024, another milestone in Veloso's case happened. In December of that year, Veloso returned to the Philippines. This came after diplomatic negotiations between the two Southeast Asian countries, which led to Indonesia handing the jurisdiction to the Philippines as to whether Veloso would be pardoned and clemency would be granted (CNN, 2024).

For over a decade since her arrest in Yogyakarta and eventual conviction for illegally transporting heroin to Indonesia, Veloso had been at the crossroads, plunged into the center of an international issue that interfaced the complexity of transnational crime, illegal drug prohibition, human trafficking, and human rights. In the context of Indonesia, however, Veloso is only one among many foreign nationals that have been arrested and sentenced with capital punishment amid the country's long battle with illegal drugs.

Gaining wide media coverage, the case of Veloso has become a flashpoint of discussion about the intersecting issues of drug and human trafficking. Some even regard Veloso as a 'geopolitical pawn' in the larger crusade against drugs that has been pursued in Southeast Asia (Andrews-Briscoe & Perempuan, 2021). Her case, therefore, also points to the relevance of engaging in wider discussions about the policy on combatting illegal drugs at the international level, in the region through the Association of Southeast Asian Nations (ASEAN), and domestic cases such as in Indonesia where she was sentenced to death.

This article seeks to engage in these conversations by exploring the issues surrounding the complexity of drug policy in Indonesia as well as the larger context of the international drug control regime to further make sense of the case of Veloso. While some scholars (See Naibaho, 2023; Gerry & Sherwill, 2016) and advocacy groups (see Asia Pacific Forum on Women, Law, and Development, 2023) have already explored the case by focusing on human trafficking and the policies of ASEAN related to it, this article focuses more on the other dimension—the involvement of illegal drugs. By locating the case of Veloso within the broader frame of drug policy and war on drugs, I aim to argue that the combination of domestic politics and international drug policies and discourses

that frame the dangers of drugs as security threats complicate the intricacies of dealing with cases of drug trafficking in the Southeast Asian region.

This article mainly reflects on how the construction of illegal drugs as a threat to society in Indonesia and the regional and international contexts that underpin such discourses could further illuminate our understanding of Veloso's case. From this, I aim to highlight that the construction of drugs as an existential and security threat facilitates the existence of prohibitionist discourses and policies related to drugs and these then create the conditions of possibility that allow the draconian policies on drugs to thrive and be politicized in the region.

To tackle these main points, this paper largely draws from constructivism and is further grounded in securitization theory to analyze the extant literature about drug policy in Indonesia and the region, and the case of Veloso in particular. Official documents and some pronouncements from key officials of Indonesian government are considered to indicate the securitization of drugs and the resulting hardline policies related to it.

The article proceeds in four parts. In the following section, a brief literature review is presented to show the general contours of studies and discourses related to the topic at hand. Here, three broad areas are explored: (1) the case of Mary Jane Veloso, and the ways in which both scholars and activist groups have forwarded narratives surrounding the issue; (2) the international drug control regime and Indonesian drug policy, to discuss the larger contexts within which the succeeding discussions are situated; and (3) the securitization and constructions of drugs as a way to further ground the analytical approach and the existing literature with which the article engages. After this literature review, the next section summarizes the conceptual and theoretical anchors from which this article draws from. Here the basic tenets of the constructivist approaches to politics and international relations are reviewed as well as the securitization theory developed by the Copenhagen School. These approaches underpin the arguments of the article. Then the next sections circle back to the case of Veloso with a summary of the case, which underscores the process by which the issue took on an international character owing to the presence of many stakeholders at play and how the case plays out within the larger context of the international drug control regime. After this, the case is located within the broader discussion about the construction of drugs as security threats in Indonesia to bring together the preceding sections of the article. Highlighted in this section is the evolution of the international drug control regime and the way that ASEAN had taken to frame illegal drugs exemplified in the organization's commitment to building a 'drug-free Southeast Asia.' This broad discussion then feeds into the context of Indonesia and its War on Drugs under Widodo discussing the ways in

which the country had participated in international agreements, the domestic landscape, and the ways that the securitization of drugs show how entrenched the construction of drugs as dangers to society discourse had become. The discussion then reflects on how we can better understand the case of Veloso by focusing on the dimension of illegal drugs as an important component in the case.

## **Understanding and Contextualizing the Case of Mary Jane Veloso: Background and Literature Review**

The case of Mary Jane Veloso brings together several interrelated issues that need to be grounded in the existing literature. On the one hand, it is important to understand and contextualize the case of Veloso within the development of international drug control regime that provides the global context within which the construction of a discourses on drugs plays out. On the other hand, we also need to emphasize that while the case of Veloso is one among many cases that intersect the issues of drug policy, human rights, and transnational crime, we need to understand some of the unique characteristics of the case as it unfolded in the Southeast Asian region and how it complicates Philippine-Indonesia relations and the politics of drugs in the ASEAN context. Thus, this literature review provides a background as well to the general contours we find in the academic scholarship that tackle, one, the international drug control regime; two, how this context brings forward conversations about the securitized view of drugs; and three, how this illuminates the case of Mary Jane Veloso as it is discussed in select academic and advocacy papers.

### **The Case of Mary Jane Veloso**

To further contextualize the case, a brief summary is in order. In 2010, Mary Jane Veloso was caught carrying 2.6 kilograms of heroin. Arrested at Yogyakarta's airport, she was tried and convicted for the crime of smuggling drugs to Indonesia. She was later sentenced to death. When the story of Veloso broke, the Philippines immediately tried to file appeals to save her—to no avail (Rappler, 2015). In 2014, a new president, Joko Widodo won the Indonesian elections, proclaiming a war on drug use and trafficking. By 2015, Widodo had rejected appeals for executive clemency aimed at Veloso (Rappler, 2015; Holmes, 2016).

In April of 2015, Veloso's execution date was set after all further appeals were denied by the Indonesian Supreme Court. Veloso was not the only foreign national sentenced to death in Indonesia due to charges of illegal drug smuggling. Another case that had gained international prominence was the so-called "Bali 9," a case involving nine

foreign nationals—Australians—that attempted to smuggle heroin out of Bali in 2005. The cohort were arrested and eventually sentenced to death in 2006-2007. Amid international clamor for a humanitarian approach, Indonesia remained steadfast in the verdict. In April 2015, two of the 9 Australians ultimately met their demise (The Guardian, 2015). The scheduled date for the punishment of the two Australians were the same schedule set for Veloso's execution.

Leading up to the execution date, however, the recruiter instrumental for Veloso's travel and supposed employment in Indonesia surfaced. The incident provoked public support for Veloso as she had previously said that she was, in fact, a victim of human trafficking. The events urged Philippine president Benigno Aquino III to again appeal for Veloso's life to be spared by the Indonesian government so she could testify against the crime of human trafficking. Widodo relented but emphasized that his decision was only a postponement (BBC News, 2015). In 2016, Rodrigo Duterte would become Philippine president, winning on a platform of a hardline approach to criminality, particularly drugs. Duterte, contrary to Aquino, distanced himself from Veloso's case premised on respecting Indonesia's laws (Kwok, 2016). Veloso would remain incarcerated in Indonesia until 2024, when the new Marcos administration in the Philippines would re-engage Indonesia regarding the case ultimately leading to Veloso coming home and the jurisdiction being handed over to her home country (CNN, 2024).

As the case of Veloso unfolded, several factors complicated it. For one, the relations between Indonesia and the Philippines became a concern as the heads of state intervened and discussed the matter. Many international organizations also voiced their strong opinions and appeals for Veloso's sentence to be commuted. Widodo's presidency and his War on Drugs exacerbated the issue as his stance to securitize illegal drugs further took the conversation to include issues related to human rights, aside from the already multifaceted nature of human trafficking. In 2023, the sustained efforts to call for Veloso's release saw nearly 200 organizations—both based in the Philippines and internationally—launching campaigns and writing pleas (Valmonte, 2023). While many calls to free Veloso centered on her being a victim of human trafficking, a deeper understanding of the case could be yielded if greater emphasis was placed on the ways that the drugs discourse and drug policy had played a role in her case.

As can be noted from the development of the case of Veloso over the years, several related issues converge. This particular aspect of the case is reflected in some of the works that have already attempted to find analytical nuances her situation and struggle. One key theme in the literature on her case relates to the complex convergence of issues of labor migration and the human rights dimension involved when transnational

crime, human trafficking, and the death penalty are experienced by labor migrants, such as Filipinos. Here we see how human rights and transnational activism became a major angle from which scholars approached Veloso's case. In one example, Francisco-Menchavez (2018) discusses the experience of Mary Jane Veloso and the global migrant activism that have been mobilized in relation to the case. Moreover, the article argues the importance of organizing migrant workers in a critical manner looking into the role of political mobilizations in fostering class consciousness and awareness among Overseas Filipino Workers (OFWs). This is further discussed in the context of the neoliberal state in the Philippines. The feminist and critical appraisal of the role migrant networks highlight the ways in which transnational networks contribute to the protection of OFWs. Through various activities, such networks promote the gendered and class consciousness that become potent platforms for sustained activism. The article argues that fostering this class consciousness also contributes to combatting and addressing challenges faced by OFWs such as that experienced by Veloso. Similarly, Messina's (2019) work tackles the case of Mary Jane Veloso by situating the case within larger conversations about the challenges faced by Filipinas that choose to find employment abroad. Messina highlights the risk of transnational organized crime as a threat to the safety of migrant Filipinas exacerbating the already challenging life posed by poverty. After setting the context of labor migration and the plight of migrant Filipinas, the article proceeds to discuss the advocacy work of Gabriela New York to promote the visibility and awareness of the conditions of Filipina migrant workers. With this comes a discussion about the campaigns of Gabriela NY to combat stereotypes and misrepresentations of Filipina migrant workers. Using qualitative techniques and highlighting the use of photographs to demonstrate the scale of activities of Gabriela NY, Messina shows how various modes of campaigns and activism contribute to the protection of rights of migrant Filipina workers.

In terms of the efforts being made by Philippines government offices, Varona (2017), prompted by the case of Veloso, offers a critical appraisal of the ways in which government rhetoric frames the issue of OFWs on death row abroad. By using Critical Discourse Analysis, the article analyzes media coverage of several cases of OFWs on death row in order to elucidate the rhetoric and framing of the government. Varona's study finds that the cases of OFWs on death row have been presented to have been in such precarious condition largely due to their own doing, while the state is characterized as a savior willing to use all means necessary to save them. Other studies (Naibaho, 2023; Gerry and Sherwill, 2016) further looks at the case highlighting the human rights dimension and the transnational criminal activity pertinent to the case.

While there have been some studies that focus on the case of Veloso from the important angle of human rights, transnational crime, and labor migration, there is room to further find analytical nuances in the case by focusing on the context related to the illegal drugs for which she was arrested and her conceptualization as a geopolitical pawn in a larger global drug war. This article underscores these important features, and it is through this prism that it hopes to contribute to a different understanding of Veloso's case.

### **The Global Drug War and The International Drug Control Regime as an Important Context**

To further understand the case of Veloso within an international context, it may be worthwhile to revisit the broader history of the evolution of international drug policy, albeit in broad strokes. In doing so, there is value in going as far back as the late nineteenth to the early twentieth centuries when the shift in the conversations about drugs saw the beginnings of its discursive construction as a vice that needs to be controlled. At the turn of the 20<sup>th</sup> century, colonial empires in Southeast Asia began adopting a prohibitionist stance against narcotics and psychoactive substances. Initial conversations revolved around opium and how it ought to be regulated. This new-found moral contempt followed centuries of opium being a source of colonial revenue (Kim, 2020). Conventional explanations on the rise of the prohibitionist stance against opium—and eventually other psychoactive substances—point to the role of several religious groups, anti-opium organizations, and scientific and medical professionals arguing for the danger posed by these substances to the health and morality of the people (Courtwright, 2001). Here we see the beginnings of the emergence of a securitized view of drugs as existential threats to society.

Aside from several conferences organized to find agreement on international measures to control the production, circulation, and consumption of these substances in the early twentieth century, the United States had been key in shaping global norms related to drugs, especially in the late 1960s and early 1970s when Nixon launched the “war on drugs.” Nixon, provided a language to describe the threat of drug abuse calling it “public enemy number one” and that “in order to fight and defeat this enemy, it is necessary to wage a new, all-out offensive.” (Nixon, 1971). To wit, Nixon (1971) emphasized:

*This will be a worldwide offensive dealing with the problems of sources of supply, as well as Americans who may be stationed abroad wherever they are in the world.*

The United States then becomes a major norm entrepreneur and Nixon a major securitizing actor that pushed for the global battle against illegal drugs. Thus, this global fight against drugs led to several measures and policies that laid the foundations of multilateral drug control systems. From the early twentieth century to the 1990s, the consolidation and the continuing traction that the discourse on illegal drugs achieved would lead to the building of the international drug control regime (Gootenberg, 2021). The historical accretion of discourses and policies would reach the level of the United Nations, when several iterations of drug prohibition agreements would arise from the 1960s to the 1980s (Collins, 2022; Gootenberg, 2021).

In understanding the evolution of the international drug control regime, several scholars (Collins, 2022; Gootenberg, 2021; Kim, 2020) have noted the importance of appreciating the long historical process involved in the development of discourses that began to shape illegal drugs as a moral and security problem that needs to be dealt with. By considering the global context of conversations about illegal drugs in relation to the case of Veloso reveals how a securitized view of drugs is important to further nuance the case and situate Indonesia's responses to the issue. This approach could be further underpinned by further contextualizing the constructions of drugs in a regional context—in the Southeast Asian region and ASEAN.

### **Contesting Punitive Policy on Illegal Drugs: Human Rights and Harm Reduction Approaches**

While the international drug control regime remains to be in place owing to its long history since the early twentieth century, contemporary conversations have given rise to counterpoints and critiques to the ways in which drug policy had afforded legitimacy to a global war on drugs. Since the 1990s, there have been efforts in advocating for the harm reduction approach underscoring a human rights-based and public health approach to drugs, even advocating decriminalization (Erickson, et al, 1997). Numerous studies presented the evidence of the effectiveness of harm reduction approaches in helping individuals involved with illegal drugs and psychoactive substances (See Klein, 2020). In the academic literature, there have also been calls to rethink the international drug control regime arguing that the global war on drugs elides the importance of considering human rights and how the continuance of the policies anchored on the international drug control regime could run counter to other international norms and regimes (Idler and Vergara, 2021).

As the policy and academic circles continue to demonstrate debates in drug policy, the international drug control regime and the securitization of illegal drugs

discourse and infrastructure remain active and impactful on societies and their governance in many parts of the world. The discourse of the global war on drugs continues to reverberate in many regions and countries, including Southeast Asia through the regional organization ASEAN and its member states.

### **Regional Context of Southeast Asia and The Securitization of Illegal Drugs**

The construction of a discourse of drugs as dangerous substances would eventually diffuse and gain resonance in regional and domestic contexts. In the case of Southeast Asia, ASEAN, in the 1970s, adopted policies against illegal drugs and later on articulated a vision of one day becoming a drug-free region (Emmers 2007a). The language that constructs illegal drugs as threats to society would find its way into ASEAN's moralistic vision with statements framing drugs as "fraught with social and economic danger to mankind" and drug abuse "seriously endanger[ing] the development programmes of the member countries" (ASEAN, 1976; Emmers, 2007a). In 2012, ASEAN leaders even declared that

*the international drug problem remains one of the main security concerns to all ASEAN Member States. Apart from the suffering caused to individuals, particularly the young, illicit drug abuse and trafficking weaken the social fabric of nations, represent direct and indirect economic costs to governments and entail criminal activities which could threaten the stability of states (ASEAN, 2012).*

The ways in which drugs had been constructed as a threat that needs to be dealt with not only figured in ASEAN, but within member states as well when domestic policies and national leaders have securitized illegal drugs. It has already been noted by scholars how ASEAN members "have indicated the security threats posed by the drug trafficking problem to the political, economic and social stability of the member states in various declarations and communiqués" (Emmers, 2003: 428). Across the region, member-states had seen varying degrees of support to the drug-free vision and in extreme cases, even adopted draconian policies such as wars on drugs akin to a form of state vigilantism (Raffle, 2021). This was exacerbated with the rise of populist governments from the 2001 election of Thaksin Shinawatra in Thailand to Rodrigo Duterte's election in 2016 in the Philippines, with drugs figuring as a populist trope. Lasco (2020) notes three important characteristics that make illegal drugs a major component of populist rhetoric: (1) it involves the conflation of issues of illegal drugs into a national crisis; (2) drug wars entrenches a division between those that are virtuous and the drug users and peddlers as dangerous others, fostering an us versus them narrative;

and (3) it involves the invocation of knowledge claims and meanings around drugs, drug use, and drug users. In attempting to locate drugs within the context of Indonesia's experience with populism under Widodo, it can be noted that speech acts and declarations related illegal drugs also feed into and underpin the populist regime. If we are, then, to create a more nuanced understanding of the place of illegal drugs as an important node in Veloso's case, Indonesia's own war on drugs and Widodo's populism provides an important context to understand Indonesia's contemporary hardline policy that undergird the strong resistance to commute Veloso's sentence despite immense international pressure.

### **Indonesian Drug Policy from The Lens of Constructivism and Securitization**

Considering the case of Veloso as an international issue owing, on the one hand, to the ways it has been a matter of concern in Indonesian-Philippine relations and, on the other hand, the ways several countries and international organizations have been involved in organizing legal teams, lodging appeals, and launching protest action to express dismay in Indonesia's decisions, prompts several ways to make sense of the case drawing from the rich theoretical traditions in international relations. These various theoretical approaches could shed light on the case.

This article largely draws insights from constructivism. At the heart of constructivist approaches to international affairs is the core assumption about reality being socially constructed (See Berger and Luckmann, 1966). Here ideas, norms, and identities take the foreground as intersubjective meanings are construed to be constituted by agents and structures (Reus-Smit, 2005). These then allow for the "world of our making" (Onuf, 1989) to arise since, as Wendt (1992: 396-397) put it, the "fundamental principle... is that people act toward objects, including other actors, on the basis of the meanings that the objects have for them." In understanding illegal drugs and the policies related to it from a broad constructivist lens means the need to unpack the ways particular social, cultural, and political contexts lend the necessary conditions that frame illegal drugs and illegal drug policy. Here, it is important to consider the identities and norms being constructed alongside the construction of meanings being attached to drugs and drug policy. Thus, leveraging constructivism to understand Indonesian drug policy, necessitates an understanding of the identity of Indonesia as a state in terms of its relationship with drugs and how the Indonesian state and public construct meanings about drugs.

To frame the ways drugs have been interfaced with Indonesian politics and society can start by considering the ways in which Indonesia is positioned in terms of its

'identity' and context as a country in relation to illegal drugs. Being an archipelago, Indonesia's porous borders make it susceptible to the flow of illicit goods and clandestine human trafficking operations. In relation to narcotics, Indonesia is considered as a transit and destination country for illegal drugs. Looking at constructivism's emphasis on ideas, norms, and identities in relation to Indonesia and drug trafficking, points to the reality that Indonesia's *susceptibility* to illicit traffic and trade is a major facet that complicates and informs the country's drug policies and approaches. Several routes (e.g., through Malaysia) serve to facilitate the flow of drugs reportedly originating from the Middle East, China, and the Golden Triangle. As a transit point, Indonesia has reportedly been a site of operation for transnational groups to bring contraband to other countries such as Australia (US Bureau of International Narcotics and Law Enforcement Affairs, 2021). A 2019 report of the United Nations Office on Drugs and Crime (UNODC) also noted that there had been a considerable rise in production of drugs such as methamphetamine within Indonesia (UNODC, 2019). Therefore, Indonesia's realities as a transit, destination, and site of production could be seen as impacting the way Indonesians could perceive their identity amidst the international drug regime and would have a considerable impact to ways the state behaves in the international system and their international response to drug trafficking. It is, however, important to consider that there are instances in Indonesian history, such as the presidency of Widodo, when drug trafficking becomes more pronounced as a political and security issue.

Turning to the ways norms shape Indonesia's behavior in framing issues of illegal drugs, one can further draw from constructivist approaches to international norms. Framing the broader history of the Indonesian drug policy in the context of the drug prohibition as a norm, could benefit from understanding the norm life cycle approach (Finnemore and Sikkink, 1998) that points to the emergence of the prohibitionist norm. This international prohibitionist stance that emerged emanated, as argued by many scholars, from the colonial period (Kim, 2020) in global history and had continued to diffuse and be transformative at the international system level (Collins, 2022). As the various international conventions on narcotic drugs had been drawn up at the level of the United Nations since the 1960s such as the 1961 Single Convention on Narcotic Drugs (United Nations Treat Collection, 1961), the 1971 Convention on Psychotropic Substances (United Nations Treat Collection, 1971), and 1988 UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (United Nations Treat Collection, 1988) the emergence of the international drug control regime is concretized. This would then diffuse and become adopted in other regions such as in Southeast Asia, with the vision of drug-free ASEAN. Since the 1976, ASEAN Declaration of Principles to

Combat the Abuse of Narcotic Drugs. This vision had been consistent throughout the regional organization's discourse on illegal drugs and many member states remain supportive of this goal (Gunawan & Lai, 2018).

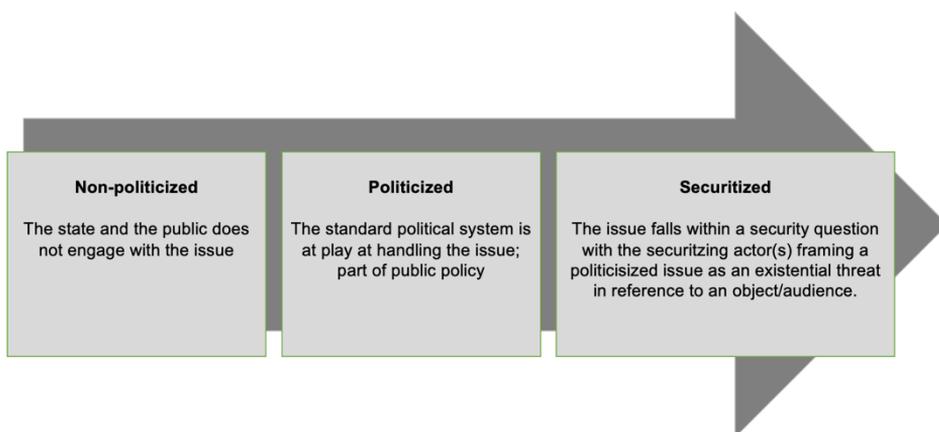
To further tackle the complexity of illegal drugs in relation to Veloso's case, it is important to note how Indonesia has been active in international forums and has been a signatory to many conventions. At the level of the UN, Indonesia signed and ratified the 1961 Single Convention on Narcotic Drugs, the 1971 Convention on Psychotropic Substances, and the 1988 UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. At the regional level, Indonesia has been a major supporter of the vision of drug-free ASEAN. Since the 1976 ASEAN Declaration of Principles to Combat the Abuse of Narcotic Drugs, Indonesia had remained consistent in its support for the program (Gunawan and Lai, 2016).

Indonesia also engages in bilateral arrangements in relation to combatting the trafficking of illegal drugs. For example, Indonesia maintains cooperation agreements with the United States. The US Bureau of International Narcotics and Law Enforcement Affairs have cited that its data and information shared with Indonesia had proven useful for Indonesian campaigns against illegal drugs (Bureau of International Narcotics and Law Enforcement Affairs, 2021). Here, it becomes visible how the United States, being the major proponent of the Global War on Drugs continues to provide the necessary support, funds, and information to countries that are aligned with their vision regarding illegal drugs.

The presence and participation of Indonesia in major international cooperation measures to combat illegal drugs together with the relatively consistent stance about prohibition is mirrored in the domestic sphere. In spite of many international groups and domestic civil society organizations criticizing Indonesia's approach to drugs (Stoicescu and Palmer, 2019; Cook, 2018), the hardline stance has remained. Thus, along with the entrenchment and diffusion of the norm of drug prohibition came the realities of the Indonesian situation in relation to illegal drugs, bringing forth a complicated construction of a drugs narrative alongside a securitized view resulting in their own "war on drugs." This way of looking at issues from a securitized lens is enriched by reference to the Copenhagen School and the emergence of securitization theory.

Securitization theory, as developed by the Copenhagen School, mainly contends that "securitization" involves the process whereby a securitizing actor, by employing a discursive language (i.e. speech acts) frames a politicized issue as an existential threat (e.g. "special kind of politics") that would lead to legitimizing policies

within a security agenda (Emmers, 2007b; Buzan, Wæver, de Wilde, 1998). The intended audience, the public at large, would then provide agreement lending further credence to the resulting (extraordinary) policy measures (Emmers, 2003). Language (e.g. performative language) and rhetoric thus become important components to construct a world of meanings (Onuf, 1989; Kerbs & Jackson, 2007). Therefore, the securitization process could be understood when we follow that any issue could be plotted within a spectrum that frames these issues as non-politicized, politicized, and securitized (Emmers, 2007b). The issue becomes securitized when the framing of the issue moves from either being non-politicized and politicized to being regarded as an existential, and thus a security threat. Emmers (2007b: 112) offers a conceptual map of how securitization as a process emerges:



**Figure 1** Securitization Process.

**Source:** Emmers (2007b, p. 112).

Within the field of security studies from where one could also locate securitization, further analytically nuanced studies also drew from *critical theory* bringing about critical security studies. Broadly, Critical Security Studies (CSS) contends the need to broaden the conversation on securitization to include discussions on who has the power to securitize as well as the power imbalances involved in the securitization process. Securitization theory within the larger CSS therefore calls our attention to the ways in which securitized discourse is also heavily political when we look closer to who becomes the referent and receives the impact of securitization (Mutimer, 2010; Peoples & Vaighan-Williams, 2010). To CSS scholars, it is also worth considering the process of de-securitization where we shift the issue back to a 'normal' political sphere away from the securitized and emergency or moral panic politics (Peoples & Vaighan-Williams,

2010). Grounding securitization within the broader tradition of Critical Security Studies (CSS) reveals how the process of constructing an issue—such as illegal drugs—as a security threat emerges from a complex interplay of power and political dynamics. In this context, the case of Veloso illustrates how her positionality as someone who fell victim to an insidious web of transnational crime (including human and drug trafficking) adds further complexity to how her situation is represented and understood. Furthermore, as the CSS also reminds us, securitization can lead to the instrumentalization of the discourse for political gain.

In sum, securitization theory shares with, and draws from, the constructivist assumptions of the importance of considering the discursive constructions of reality as an important component in understanding state behavior and actions of decision makers and non-state actors. In a sense, through the premises of the securitization theory emerges the insight that “no issue is essentially a menace. Something becomes a security problem through discursive politics” (Balzacq, 2011: 1).

Drawing from the general constructivist approaches and in particular the norm cycle approach and securitization theory, one can deconstruct the narrative about the ways in which Indonesia was able to sustain a hardline approach to illegal drugs and the continued imposition of the death penalty. Locating Indonesia within the broader frame of the evolution of the international drug control regime and the discourse on prohibition highlights the historical context within which Indonesian policies on drugs unfolded.

In considering the facets of securitization theory, being a securitizing agent, an issue at large, and the public to whom the discourse is directed at, one can frame the discussion with the Indonesian government, particularly Widodo and his cabinet officials as the securitizing agents. Their many speeches and pronouncements provide the testament as to how the issue of illegal drugs had been securitized. Illegal drugs as a political issue and matter of public policy had been steadily politicized with how it became a major campaign platform and aspect of populist politics of Widodo. The public at large had included both Indonesian citizens and the international community. As can be seen in the campaign strategies and populist rhetoric of Widodo (see Lasco, 2020), the ways in which the Indonesian government under Widodo successfully utilized the politicization and securitization of illegal drugs had bolstered the presidency and legitimacy of the policy. The international community also figures as a target audience as seen with Widodo granting interviews to international media agencies especially in light of international cases such as that of Veloso. Thus, along with international campaigns that criticized the larger punitive policy on illegal drugs that Indonesia had maintained, and that Widodo legitimized, key issues that put a face to the human rights angle such as the

case of Veloso also became a platform for the Indonesian government to bolster the securitized view of drugs.

### **Mary Jane Veloso and The Securitization of Drugs Within Indonesia's Drug Policy and The War On Drugs Under Widodo**

The ways in which Indonesia had responded to illegal drugs and drug trafficking had reflected facets of securitization. One indicator could be seen in the ways drugs are defined in Indonesian law. The most salient legislation on drugs is the Narcotics Law 35 of 2009. It has been noted that this law provides the backbone of Indonesian contemporary drug policy. Observers have lamented how the legislation has been prone to abuse (Lai, Asmin, and Birgin, 2013). In particular, the policy does not distinguish between users and peddlers, which presents a fundamental problem in terms of responding to the cases as those who are dependent on substances are in need more of medical attention rather than stringent criminal persecution.

Within the Indonesian legal system, the use of capital punishment remains among the main policies to deter drug use (FIDH, 2016). In the Narcotics Law 35 of 2009, it is intimated that:

*the import, export, produce, plant, store, distribute, and/or using narcotics without strict control, closely monitoring, and contrary to the laws and regulations is a criminal offense of Narcotics, because it is very harmful and is a great danger to human life, society, nation, state and the national security.* (Narcotics Law 35 of 2009)

Here it becomes evident, inscribed in law, how illegal drugs are considered as threats to life and the nation. Such a discourse provides the necessary justification for the law to reflect the punitive approach to drugs that are translated with the maintenance of capital punishment as a policy. When Widodo won the presidency in 2014, among the many populist policies he promised involved a decisive way to deal with the problem of illegal drugs and drug trafficking. Here we see in his utterances a securitized framing of the issue. Widodo in 2014, for example, framed illegal drugs in Indonesia as an emergency that needed action:

*Our country is already on drugs emergency. There are 64 people who have been sentenced to death by the court and those petitions for clemency will not be granted, I will not give any clemency for drug cases, I won't, I will not.* (Website of the Cabinet Secretary of the Republic of Indonesia, 2014).

Veloso's case therefore was already standing on shaky ground under a Widodo presidency. Upon her arrest in 2010, the Narcotics Law was already in place rendering her situation immensely precarious and in the eyes of the Indonesian legal system, a major threat to society. In spite of the international protests, the Indonesian president remained consistent in his position that clemency was not an option for drug trafficking cases. In a 2015 interview, weeks ahead of the scheduled execution of Veloso and other death row inmates including those from the Bali 9, Widodo reiterated his view about illegal drugs in Indonesia:

*We want a better generation. Imagine, everyday 50 people die from drugs. That's 18,000 people killed by drugs every year. Within 10 years that would mean 180,000 people killed...This is the picture of Indonesia's future, the next generation. We want to send a strong message that Indonesia is firm and serious in tackling the drug problem and one of the consequences is execution if the court sentences them to death (Al Jazeera, 2015).*

This is not entirely surprising since as early as his campaign for the presidency, Widodo had already been consistent in framing drugs as a major problem for Indonesia. The similar tropes he mentioned in the Al Jazeera interview had been present in many other public speeches. One such example is seen when he inaugurated Mujahidin Grand Mosque in Pontianak, even inviting the aid of clerics to support the battle against drugs. Here we see that even religious gatherings do not escape Widodo's securitization of illegal drugs. In this event, he reiterated how the issue of illegal drugs constituted a national emergency:

*Why do I say the country is in a state of emergency over narcotics? Because the number of [illegal drug users] who need rehabilitating amounts to nearly 4.5 million people. In total about 18,000 die every year due to illegal drug consumption (Endi, 2015).*

In this same speech, he even made reference to the on-going international criticism in relation to the death sentences of foreign nationals convicted on drug charges in Indonesian courts. He noted how other heads of state had contacted him to ask for clemency, but he was also quick to remark that "However, I'm confident the heads of state who contacted me are also under pressure there," (Endi, 2015), referring to the threat of illegal drugs as a security threat.

Not only were drugs framed as an existential threat to the Indonesian nation, Widodo referenced the challenge of illegal drugs as special kind of problem in that it is a

threat that endangers the future generations of Indonesia. This particular framing has been invoked along with the recognition and identification by Widodo that Indonesia faces the challenge of drug trafficking. In the above interview, the markers of the three dimensions that Lasco (2020) cites about how drugs become a populist trope emerged. Widodo clearly framed the issue of illegal drugs as national issue, harping on a moral panic about its dangers. He presented drug users and peddlers as dangerous to society and the nation, even invoking the future. He also claimed special knowledge of the ways that drugs would continue to pose a threat and had his own projections.

The framing of drugs as a major threat to the Indonesian people and nation has also been seen repeated by other government officials under the Widodo administration. For example, in 2017, the chief of the Badan Narkotika Nasional Republik Indonesia (BNN; trans. National Narcotics Board of Indonesia) echoed Widodo's framing of drugs:

*[Drug use] poses a threat for the nation in the future because what (drug abuse) ruins is clear: this country's generation, this country's strength. This is a proxy war, an asymmetry war whose players indirectly fight against and destroy our country. (Website of the Cabinet Secretary of the Republic of Indonesia, 2017).*

The use of strong words such as “destroy” and “war” underscores the gravity that the Widodo administration ascribes to illegal drugs. As it is a war, they also invariably invoke the participation of the Indonesian people in a concerted effort to *protect* the nation. In 2019, the cabinet secretary had similar words: “We have to continue declaring war against drug abuse because it can pose as a major threat to the nation's future, especially for our younger generation” (Website of the Cabinet Secretary of the Republic of Indonesia, 2019).

As can be gleaned from some of the examples cited, throughout the presidency of Widodo since 2014, there was a consistent framing of illegal drugs as an existential threat to the Indonesian people, especially the youth, and the Indonesian nation's future. In this vein, following the notions of securitization, the securitizing actor(s)—primarily Widodo, but also his officials in the administration—ably presented the issue of illegal drug use and drug trafficking as existential threats. This then justifies the hardline approach including the imposition of the death penalty. To invoke Buzan, Waeber, & de Wilde (1998: 24),

*The special nature of security threats justifies the use of extraordinary measures to handle them. The invocation of security has been the key to legitimizing the use of force, but more generally*

*it has opened the way for the state to mobilize, or to take special powers, to handle/existential threats. Traditionally, by saying “security,” a state representative declares an emergency condition, thus claiming a right to use whatever means are necessary to block a threatening development.*

Returning to the case of Mary Jane Veloso, the context in which she found herself proved challenging from the outset. Considering the illegal drugs component of her case and contrasting this with the history of international drug policy in the region in general and in Indonesia in particular, one can see how the case is complex and multifaceted. As seen in the weeks before the April 2015 executions of foreign nationals (including Veloso)—amid the growing international clamor against it—Widodo remained adamant and said, “our diplomats can explain to other countries the urgency of our drug problem in Indonesia...This is an emergency” (Al Jazeera, 2015). Despite international pressure, we see how Indonesia held on to the securitized view of drugs.

From the securitization theory approach, the vignettes cited above show how illegal drugs had been constructed as an existential threat to the Indonesian population—particularly the youth—and the Indonesian nation. Widodo together with many other government officials figured as securitizing actors that through various channels, and in speeches, constructed the narrative of the dangers of illegal drugs.

This international context also highlights how the securitization process became an on-going process under Widodo. The punitive approach to drugs has been deeply embedded in the Indonesian legal system, pointing to a clear process of securitization. This process was reinforced by President Widodo’s ability to gain widespread public support, as demonstrated by his reelection in 2019 and the continuation of his war on drugs. At the same time, the complexity of Mary Jane Veloso’s case must also be taken into account. Veloso, along with the Bali 9 and other foreign nationals that were on Indonesian death row expanded the audience of securitization as it no longer only involved the domestic sphere. As the issue became international, Widodo also needed to continue the securitization process addressing the broader international community. This is evidenced by his appearance in international media interviews as well as the translation of his speeches and public pronouncements to English—signaling an intent to communicate to an international audience the necessity of his draconian policy. The transnational activism that called for the release of foreign nationals also invoked discourses on human rights and public health approaches provided the counterpoint with which the securitization discourse on drugs had to contend, arguing that since drugs

posed a national threat, extraordinary measures such as capital punishment was necessary even though sections of the international community deemed it draconian.

Thus with the foregoing discussion, it can be noted why it is important to also locate and understand the case of Veloso within the broader context of Indonesia's approach to illegal drugs. The ways in which Indonesia had maintained a securitized view of drugs was reflected in the ways the country had behaved in the international system—supporting and even contributing to the constitution of the discourse on drugs as a security threat. It also provides the necessary context for the government to maintain legitimacy in the domestic context. As Lasco (2020) argued, combatting illegal drugs had been a theme of populist leaders such as Widodo. Therefore, highlighting the ways Indonesia constructed the drugs discourse and securitized the issue could provide a better understanding as to why the case of Veloso, along with similar cases of drug trafficking, prompted a staunch and adamant response.

## **Summary and Closing**

This article aimed to sketch some reflections on the complexity of drug policy as an important component in further understanding the case of Veloso and the ways in which Indonesia maintained a hardline stance on the matter. By focusing the conversation on the ways illegal drugs had been securitized in the Southeast Asian region in general, and in Indonesia in particular, this article examined the conditions that made possible the persistence of draconian measures related to combatting the traffic of illegal drugs despite the intersecting issues of human trafficking, transnational crime, and human rights as exemplified in the case of Veloso.

The long history of the evolution of norms on illegal drug prohibition could be traced as far back to the late nineteenth to early twentieth century when early discussions on controlling the international circulation of narcotic drugs would emerge in the context of colonial empires. The shift in the ways psychoactive substances were viewed from a private vice and a source of state revenue to being an illegal socially disruptive vice that threatens societies would continue well into the twentieth century. With prohibitionist discourse gaining ground, the world would also increasingly construct narcotic substances as dangerous, leading to global statutes that inscribe such views. These evolving discourses on the ways we understand the threat of illegal drugs would diffuse and resonate to regions across the world including Southeast Asia as seen in the ASEAN's eventual adoption of the vision of being drug-free anchored on the dangers of illegal drugs. Viewing this diffusion of the views on the threats of illegal drugs from a

securitization framework further allows us to capture the intricate ways that the prohibitionist norm is expressed in ASEAN as well as how it has been localized in member states such as Indonesia.

Indonesia, being an archipelagic country with porous borders faces the challenge of dealing with the complex nature of the circulation of illegal drugs especially in light of transnational criminal networks. As such, Indonesia had been among the major proponents and supporters of the move to adopt stricter policies on drugs in the region. A corollary of this was that the domestic scene also demonstrated how illegal drugs had been securitized especially during the presidency of Widodo. Widodo's own version of a war on drugs could be interpreted as a testament to how this international norm relating to the dangers of drugs had become localized. Furthermore, the rise of populism from the 2000s, had also seen the penal populist trope of a hardline approach to drugs as a way to legitimize the populist rule (Lasco, 2020). By securitizing the issue of illegal drugs, Widodo was able to articulate Indonesia's strong position and present himself as the populist leader out to protect the nation. As such, the case of Veloso became one of the many flashpoints that contributed to the contestation of the securitization of drugs in Indonesia.

Thus, looking at the issue of illegal drugs as an important node in the case of Veloso and reflect from the vantage point of the securitization of drugs signals a deeper cognizance of the various issues at play that complicate the case. While the response of the Philippines, then under Aquino, could be seen as a reaction to the interfacing issues of human rights and human trafficking with that of illegal drugs, the ways in which illegal drugs had been securitized in the region and in Indonesia provided the context that prevented the decisive commutation of Veloso's sentence. As such, illegal drugs as seen in the case of Veloso remains an important issue in both domestic and international contexts. Furthermore, it has also remained a regional and global issue especially in light of the emergence of alternative approaches to dealing with drug use such as those based on harm reduction, decriminalization, and public health-related policies. The long history of international drug prohibition as a norm, however, punctuated by securitizing the issues of illegal drugs, have made such conversations continuously debated and contested.

### **Epilogue: Veloso returns to the Philippines**

In December of 2024, Veloso's 14-year incarceration in Indonesia ended. After diplomatic negotiations, the Indonesian government allowed her to return to the Philippines. In her home country, she is to serve time in custody while events are still

uncertain whether she would receive pardon and clemency. As many Filipinos found relief in her homecoming, her case continues to stir debate. In many ways, questions about how to explain the evolution of Veloso's case surface. This leads to possibilities of further exploring how the diplomacy worked in negotiating her release. Questions may be asked such as: can the significant development in the case be attributed to the change in leadership in both Indonesia and the Philippines?

In the case of the Philippines, Ferdinand Marcos, Jr. and his initial alliance with Duterte proved fragile and a few months after his victory, his administration started distancing itself from Duterte's approach to illegal drugs. In fact, in March 2025, Marcos Jr. made his position clear that it "was not right" to kill in the name of fighting crime and illegal drugs (Bajo, 2025). For Indonesia, the successor of Widodo, early in his term, Prabowo Subianto had already expressed his intention for foreigners detained in Indonesia for drug trafficking to be returned to their home countries, despite pushback from other sections of the Indonesian government (Dianti, 2024). Perhaps, while indeed, drugs became a major element in the populist presidency of both Duterte and Widodo, the intent of Marcos and Subianto to distance themselves from their predecessors impacted on the outcome of Veloso's imprisonment.

This further leads to more complex questions such as whether de-securitization of illegal drugs in Indonesia is emerging. This warrants further and more thorough investigation. More broadly, can these shifts also translate to the regional politics on illegal drugs? Also, there is value in further understanding of cases such as that of Veloso by placing them within discussions of transnational crime in the region. While researchers continue to ponder these questions amid the still on-going saga of Mary Jane Veloso and others like her, what remains is the complexity of the politics of drugs especially when it affects other pertinent aspects of political and social lives.

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