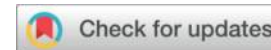


From the Punitive Approach to Therapeutic Solidarity: A Sociological Reading of the Institutional Transformations of Healthcare for Addicts in Algeria



Heraou Khathir ¹, Brahmi Belkacem ²

¹ Doctor, University Center Sharif Bouchoucha , Aflou, Institute of Humanities and Social Sciences (Algeria). [Email: k.heraou@cu-aflou.edu.dz](mailto:k.heraou@cu-aflou.edu.dz)

² Doctor, University Center Sharif Bouchoucha, Aflou) Institute of Humanities and Social Sciences (Algeria). [Email: b.brahmi@cu-aflou.edu.dz](mailto:b.brahmi@cu-aflou.edu.dz)

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Abstract:

This study examines the structural transformation in Algeria's approach to addiction, shifting from punitive deterrence and social stigma toward therapeutic solidarity. Historically, addiction was framed as a moral and social deviation, resulting in the isolation of addicts within punitive institutions that reinforced marginalization and recidivism. However, demographic changes, socio-cultural transformations, and rising rates of psychotropic substance use have necessitated a reconsideration of exclusionary policies.

The institutional response has been the adoption of national strategies emphasizing therapeutic and psychological dimensions, notably through the establishment of specialized treatment centers. This transition reflects a sociological shift from rigid "control institutions" to "care institutions" grounded in solidarity. Beyond legislative reform, it redefines daily interactions within therapeutic settings, where the relationship between medical practitioners and addicts is increasingly based on recognition and containment rather than condemnation and moral prejudice.

Key words : Addiction, Punitive Policy, Therapeutic Solidarity), Institutional Transformation, Criminal Justice)

Introduction:

The study of drug use and crime trends in Algeria constitutes a research priority due to the complexity of the phenomenon and its overlapping social, psychological, and cultural dimensions. Proceeding from the hypothesis that drug-related crime is not merely a deviant act but rather a

manifestation of existential void stemming from the erosion of psychological and intellectual resources and the collapse of social and moral values this research seeks to analyze the transition from a purely punitive model to one of therapeutic solidarity. Such a shift is framed as essential for ensuring the stability of social relations, as it redefines addiction and crime not only in legal terms but also within broader sociological and psychological contexts.

First Topic: The Methodological and Conceptual Framework of the Criminal Phenomenon

1. Sociological and anthropological approach

In their analysis of the criminal phenomenon, sociologists tend to give special appreciation to cultural and anthropological data, as well as psychological and physical aspects. Understanding the behavior of a criminal requires studying:

1. **Context of the place:** where crime occurs and how its environment is formed.
2. **Tools and Objectives:** The means used in planning and implementation.
3. **Interpretation of the value vacuum:** Considering the collapse of the moral component as the primary driver of the criminal act.

Among the sociological theories that have dealt with the phenomenon are:

First: The Theory of Anomie and the Collapse of the Moral System

The "collapse of the values and components of the social moral system" is the main cause of the waste of psychological energy. This concept is structurally identical to the theses of **Émile Durkheim** and Robert Merton:

1. **Emile Durkheim and the Modular Vacuum:**
 1. Durkheim sees anomie as a state of "disorder" that emerges when social norms lose their ability to regulate the behavior of individuals.
 2. In the case of Algeria, the rapid transformation of the social structure leads to a gap between aspirations and reality, creating the "state of emptiness" experienced by the perpetrators.
2. **Robert Merton and the "Retreatism" Pattern:**
 1. Merton considers substance use to be a pattern of adjustment called "withdrawal," in which an individual abandons cultural goals (success) and legitimate means (work) together.

2. This is consistent with the text's data indicating that **53.73%** of addicts are unemployed, reflecting the failure to achieve social goals and resort to "drug dependence" as a sociological escape.

Second: Differential Association Theory

The text notes the importance of studying "context and relationships" in crime scenes.

1. Edwin Sutherland's **theory asserts** that addictive behavior is "learned" through interaction within primordial groups.
2. This theory explains how the "art of masterminding and planning crime chapters" is passed from seasoned criminals to novice criminals.
3. The social environment (such as marginal neighborhoods) serves as a space for communication, influence, and influence, where alternative values are adopted that glorify the drug and legitimize deviance.

Third: Labeling Theory

In moving from "punishment to solidarity," we see an attempt to transcend the effects of **Howard Baker's** theory of stigma:

1. According to Baker, deviance is not an adjective in action, but rather the result of the application of rules and punishments to the "deviant."
2. Treating the addict as a "criminal" deepens his dependence on drugs due to social stigma.
3. The Algerian trend towards "health care" in centres such as Bouchaoui and Blida aims to break the cycle of stigma and transform the addict from a "social outcast" to a "patient in need of solidarity".

Fourth: The Anthropological Approach and the Specificity of the Social Environment

The need to give special attention to anthropological data.

1. **Changing Criminal Map:** The National Forum (2024) indicates changes in the quality and quantity of drugs in circulation (e.g. the new NPS).
2. **Drug subculture:** Anthropology studies the symbols and special language used by addicts, and how this "alternative culture" compensates for the collapse of the overall moral system.
3. **The gender dimension:** The emergence **of 529 addicted women** in statistics indicates an anthropological shift in the structure of Algerian society, as the phenomenon is no longer

limited to males, which calls for a re-examination of the "legitimate" and social vision of these transformations.

Fifth: Social Control Theory

According to Travis Hershey, deviance occurs when the bonds that bind an individual to society (attachment, commitment, engagement, belief) are weakened.

1. The text notes that **4239** addicts are unmarried, which sociologists support the idea that a weak "family bond" reduces social control and increases the likelihood of abuse.
2. Achieving "positional monotony in the structure of relationships" is the objective of the preventive measures introduced in Law 05-23.

Sixth: Socio-Economic Interpretation (Historical Materialism)

The text focuses extensively on the "socio-economic factors" of the phenomenon's spread.

1. **Unemployment as a structural factor: 53.73%** of unemployment among addicts turns drugs into an alternative "escape" or "trade" out of poverty.
2. This vacuum is not only psychological, but also a "waste of intellectual energy" as a result of the lack of professional integration opportunities for young people, who represent the most affected group (41.65% under the age of 25)

Seventh: Towards Institutional "Solidarity" (The New Functional Approach)

The trend towards "therapeutic solidarity" reflects a functional vision that sees therapy as a means of rebalancing the social order:

1. **Institutional integration: The** presence of the Ministries of Defense, Interior, Health, Youth and Sports in the forums reflects an attempt to create a "holistic system" to confront the phenomenon.
2. **Innovative prevention:** Law 05-23 does not only punish but focuses on "innovative reforms" and the technical possibilities of field detection.

In summary, the sociological and anthropological approach in Algeria has moved from describing the phenomenon to trying to understand the "dynamics of the vacuum". Addiction is not just a dependence on a chemical, but a dependence on a fragile social reality in which the individual is looking for an alternative to collapsed norms. The care of **6,799** addicts is not just a medical number,

but an indication of the success or failure of the "social moral system" in absorbing its youthful energies.

2. Drugs and the International Criminal Justice System

The World Drug Report (2020) notes that **cannabis** is the primary substance that refers individuals to the criminal justice system globally. In Algeria, cannabis accounts for **36.17%** of the drugs consumed according to the first half of 2021.

Topic Two: Drugs in the International Criminal Justice System: Frameworks and Mechanisms

First: International Legal Reference (Trinity Agreement)

The international criminal justice system in the face of drugs is based on three basic conventions that form the backbone of global control, the provisions of which Algeria is committed to implementing:

The Single Convention on Narcotic Drugs of 1961: which focused on restricting the use of drugs for medical and scientific purposes. The Single Convention on Narcotic Drugs of 1961 is the cornerstone of the international criminal justice and poison control system, representing the first serious international attempt to consolidate and consolidate all previous treaties into one comprehensive and binding document.

Second: The Philosophical and Legal Content of the Convention

The 1961 Convention was not just a tool of repression, but was based on a philosophy of "dual functionalism":

1. **Humanitarian/Medical aspect:** Recognition that the use of narcotic substances remains necessary for the relief of pain and suffering for medical and scientific purposes.
2. **Injunctive aspect:** Combating illicit trafficking and drug dependence as "an evil that affects the individual and a social and economic danger to humanity".
3. **Regulatory system:** The Convention has introduced lists (tables) that classify substances according to their degree of danger and medical value, which is the system that Algeria follows strictly in classifying substances and updating national laws such as Law 05-23.

Third: International Consensus and Global Commitment

This convention was characterized by a superior ability to mobilize international support, where:

1. **Universality of Accession: It has been** signed and ratified by the vast majority of the world's countries (more than 185 countries), making it one of the most comprehensive international treaties.
2. **International Narcotics Control Board (INCB):** This body was established under the Convention to ensure "consistency in the application of international treaties". Signatory States are working to submit periodic reports to ensure that drugs do not leak through legal (medical) channels to the black market.
3. **Sovereign challenges:** Despite the signatories of states, the Convention imposes a strict obligation to criminalize possession and trafficking, leaving room for states to choose the preventive and remedial measures introduced.

Fourth: Algeria and the Single Agreement (Early Commitment and Pioneering Implementation)

Algeria is one of the countries that has attached utmost importance to involvement in the international anti-narcotics system, and this is highlighted by:

1. **Fulfilling international obligations:** The INCB reports (such as the 2017 report) emphasize "Algeria's close cooperation with the ICE by ensuring the implementation of the provisions of international treaties."
2. **Legislative harmonization:** Algeria has adapted its legal arsenal to conform to the standards of the 1961 Convention, tightening penalties for traffickers while opening the door to "health care" for addicts.
3. **National Office for Drug Control:** This office acts as a national focal point to ensure that domestic policies are in line with Algeria's international obligations, especially in the preparation of accurate statistics on the consumption of substances such as cannabis, which is strictly controlled by the 1961 Convention.
4. **Responding to developments:** Algeria is committed to implementing the outcomes of international and national forums to consolidate comprehensive action plans that allow for a technical response to illicit trafficking, in line with the spirit of the Convention in the protection of public security.

Fifth: Shifting from Punishment to Solidarity under the Convention

Despite the repressive nature of the Convention, Algeria has taken advantage of the flexibility provided by international treaties to focus on the remedial aspect:

1. The establishment of **intermediate centers for the treatment of addicts** is a translation of the spirit of the Convention that seeks to protect the community.
2. Treating the addict as a victim in need of "medical and therapeutic care" (as happened with more than 6,700 addicts in 2021) reflects a sophisticated understanding of international obligations that mixes the strictness of the law with the humane treatment of treatment.

Algeria's signing of the single convention of 1961 is not just a diplomatic measure, but a national charter that has been translated into an institutional reality (treatment centres in Bouchaoui and Blida) and legal (Law 05-23), which aims to protect the "social moral order" and ensure the strict and professional implementation of the provisions of international treaties.

1. **Convention on Psychotropic Substances of 1971:** which established an international regime for combating synthetic substances and psychotropic substances.
2. **United Nations Convention against Illicit Drug Trafficking of 1988:** The procedural convention that strengthened mechanisms for international judicial cooperation, confiscation and extradition.

Second: International Actors and Their Supervisory Role

The international justice system works through specialized organs that ensure "consistency in the application of treaties":

1. **The International Narcotics Control Board (INCB):** A quasi-judicial body that monitors the implementation of treaties, and reports confirm Algeria's close cooperation with it to ensure international compliance.
2. **United Nations Office on Drugs and Crime (UNODC):** which provides technical support to states to update their laws, such as Algerian Law No. 05-23.

Third: Cannabis as a Magnet for Criminal Justice

The global data in the Sixth World Drug Report 2020 point to a shocking statistical fact: **cannabis is the substance that brings the largest number of people to the global criminal justice system.**

- In Algeria, cannabis accounts for **36.17%** of all drugs consumed.
- This focus places a heavy burden on the police and judiciary, necessitating a review of the efficiency of traditional punitive policy.

Requirement Two: Procedural and Technical Challenges in International Justice

1. Cyberspace (Internet)

The Internet poses enormous challenges in drug control and criminal justice:

- **Dark Markets** : Enabling cross-border trading away from traditional censorship.
- **Cryptocurrencies**: which make it difficult to track the proceeds of crime and money laundering.

2. New Drugs (NPS) and Standardization of Detection Approaches

From a criminal justice perspective, the emergence of NPS presents a legal and technical challenge:

- The international justice system requires the standardization of "laboratory detection methods" to ensure that forensic evidence is admissible before courts internationally.
- The modernization of the legal framework (as in the recent Algerian reforms) aims to fill the loopholes exploited by international smuggling cartels.

The Third Demand: Shifting Towards "Restorative Justice" and Therapeutic Solidarity

The modern criminal justice system reflects a global trend (currently followed by Algeria) that is shifting from a purely focus on "punishment" to "health care":

1. Alternatives to deprivation of liberty:

Instead of putting addicts in prison, they are directed to "intermediate centers for the treatment of addicts."

The goal is to reduce the pressure on the prison system and protect vulnerable groups, especially since **41.65%** of the beneficiaries are young people between the ages of 16 and 25.

The shift from a deterrent approach based on "punishment" to an inclusive approach based on "solidarity" and "health care" is one of the most important pillars of contemporary criminal policy in Algeria and the world. Alternatives to deprivation of liberty are aimed at breaking the cycle of criminal recidivism and avoiding the social stigma inflicted on the addict.

Third Topic: Alternatives to Deprivation of Liberty in Criminal Policy (Algeria and Global Models)

The First Requirement: The Philosophy of Punitive Alternatives in Addiction Cases

Alternatives to punishment are based on a sociological conviction that prison may become a "crime school" rather than a reform institution, especially for young people (who account **for 41.65%** of addicts in Algeria)

- **Avoiding prison overcrowding:** Reduce pressure on penal institutions and direct resources toward combating major trafficking networks.
- **Therapeutic justice:** Treating the consumer as a victim or patient in need of medical care, not as a criminal who must be isolated.

The Second Demand: Algeria's Experience in Therapeutic and Legal Alternatives

Algeria has made significant strides in aligning its legislation with international trends to enhance consistency in the application of treaties.

1. "Treatment under Judicial Supervision" System:

- Algerian law (in particular Law No. **05-23**) allows a judge to compel an addict to undergo depoisoning treatment instead of a prison sentence.
- This measure aims to reintegrate vulnerable groups suffering from a "state of vacuum" and a waste of intellectual energy.

2. Intermediate and Specialized Centers:

- Establishing **intermediate centers for the treatment of addicts** as a link between the community and the treatment system.
- The pioneering role of the **Center for Combating Addiction in Blida** and the Center **for Bouchaoui** in providing therapeutic alternatives with modern techniques that replace the traditional punitive path.

3. Socio-Médical Sponsorship:

The fact that more than **6700 addicts benefited** from medical and therapeutic care in one semester reflects the success of activating non-prison alternatives.

Focusing on the unemployed (who represent **53.73%** of addicts) through social accompaniment programs that ensure that they do not return to drug dependence.

The Third Demand: Global Trends in Alternatives to Punishment

The International Narcotics Control Board (2023) and global reports point to leading international models that intersect with the Algerian approach:

1. **Diversion** : Directing users from the criminal justice system to the health care system immediately after arrest, which reduces the number of people referred to justice for cannabis (which is the number one reason for referral to justice globally).
2. **Drug Courts:** These are specialized courts that supervise a long-term treatment program for the addict, and if successful, criminal charges are dropped.
3. **Service for the public good:** as an alternative to short-term incarceration, allowing the deviant to remain within the fabric of social relations while contributing to social activities that restore his self-esteem.

Fourth Requirement: Obstacles to Activating Alternatives and Challenges

Despite legislative development, punitive alternatives face technical and legal challenges:

1. **New drugs (NPS):** The difficulty of rapid detection requires constant updating of technical and laboratory mechanisms to ensure the effectiveness of therapeutic measures.
2. **Internet Challenges:** The use of cyberspace for promotion necessitates the development of digital "preventive alternatives" targeting youth in their virtual environments.
3. **Social stigma:** The breakdown of the components of the moral system sometimes causes society to reject therapeutic alternatives and demand injunctive punishments, which requires an effort from the Ministries of Communication, Youth, and Sports to change mindsets.

The move towards "alternatives to deprivation of liberty" in Algeria is the embodiment of the policy of "solidarity" enshrined in the main title of the study. Instead of wasting human energy in prisons, it is directed towards treatment centers such as Bouchaoui and Blida to rebuild the national character. This path is the primary guarantee for achieving "localized monotony" in social relations and protecting the future of future generations from the scourge of toxins.

- Medical care for addicts, unemployment statistics, and age.
- Law 05-23 and the preventive measures introduced.
- International Narcotics Control Board (2023) and World Narcotics Report.

1. Medical Sponsorship as Part of Justice:

The care of more than **6,700 addicts** in one six-semester reflects the success of the therapeutic approach as an alternative to the ongoing prosecution of the simple consumer.

Fourth Demand: Integration between Security and Justice (Algerian Model)

Algeria's criminal justice system emerges as a multidimensional coordination that combines public power with legal guarantees:

1. **Technical role (gendarmerie and security):** through the National Institute of Forensic Evidence and Criminology of Bouchaoui, which works on "analysis and tendencies" to understand the changing criminal map.
2. **Legislative role:** through the development of substantive and procedural provisions for the fight against narcotics in the light of Law 05-23.

The international criminal justice system is no longer just a prosecuting and deterrent, but has become a "preventive-curative" system that looks at socio-economic factors (such as **53.73% unemployment** among addicts) to ensure that crime does not relapse. Cooperation with the International Narcotics Control Board (INCB) is the primary guarantee for national and social security in the face of "poisons" that are constantly evolving technically and geographically

Fourth Topic: The Reality of Drug Consumption in Algeria (Reading in Numbers)

Based on the statistics of the National Office for Combating Drugs and Addiction for the year 2021, the socio-demographic profiles of addicts can be drawn:

Table (1): Age and Social Distribution of Medical Sponsorship Beneficiaries (6799 Addicts)

Sociological significance	Quantity / Percentage	Age Group/Status
Targeting Youth and Students	2832 people (41.65%)	16 - 25 years
The Disrupted Professional Giving Stage	Person 2705	26 - 35 years
A dangerous indicator of the phenomenon leaking to schools	67boy	Under 15 years
The Direct Link Between Poverty and Drug Dependence	53.73%	Unemployed
A shift in gender patterns of abuse	Under 15 years	Women

Fifth Topic: National Strategy for Treatment and Sponsorship (Pilot Experiences)

Algeria has moved towards establishing specialized centers that adopt modern technologies away from punitive stigma, the most prominent of which are:

1. **The National Center of Bouchaoui:** A pioneering experiment to save young people with modern technologies.
2. **Blida Center:** Specialized in the treatment of hard drug addiction.
3. **Mediation Centers:** They aim to bring therapeutic services closer to addicts and facilitate integration.

Topic Six: Contemporary Legal and Technical Challenges

1. Law No. 05-23

This law came to introduce preventive and remedial measures in line with the new reality, with a focus on substantive and procedural provisions for the control of psychotropic substances.

2. Digital and technical challenges

1. **The Internet:** The Internet has posed major challenges in controlling trafficking and poison circulation.
2. **New Drugs (NPS):** The advent of "drugs and technological advancement" required the standardization of rapid laboratory detection methods in the field.
3. **Public Security:** Recent studies have linked consumption, traffic accidents, and the threat to national security.

Seventh Topic: Sociological Analysis of the Proposed Solutions

Addressing this scourge requires "multidimensional" action plans that include:

1. **The Shari'a dimension:** the religious view on the prohibition of abuse and self-protection.
2. **The socio-economic dimension:** addressing the causes of unemployment and social disparities.
3. **Medical-Psychological Dimension:** Addressing the health consequences of consumption.

Conclusion

The shift from a punitive approach to a solidarity-based model requires enhancing cooperation among ministries, including the Ministries of Defense, Health, Justice, and Youth and Sports. Moreover, the provisions of international treaties must continue to be enforced to ensure rigorous oversight.

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