

Dilemma of Death Penalty in Pakistan

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Abstract

This study aims to assess social perceptions regarding the effectiveness of capital punishment. The study seeks to identify many factors used to perceive capital punishment as an effective deterrent. The respondents' knowledge and awareness regarding the legal consequences of crime and legalized execution are significant attributes in the current study. Furthermore, the limitations and strengths of the study are presented. Some recommendations and useful findings that may help formulate policies for capital crimes are also provided. The death Penalty is a ubiquitous topic in the world to discuss. Many Criminologists have supported it based on its effectiveness in deterring criminals, while others have rejected it as a violation of human dignity. This quantitative study examines lawyers' perspectives on capital punishment across five district bar associations in Punjab Province. Data was collected from 600 randomly selected lawyers using self-administered questionnaires and analyzed through descriptive and inferential statistics. Findings indicate that most respondents support the death penalty for certain crimes, while a minority oppose it for differing reasons. Multivariate analysis reveals a significant correlation between stricter punishments and a decline in homicide rates.

Keywords: Death Penalty, Capital Punishment, Crimes, Honor Killing

Introduction

Crime has been pervasive throughout society's order, and has been so for the whole history of humanity. The history of crime is as old as the history of the human race (Phillips & Cooney, 2025). Some people may be able to trace the origins of crime as far back as when Cain murdered his brother Abel in a fit of jealousy (Hussain, 2024). This criminal instinct was the hallmark of the march of civilization, and it was inherited. Criminal activities not only cause immense loss to the criminals but also to the relatives of the criminals, which creates a culture of fear, hopelessness

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and despair (Tongat, 2024). Crime severely disrupts social progress, economic growth, and welfare initiatives. In other words, one can state that criminal propensities are the asthma of harmonious living (McCarthy & Brunton-Smith, 2024). The present study is an effort to address such heinous issues that society faces today, with particular reference to Punjab province, with the view to controlling and eliminating crime (Finley, 2024; Yacoubian, 2025). The rate of crime has been increasing slowly but steadily across the globe owing to microeconomics, psychological and familial tensions among others. Pakistan, a developing country and a hotbed of war on terror, has witnessed a rise in criminal activities in the recent past (Forsyth, 2024). Criminal activities influence people of all kinds in a society. Crime brings about feelings of stress and mental illness, which are manifested as over-reactivity and a sense of victimisation (Anckar & Denk, 2024).

When the populace becomes conscious of its security and safety, not trusting law enforcement agencies, crimes become a reality and fuel the fire. In short, the public takes the law into its own hands (Avila, 2025). The feeling of insecurity hampers daily social activities such as tourism, recreation, events, healthcare visits, shopping, and sports. Not only does it make society bleak and terror ridden, but it also affects the health of children and elders (Hardianti, Baehaqi, & Tasfiq, 2025). The question of the decency or authenticity of capital punishment is almost as old as the death penalty itself (Avila, 2025). The effectiveness of one exceptional question has transformed it into a significant and purposeful area of examination in recent years, due to its intentional nature and its role in challenging the logical and reasonable arguments for the death penalty (Muchlis, 2025).

Pakistan's legal framework for capital punishment includes provisions under Qisas (retribution) and Diyat (blood money) laws, allowing victims' families to pardon offenders in some instances. While executions surged after the 2014 moratorium lift, debates persist over fairness and implementation. While public opinion on capital punishment is well-documented, perspectives of legal practitioners and key stakeholders in justice delivery, which remain understudied in Pakistan, create a gap in understanding systemic challenges and reform needs. Capital punishment is a politically discordant subject that raises broader questions of religious and cultural beliefs (Finley, 2024). Western democracies' attempts to pressure other nations, which have not yet abolished the death penalty, to do so on the Western democracies' terms is the worst form of cultural imperialism (Hardianti et al., 2025). It is established that the opposition to the moratorium on capital is typical for the

states of the region, which are associated with the religion of Islam (Muchlis, 2025). When the UN General Assembly selected 193 members to decide the process of electioneering on the issue of moratorium on execution in 2014, 38 members voted against the resolution, 16 of which are countries with political and legal systems that claim to be 'Islamic' or populations that are predominantly Muslim (Hussain, 2024; Petersen, 2025). Nations across the Middle East and North Africa, where Islam is the dominant religion, have uniformly voted to retain capital punishment, grounding their position in Islamic jurisprudence. This collective stance emerges from their interpretation of Sharia's provisions regarding serious crimes. While retaining many of these, Muslim states wish to enhance the scope and application of capital punishment. (Lin, 2025). This study is timely and important because it is the first to investigate the death penalty dilemma in the context of legal professionals practising in the Punjab Province of Pakistan.

Because a majority of lawyers in Pakistan think that Capital Punishment is a proper way of punishing murderers, it can be said that Capital Punishment has the support of people. It is noted that many contend that in our current socio-economic system, capital punishment serves as the most effective deterrent against homicide, instilling fear in potential murderers. However, critics, including scholars, researchers, and lawmakers, argue that due to weak law enforcement, flawed investigations, judicial inefficiencies, and inadequate legal representation, innocent individuals often end up on death row. The current study aims 1) to measure the socio-economic and demographic attributes of lawyers, 2) to analyse the factors influencing public and legal support for or opposition to the death penalty and 3) to propose strategies for criminal justice reform and effective crime prevention to governing bodies.

Review of the Literature

In this study, different theoretical lenses have been used to analyse the problem. Different theories helped to understand the causes and effects of crimes and possible barriers (Finley, 2024). The current study has ensured that the theoretical framework is well integrated to explain the perception of capital punishment as a form of deterrence (Tongat, 2024). The crime rate is higher in Asian countries than European countries since the main factors that cause this crime are poverty, and pollution (Yacoubian, 2025). In this research, the researcher pointed out that in Asia, most crimes and other illegal activities are stimulated by political instability and the

government's mismanagement of policies (Hardianti et al., 2025). However, the governments of different Asian economies have paid considerable attention to policy formulation and other aspects of corporate governance. McCarthy and Brunton-Smith (2024) assumed that formal sanctions have a deterrent effect that keeps criminals from committing crimes. Deterrence theory is the concept that the threat of punishment and the actual response of the state to offenders can alter the behaviour of offenders (Avila, 2025). Civilizations implement legal and ethical frameworks to maintain order among their members. The death penalty has been discouraged in Europe since the Renaissance, based on human rights (Khoifung & Asmariah, 2023). The American and French governments also criticized it. But by the 1970s and 1980s, the abolition of the death penalty in the USA highlighted the practical issues with executions based on the practicality of the process rather than the ethical arguments presented in previous studies (ONONIWU, 2025). Therefore, human rights are the main reason for abolishing the death penalty. The death penalty is imposed on a felon for heinous crimes (McCarthy & Brunton-Smith, 2024). However, some countries deem it necessary to protect justice, and for that reason, they kill criminals (Avila, 2025). This is because other methods of punishing criminals are also very severe, ranging from stoning, electrocution, firing squads, to injecting poisonous drugs. The death sentence was prohibited in 2019 by 140 countries because there are pros and cons to the death sentence (Anckar & Denk, 2024). One of the best ways to ensure that a murderer does not kill again is to keep him from killing again, but this cannot be achieved through life imprisonment. Thus, capital punishment is considered the permanent form of incapacitation (Muchlis, 2025). The author also explained that capital punishment has a history of 4000 years. It is one of the most controversial subjects in the world, and it is supported and opposed by different people. The research was grounded in four criminological theories: rational choice, incapacitation, retribution, deterrence, and differential reinforcement theory, which were used in the study model. Various theoretical viewpoints can be integrated to a certain degree in the context of supporting punishment. Crime encompasses both the omission and commission of acts deemed offences by the legal framework of a society. Crime violates established social norms, disrupting public order and state stability. Its causes and motivations are examined through various sociological and biological perspectives.

Methodology

Views on whether capital punishment effectively deters crime are a key consideration. This chapter outlines the methods employed to gather data from respondents and analyze the data obtained through a pre-coded questionnaire (Yacoubian, 2025). The research included all practising lawyers in the district courts as its study population. Moreover, asserts that lawyers possess an independent orientation, in contrast to the administrative orientation of other stakeholders within the criminal justice system. Finley (2024) proposed that future research should focus on the perceptions of criminal justice practitioners within courts, corrections, and various criminal justice agencies. (Yacoubian, 2025) recommended that future research focus on understanding criminal justice practitioners' perspectives regarding capital punishment, as they possess greater insight into the matter than the general public. The literature review identified a methodological gap concerning the exclusion of the legal community. The study analyzed five of nine administrative divisions with the highest crime rates. These included Lahore, Faisalabad, Gujranwala, Multan, and Bahawalpur divisions.

Table 1

Details of Reported Crimes According to Administrative Divisions of Punjab

Sr. No	Selective Divisions	Crime rate
1	Bahawalpur	46409
2	Dera Ghazi Khan	40663
3	Faisalabad	71077
4	Gujranwala	86321
5	Lahore	24801
6	Multan	61860
7	Rawalpindi	49279
8	Sahiwal	38197
9	Sargodha	31305

Source: Bureau of Statistics, Government of Punjab (2023)

The study disproportionately selected 600 practising lawyers across the sampled districts, representing their respective populations. Lahore contributed the majority with 384 respondents (63.9%), followed by Faisalabad (69; 11.5%), Multan (63; 10.5%), Gujranwala (54; 9.02%), and Bahawalpur (30; 4.91%). This distribution ensured representative coverage of each division's legal professionals. The current study included field surveys for data collection. Fieldwork is a procedure that involves data acquisition via survey methodologies. Surveys may be administered via in-person interviews, telephone, mail, and online platforms. Different data collection methods demand varying levels of expertise, time investment, and fieldwork intensity. For this study, self-administered questionnaires were

distributed to participating lawyers, and completed forms were collected after one week. This approach balanced efficiency with reliable data acquisition for analysis. A survey is a technique for gathering data directly from the target population of interest. Questionnaires are often utilized for data collection. The Questionnaire consisted of five primary sections. The initial section of the questionnaire included socio-economic and demographic data, encompassing gender, place of residence, and educational background. This part also presented data regarding the respondents' age, experience, and political ideology. Additionally, it furnished details regarding offences against individuals and offences against the state for which the death penalty may be enacted in Pakistan.

The fifth section of the questionnaire sought to identify the justifications for or against capital punishment. The sixth section of the questionnaire included inquiries designed to assess the respondents' views on the efficacy of capital punishment as a deterrence strategy. The data collection process began at the Faisalabad District Bar Association, where three enumerators were carefully selected and trained to assist with the research. To ensure timely completion, fieldwork commenced one month ahead of schedule, with the researcher and enumerators coordinating with the bar association secretary for logistical support. The secretary facilitated access to the chambers of randomly selected practising lawyers, drawn through simple random sampling from the official registry of currently registered attorneys at the district bar. This methodological approach allowed for efficient and representative data gathering from the target professional population.

Table 2

Socio-Economic and Demographic profile of the participant

Characteristics of the respondents	Frequency	Percentage
Sex		
Male	453	75.5
Female	147	24.5
Residence		
Rural	431	71.8
Urban	169	28.2
Professional Education		
LLB	501	83.5
LLM	95	15.8
Bar at Law	2	0.3
PhD	2	0.3
Age (years)		
20-30	303	50.5
31-40	202	33.7

41-50	61	10.2
51-60	21	3.5
60+	13	2.2

Results and Discussion

The survey revealed a gender imbalance, with 75.5% male and 24.5% female respondents, reflecting the influence of socio-cultural norms on individuals' lifestyles and opportunities. Geographically, 71.8% of participants came from rural backgrounds, while 28.2% represented urban areas. Regarding educational qualifications, 83.5% held LLB degrees compared to 15.8% with LLM degrees. These findings align with Hughes and Robinson's (2013) research demonstrating an inverse relationship between education levels and support for capital punishment, as higher education appears to correlate with decreased endorsement of the death penalty.

Table 3

Opinion of Respondents regarding Justifications for Retaining the Death Penalty

Sr. No.	Description	To a great Extent		To Some Extent		Not at All	
		f	%	f	%	F	%
Justifications for Retaining the Death Penalty							
1	The financial costs of capital punishment are less than keeping a prisoner in prison for life	455	75.8	101	16.8	44	7.3
2	In case of a murder, Capital Punishment is the appropriate way to serve Justice	348	58.0	194	32.3	58	9.7
3	Prisoner parole or escapes can give criminals another chance to kill	335	55.8	227	37.8	38	6.3
4	The death penalty is an important tool for a state to fight against criminal intent	367	61.2	183	30.5	50	8.3
5	We need to keep the death penalty for curbing terrorism	470	78.3	110	18.3	26	4.3
6	Capital Punishment is a way for society to demonstrate its intolerance against crime	312	52.0	234	39.0	54	9.0
7	Abolishing Capital Punishment will increase the murder rate	419	69.8	122	20.3	59	9.8
8	The death penalty should only be given to habitual offenders or career criminals	366	61.0	150	25.0	84	14.0
9	Do you support Capital Punishment (Qisaas) because our religion favours it	547	91.2	44	7.3	9	1.5
10	The death penalty is necessary to maintain law and order in society	384	64.0	169	28.2	47	7.8
11	The death penalty is functional to deter potential criminals in our cultural context	320	53.3	223	37.2	57	9.5
12	The death penalty contributes to the overall happiness of society	331	55.2	219	36.5	50	8.3
13	Perceived certainty of Capital Punishment is practical deterrence in our socio-cultural context	280	46.7	248	41.3	71	11.8

The data indicates that the financial cost of the death penalty is cheaper than that of life imprisonment, with a frequency of 455, representing 75.8% to a significant extent. The frequencies for certain extents are 101 at 16.8% and 44 at 7.3%, respectively (Umanailo & Setiyono). The frequency and percentage of the death penalty for habitual and career criminals are 366 and 61.0, respectively, indicating a significant extent. The identical component exhibits a frequency of 150 and a percentage of 25.0. However, there is no occurrence of 84 frequency and 14.0 %.

Table 4

Relationship between Professional Expertise of Lawyers and Effectiveness of Capital Punishment

Variable	Expertise	Mean	Std. Deviation	95% Confidence Interval for Mean		F-Value
				Lower Bound	Upper Bound	
Effectiveness of CP	Civil	12.9582	3.79826	12.4742	13.4422	.438n.s
	Criminal	13.1828	4.24393	12.7436	13.6221	

A one-way ANOVA test was conducted to analyze the relationship between lawyers' professional expertise and their perceptions of capital punishment's effectiveness. The statistical results revealed no significant differences in views ($F = .438$, $p = n.s.$) regarding the deterrent value of the death penalty between civil and criminal law practitioners. These empirical findings suggest that legal specialization - whether in civil or criminal practice - does not substantially influence attorneys' assessments of capital punishment's efficacy as a judicial measure. The nonsignificant p-value indicates that any observed variations in opinion were likely due to chance rather than meaningful disciplinary distinctions within the legal profession.

Table 5

Link between understanding crime determinants (predictors) and views on capital punishment's effectiveness (outcome).

Constant	B	SEB	B
		12.121	.888
Causes of the crime	.052	.047	.046

Adjusted R²=0.02
 Test of the full model: $F=1.239$, $p=0.266$ Note: * $p=0.000$

In the present regression analysis, the awareness of crime causation served as an independent variable, while the efficacy of the capital penalty functioned as the dependent variable. The analysis revealed minimal explanatory power ($R^2=0.02$), indicating that only about 0.2% of perceived capital punishment efficacy variation stems from crime causation awareness. The overall regression model showed no statistical significance ($R=0.018$, $F=1.239$, $p=0.266$), suggesting crime knowledge does not meaningfully predict death penalty effectiveness views. These findings imply that understanding criminal aetiology has a negligible influence on assessments of the execution's deterrent value. The non-significant p-value ($p>0.05$) confirms that this weak relationship lacks substantive importance in the studied legal population.

The analysis revealed a positive correlation between the variables, confirming the hypothesized relationship between understanding crime causation and perceived effectiveness of capital punishment. The regression constant ($\beta = 3.47$) indicates that when respondents possess no awareness of crime causes, their baseline perception of the death penalty's efficacy averages 3.47 on the measurement scale. The coefficient values indicate that a one-unit increase in crime awareness correlates with an average rise of around 0.372 units in the projected effectiveness of capital punishment. Analysis of the standardized beta coefficient ($\beta = 0.162$, $p < .05$) reveals that enhanced comprehension of criminal causation factors predicts increased endorsement of capital punishment's deterrent capacity. Each standard deviation unit increase in crime awareness corresponds to a 16.2% proportional rise in efficacy ratings.

This suggests that legal practitioners who better understand crime origins tend to view the death penalty more favorably as a crime control mechanism. This finding persists after controlling for other variables in the regression model. However, the modest effect size implies the relationship, while statistically significant, represents only one of multiple factors influencing attitudes toward punitive efficacy, measured in standard deviations. Multivariate analysis is employed to ascertain the relative significance of two or more independent variables.

This analytical method investigates the influence of two or more independent variables on the dependent variable. The study examined eight key predictors related to capital punishment perceptions: (1) awareness of crime prevalence, (2) understanding of crime causation factors, (3) knowledge of punitive measures

generally, (4) specific familiarity with capital punishment statutes, (5) recognition of capital offenses against persons, (6) awareness of capital crimes against the state, (7) arguments favoring the death penalty, and (8) arguments opposing its use. These constant variables assessed respondents' comprehension of criminal justice mechanisms and their attitudes toward execution as a penal sanction, providing a comprehensive framework for analyzing legal professionals' perspectives on deterrence theory and retributive justice.

Conclusion

The study investigates the dilemma of the death penalty in Pakistan. The questionnaires were distributed to the lawyers, and the completed questionnaires were retrieved after one week. The findings indicate no substantial variations in the 'efficacy of capital punishment' relative to attorneys' civil and criminal experience. The study revealed a correlation between the understanding of criminal causes and the efficacy of capital punishment (Beta=.052, $p=0.000$). The Beta value indicated a positive correlation between the understanding of criminal causes and the efficacy of Capital Punishment. The findings indicated that increased awareness of crime causes correlated with a heightened perception of the efficacy of capital punishment among lawyers (McCarthy & Brunton-Smith, 2024). The conclusion cannot be drawn due to the scarcity of evidence about the correlation between crime knowledge and the perception of punishment, as indicated by the literature review. An individual's awareness is connected to knowledge, perception, and actions. (Gøtzsche-Astrup, 2025).

This study has demonstrated that awareness is a factor in individuals' perception of any phenomenon. Every research study possesses certain methodological limitations. Methodological constraints included sample size, insufficient data, and the absence of a prior study on the topic. The researcher could not examine the other relevant stakeholders and suggested they be investigated in future studies. This research provides numerous recommendations for future sociological studies examining the sociological underpinnings of capital punishment. Qualitative and quantitative research should be undertaken to thoroughly investigate the sociological factors influencing the perception of capital punishment. The identical study may be conducted on additional stakeholders, such as law enforcement, judges, prosecutors, correctional officers within the criminal justice system, and

victims' families. Furthermore, it is advisable to conduct sociological examinations on death row inmates.

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