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“Death Penalty In Classical Islamic Jurisprudence Hanafi Maliki And Shafi And Hanbali Views”

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ABSTRACT

Capital punishment is the foundation of the classical school of Islamic jurisprudence. It is addressed in the detail and elaborated in all the four major Sunni schools of thought: Hanafi, Maliki, Shafi'i, and Hanbali. All these schools base their conclusions on the application of Sharia capital punishment on interpretation of Qur'an, Hadith, and legal maxims. Understanding the classical juristic discussion on capital punishment is imperative for understanding the tradition of Islamic law with the contemporary means of dispensing justice. It also enables appreciating how classical Muslim jurists maneuvered between paradigms of justice, deterrence, and pardoning. The current article employs a qualitative and comparative approach to the classical law books of the four Sunni madhhabs to present their dissimilarity and similarity in their decisions on capital punishment. These traditional perceptions, now reflected in modernity, can help inform reforms in the law and the economies of value at human rights in Muslim nations. It also stops Sharia from being misused by maintaining control over the application of the death penalty in its historical jurisdiction and moral framework. In general, the four school of thought concur that death is applicable to murder, adultery by a married person and apostasy. Though capital punishment is valid under classical Islamic law, it is balanced with stringent conditions and procedural standards. A sophisticated understanding of such orientations is critical to create a balanced and equitable administration of the law in modern society.

Keywords: Capital Punishment, Islamic Jurisprudence, Sharia Law, Sunni Schools of Thought, Hanafi, Maliki, Shafi'i, Hanbali, Hudud Punishments, Murder, Adultery, Apostasy in Islam.



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Introduction

Capital punishment holds a significant place within the framework of classical Islamic jurisprudence. The four main schools of Sunni Muslims of Hanafi, Maliki, Shafi, and Hanbali have discussed the issue in exhaustive details each with its respective juristic approach to the Quran, Hadith and the available legal precedents. Though there is a difference in the methodological orientation of these schools, they narrow down to the fact that though death penalty is acceptable but only through strict circumstances and against certain serious crimes, especially murder, adultery by a married person and apostasy. (Saber, 2024) By conducting a comparative study on the four Sunni madhabs, this paper will stipulate the different approaches towards the delivery of death penalty, and the procedures safeguards that have been developed to prevent the abuse of the death penalty. Nowadays, when reading these classical interpretations, it is presupposed that they have an increased relevance. Sharia has been misinterpreted and misread and often its underlying postulates have been bent to suit whims, particularly when it comes to the penal laws. Comprehending the original legal justification for capital punishment not only elucidates the intent of the doctrines but also assists contemporary Muslim communities in aligning their legal reforms with the principles of righteousness and ethical human rights standards. Consequently, this paper constitutes an academic inquiry into the Islamic legal tradition and serves as a reminder of the perpetual equilibrium that Islam maintains between justice and mercy.

Theoretical Framework: Sharia Law and concept of punishment

Retributive Justice Theory

Central idea

The Retributive Justice Theory is based on the principle that the punishment should be proportionate to the crime done. It advocates moral balance, personal responsibility, and an epistemic justice and not punitive vengeance. The lawbreaker is compelled to face punishment that is proportionate to the damage caused and hence restoring justice to the social order. (Tsvety, 2025.)

Application to the Research:

This is the theoretical view that is consistent with the Sharia law where punitive actions can be applied to maintain moral order and the divine jurisprudence. Classical tradition the classical Islamic juridical tradition (especially in the four Sunni schools) is significantly more moderate and less vindictive in its articulation of the purpose of capital punishment, as the means of restoring social order through qisas (equal retaliation) and hudood (standardized penalties). The vengeance aspect of the Islamic law is offset by the introduction of Rahmah (mercy) and options of forgiveness, hence proving the fact that Islamic justice is both restorative and proportional. The Retributive Justice Theory, therefore, explains how the Islamic legal doctrine incorporates the Islamic divine justice and the role of human responsibility and, therefore, guide equitable and ethical punitive actions. (Tsvety, 2025.)

Sharia, the Islamic law, is founded on divine revelation and the practice of Prophet Muhammad (PBUH). "Its primary sources are the Qur'an and Sunnah whose collective authority forms the foundation of Islamic scholarship on everything concerning life, such as morals, social justice, and legislation. Apart from this, Muslim scholars also



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developed secondary sources such as Ijma and Qiyas in order to describe things which are absent in the primary sources.” (Hakeem, 2012) These objectives indicate that Islamic punishments aim at maintaining society, reforming the criminal, and deterring future offenses, and not merely inflicting pain and suffering. Qur'an makes human life sacrosanct its major strength but also provides means of justice in case of violation of sacrosanctity.

Qur'an states: " That is why We ordained for the Children of Israel that whoever takes a life—unless as a punishment for murder or mischief in the land—it will be as if they killed all of humanity; and whoever saves a life, it will be as if they saved all of humanity." (Surah Al-Maidah 5:32)

It also guides the individual to death in certain situations, yet only in hard and narrow-minded ones. These punishments are only given after material proof, unbiased trial, and availability of witnesses, so that fairness and justice reign. Islam also provides avenues for reconciliation, pardoning, and compensation (Diyat), demonstrating its measure of justice and mercy. But how they were created and enforced reflects the intricacy of Islamic law: they had always balanced conditions, precautions, and possibilities of amnesty. This is a proof that If Islamic teachings and commands are implemented well, this indicates that if Islamic teachings are implemented properly, they can full fill the principle of justice and social wellbeing. The Prophet Muhammad (PBUH) never promoted severity and atonement, showing that the true purpose of punishment in Islam is rehabilitation, deterrence, and equipoise between mercy and responsibility. (Kamali,2008)

Crimes and Their Punishments under Classical Islamic Law

Murder (Qisas and Diyat)

The most well-known Islamic capital crime is premeditated murder. The Qur'an allows qisas the law of retaliation, or "a life for a life." What is unique about the Islamic method, however, is the allowance for forgiveness and reconciliation. The family of the victim is given the option to demand the killer be executed, to accept monetary recompense (Diyat), or to forgive in total. This achieves a balance between justice to the victim and the potential mercy. (Moazzam, Dayyan & Attirmidzi, Gafi, 2025) Jurists in all four Sunni schools focused on the point that seeking forgiveness was more righteous, thus restricting the actual imposition of execution. In traditional Islamic jurisprudence the idea of Qisas and Diyat is based on Quranic verses:

" O believers! "The law of" retaliation is set for you in cases of murder—a free man for a free man, a slave for a slave, and a female for a female. But if the offender is pardoned by the victim's guardian, then blood-money should be decided fairly and payment should be made courteously. This is a concession and a mercy from your Lord. But whoever transgresses after that will suffer a painful punishment." Al Baqarah (2:178)

This qur'anic verse reveals that capital punishment even though justly allowed but Islam emphasis absolutism and peace within the society.

Hanafi views: According to Hanafi school of thought premeditated murder require clear evidence either confession and two trustworthy witnesses. In classical law, the right of retribution (qisas) primarily belonged to the victim's heirs. If the family forgive the killer or receive payment or take a settlement the killer is not punish for their crime. (Jaziri, Rehman, 2009)

Maliki view: The Maliki school concur the qisas is significant or applicable when the



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murder was not by mistake and not premeditated murder but imam malik attached that Diyat could also serve as a mean of reunion to inhibit tribal conflicts. The Maliki emphasized on law-and-order stability and public safety see qisas as both justice deterrence showing mercy and granting pardon as superior. (Jaziri, Rahman, 2009)

Shafi views: The Shafi'i jurists attached great importance on the right victim inheritors. Imam Al Shafi 'i described in al -umm that absolution and reparations protect social harmony and social cohesion and that conclusive proof must be presented before execution anymore. they also insisted that if there was any uncertainty or doubt about intent, the death penalty must be avoided. (Munir, Umar, Rasool, 2003)

Hanbali view: The Hanbali jurists following imam Ahmad ibnh Hanbal asserted that qisas should be applied or try when intention and weapons use are proven without uncertainty. However, like other school they give preference and more importance to pity and peace. Emphasizing that Allah loves forgiveness.

Adultery (Zina)

Offense associated with capital punishment is adultery by a married individual. Classical jurists used the Qur'an and Hadith as the basis to conclude that the penalty is death by stoning but only where evidence is very strict. The need for four standing witnesses to the act of intercourse rendered punishment virtually impossible to enforce in reality. This high standard serves to express the gravity of the offense in moral terms and at the same time to shield people from unjust accusation or abuse of law. Indeed, most cases throughout history indicate that charges were dropped because they could not satisfy these standards of evidence. (Nurhayati, 2017)

Hanafi views: The Hanafi school explained this rule rigidly. Four adult Muslim witnesses were at the spot and had to see sexual intercourse. Even inconclusive evidence and confession under pressure was invalid or wrong. Imam Abu Hanifa taught that doubt or uncertainty abandon hudud. saying "Avoid hudud in case of doubt. Thus, Hanafi aimed to stop injustice. (Jaziri, Rahman, 2009)

Maliki view: The Maliki school accepted the same principle but carrying a child of an unmarried woman indirect evidence of adultery, thought this was hardly used. Imam Malik stressed repented and often said that hiding sins apologizing is better than exposure. (Hakeem, 2012)

Shafi views: The Shafi school enforced the most rigorously evidentiary standard and refused circumstantial evidence. They stressed that confessions could be withdrawn at any time or no matter when before capital punishment. Imam Al Shafi 'i legal scholar motivated pity and privacy in moral matters. (Jaziri, Rahman, 2009)

Hanbali views: The Hanbali shared or adhered to the same stringent rules and scholar like Ibn Qudamah said that hudud are meant to deter, not destroy. Repentance before the hearing could result in cancellation of punishment or amnesty, as true repentance purifies sins before law enforcement.

Historical Precedents and Practice of Early Muslims

“The practice has always been a supplementary to the Islam theory and the example that is given on the issue of capital punishment is the example of the Prophet Muhammad (PBUH) and the companions that was with him. Even though the Prophet was not hesitant or irresponsible in the dispensation of the capital punishment, the law demonstrated the laws of the death penalty to him in his lifetime. Thus, in the scenario of



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murder case, he encouraged reconciliation and forgiveness and not death among the perpetrators.” (Schabas, 2000). He disheartens anyone making adultery claims unless every element of evidence was met to ensure that people would not be wrongfully accused. The same warning method was taken by the early Caliphs, Abu Bakr, Umar ibn al-Khattab, Uthman ibn Affan and Ali ibn Abi-Talib. “The hudud punishments were personally abrogated by caliph Umar who recognized the need to have situational justice and not ad hoc application.” Where, then, there was the law, there was prosecution of it on the side of wisdom, mercy and context with success. These are just indicators to the fact that the death penalty according to the Islamic law was not only meant to be a short cut and easy trade but the end part of a larger process of justice and forgiveness.

Depth Analysis of the Four Sunni Madhhabs in the Capital Punishment Case Hanafi Medhhab

Background and History

It was established by Imam Abu Hanifa (699–767 CE) in Kufa, Iraq, in Umayyad and early Abbasid periods. Hanafi school was the most widespread because it was tolerant, centrism, and based on reference to reason (ra'y) in juristic verdicts. It was thereafter embraced by the Abbasid state and was the most common in South Asia, Central Asia, Turkey, and the Balkan Peninsula. (Schabas, 2000)

Intellectual Foundations and Methodology (Usul al-Fiqh)

Hanafi school has Qur'an and Hadith as its basis but primarily on Qiyas (analogy), Istihsan (juristic preference), and Ijma (consensus). The most rationalist and systematic of the Sunni madhhab, it is designed to keep reason at bay so that it won't be the source of complication or injustice in law. (Penal Reform International, 2015).

View on Capital Punishment / Death Penalty

Hanafi lawyers prefer infliction of capital punishment on the grounds of willful homicide (qisas), adultery with married women (zina), and apostasy (rida). They do have, however, the highest maxims of procedure and evidence in these cases. They prefer penitence in the case of apostasy before punishment and prefer pardon (afw) or indemnity (Diyat) in the case of homicide. Hanafi theology is characterized by prudence and caution in preventing abuse of hudud punishments.

Uniqueness or Special Emphasis

Hanafi school is based on the assumption that the rule "hudud are suspended in case of doubt (Shubha)" has taken root deep within their leaning towards pardon and reform rather than severe punishment. Hanafi school does not worry about miscarriages of justice and lays special emphasis on repentance, pardon, and deterrence through conscience.

Modern Application / Impact

Hanafi school dominates today in South Asia (India, Pakistan, Bangladesh), Turkey, and Central Asia. Its rationalistic jurisprudence also implies modern judicial reform in areas of due process, rational evidence, and human rights in the application of Sharia law. (Moazzam & Attirmidzi, 2025)



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The Maliki School of Thought

Origin and Historical Background

Established by Imam Malik ibn Anas (711–795 CE) in Medina, the Prophet's city (peace be upon him). Maliki school evolved in an extremely competitive atmosphere with the model of practice of the early Muslim community (Amal Ahl al-Madina). It expanded to North and West Africa, Andalusia (Spain), and the Arabian Peninsula gradually.

Intellectual Foundations and Methodology (Usul al-Fiqh)

Maliki's framed their legal argument in Qur'an, Hadith, Ijma and Qiyas and Medina people strictly follow it. They used their application of common practice to give the Maliki school a base of ethics and contextuality, instructional ethics, public good, and solidarity within society. (Jaziri, 2009)

Capital Punishment / Death Penalty perspective

Maliki attorneys deem it justifiable in the case of murder, polyandry on the part of a believing married woman or polygamy on the part of a believing married man, and apostasy but require conclusive evidence and just witnesses. Capital punishment they believe to be a greater moral deterrent to the masses than an instrument of justice. Maliki's also assign repentance for the sin of apostasy and much significance to forgiveness in the case of qisas where it is feasible. (Moazzam & Attirmidzi, 2025)

Special Emphasis or Unique Characteristic

Maliki school is reported to be highest on respect for personal integrity and obedience to institutions. Death penalty, in their view, is in the public interest of safeguarding public morals and order within society, an articulation of Medina's communalism.

Contemporary Relevance / Influence

Today, Maliki jurisprudence is predominant in North and West Africa (e.g., Morocco, Algeria, Tunisia, Senegal, and Nigeria). Its focus on communal ethics and moral reform continues to influence discussions on social justice and ethical governance in Islamic law.

The Shafi'i School of Thought

Origin and Historical Background: Imam Muhammad ibn Idris al-Shafi'i (767–820 CE) started it in Egypt after studying with Imam Malik and other early Iraqi jurists. He lived during the Abbasid period, which was a time of great intellectual growth and the writing down of laws. His method went to Egypt, East Africa, Southeast Asia (Indonesia, Malaysia, Brunei), and some parts of Yemen.

Foundations and Methodology of Intellect (Usul al-Fiqh): Islamic jurisprudence acquired its systematic approach by the Shafi school making it very clear. classifying the sources of law: Quran, Hadith, consensus (Ijma), and analogy (Qiyas). Shafi urged so much on the authentic Hadith and discouraged the dependence on personal. reasoning or local customs. (Peiffer, 2005)



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View on Capital Punishment / Death Penalty: Shafi jurists approve of capital punishment against the three major offenses (murder, adultery by a married person, and apostasy) but put strong procedural protection. For instance, in adultery cases, there must be four upright eyewitnesses, or confession by voluntary repetition made. multiple times. The punishment is suspended by any doubt. They also ponder repentance preceding execution for apostasy. (Jaziri, Rahman, 2009)

Unique Attention or Specialty: The Shafi'i method is distinguished by rigor in the procedure and adherence to the texts. They insist on precise adherence to the Quranic and Prophetic requirements prior to the execution of the death. punishment, and justice and due process.

Relevance / Influence in the present day: The Shafi school is very common in East Africa, Southeast Asia, Egypt and some areas of. Yemen. Its focus on legal and procedural protections appeals to the contemporary. the emphasis of legal systems on human rights and fair trials.

Hanbali School of Thought

Origin and Historical Background

The Hanbali school was founded by Imam Ahmad ibn Hanbal (780-855 CE) in Baghdad. It began during the time the Abbasids were ruling and thrived because it was promoting rigid sticking to the Qur'an and Hadith. It spread well enough to reach Arabia and later Saudi Arabia, where it is the mainstream school till date.

Intellectual Foundations and Methodology (Usul al-Fiqh): Hanbali school is prima facie text-authority Qur'an, reliable Hadith, and opinions of Prophet's friend (Sahabah). Hanbali school opposes thought speculative and limits analogy (Qiyas) to only cases based directly upon the revelation alone.

View on Capital Punishment / Death Penalty: Hanbali jurists hold a belief in punishment by death for the three grievous sins but recommend its application only on unblemished evidence. Repentance and pardon before punishment, particularly in the case of apostasy, are recommended. Torture-induced confessions or questionable witnesses nullify the punishment.

Special Focus or Distinctive Feature: Hanbali school is characterized by compliance with text and strict adherence to purification of action. It holds the opinion that unless the ascetic rules of divine law are obeyed word by word in every situation, punishment would be unfair. Although a conscientiously text-aware school, mercy and expiation are also included among the constituents of justice.

Contemporary Relevance / Influence: Hanbali doctrine remains fashionable in Saudi Arabia and the Gulf States. Its emphasis on primary sources and expiation remains pertinent to argument in contemporary Islamic criminal law evolution and Muslim Sharia harmonization with contemporary human rights standards. (Peiffer, 2005)

Justice, Deterrence, and Pardon in Classical Islamic Law

Justice as the Foundation

Justice ("adl) is the basis of Sharia, and the most obvious example of this is capital punishment. The killing of one innocent person is equivalent to killing the entire human race, according to the Qur'an. The verse establishes an ethical foundation for empire



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punishment in murder while highlighting the sanctity of human life. The death penalty for intentional homicide was able to uphold the principle that life was sacred and could not be desecrated without repercussions, according to jurists, but it was not a question of retaliation. (Hakeem 2012)

Classical jurists tend to add up becoming critical with evidence requirement to mete out capital punishment. Thus, it contained adultery amongst the crimes with hudud penalties; the punishment either depended on confession or the sighting of four righteous witnesses, and obviously false execution would be very improbable if such law was followed. This requirement proves preoccupations of justice with the jurists to avoid punishment turning to tyranny. The schools could also agree that a judge or a ruler of the realm had no power to inflict a death penalty at will-it was all well controlled within a set system of justice for fear of abuse of power. (Rahman, 2019)

Deterrence and Protection of Society

Another significant purpose of capital punishment in Islamic law is deterrence (zajr). The assumption was that when people see the severity of punishment for certain crimes, they would be reluctant before committing them. This is even self-evident in the Qur'anic verse on retaliation (qisas):

"There is security of life for you in the law of retaliation, O people of reason, so that you may become mindful of Allah." Al-Baqarah (2:179).

This couplet is a reflection of the paradox that putting to death a murderer can end up being a saving of lives in society since it will deter others from following suit.

Scholars from all four schools of Islamic law accepted deterrence as one of the purposes of hudud punishments. For example, adultery and apostasy were treated with the utmost seriousness not only because of their private nature but also because they were deemed criminal offenses capable of undermining the religious and moral fabric of society. In imposing capital punishment under strict conditions, the law was an extremely harsh warning. But the deterrent effect was not aimed to result in regular executions; rather, the severity of the punishment reduced the likelihood of its ever being used. (Mazhar, 2015)

The Role of Pardon and Mercy

The Qur'an praises forgiveness as a higher moral choice:

"But if the offender is pardoned by the victim's guardian, then blood-money should be decided fairly and payment should be made courteously. This is a concession and a mercy from your Lord. But whoever transgresses after that will suffer a painful punishment." Al-Baqarah (2:178)

The verse refers to the delicate balance between justice and mercy. Though the law permits society to punish, it brings pardon as a noble act that is spiritually fulfilling. Jurists across all schools of thought wrote extensively on this option, ensuring Islam does not advocate for revenge but aims to harmonize justice and mercy. The fact that pardon exists in the system renders the death penalty not an instrument of cruelty but ensures that mercy is a living philosophy in Islamic law. One of the most striking aspects of traditional Islamic philosophy of capital punishment is that it is not only strictly based on harsh justice and deterrence but also accommodates pardon ('afw). Whereas in cases of qisas (retaliation for murder), the family of the victims can demand the death penalty, they can equally opt to forgive and receive Diyat (blood money) in lieu.



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Balancing the Three Principles

All three, justice, deterrence, and pardon, illustrate the subtlety of classical Islamic law. Justice ensures fairness and proportion in punishment, deterrence ensures safety to society and dissuasion of crime, and pardon ensures that mercy is always included in the calculation. Rather than being contradictory, the three principles create a balanced system where capital punishment is morally acceptable but strictly limited.

This balance also shows that jurists were strongly sensitized to the human element of law. They knew that while crime must be addressed in order to protect society, forgiveness and mercy are also basic in Islamic values. Their writing makes us realize “that Islamic law is not a harsh system of punishment but an inclusive system that seeks to preserve life, dignity, and moral order.” (Ismail, 2012)

Procedural Safeguards in Classical Jurisprudence

In traditional Islamic law, the most significant part of capital punishment was the rigorous procedural protections that jurists put around its application. “The four Sunni madhahib concurred that the killing of a human being needed the greatest amount of proof and the utmost precaution. For instance, in cases of adultery, the Qur’an itself required the testimony of four reliable witnesses who had directly observed the act, which made false accusations nearly impossible to succeed in court. Similarly, in cases of murder, the Hanafi, Maliki, Shafi ‘i, and Hanbali jurists emphasized the need for clear evidence, voluntary and repeated confession, or trustworthy eyewitnesses, with any doubt tilting the decision in favor of the accused.” (Rahman, 2019). These regulations were not coincidental but evidenced a profound concern that the irreversibility of the death penalty must not result in injustice. In addition, the jurists provided pardon via qisas and diya (retaliation or compensation), providing a choice for victims' families, thus instilling mercy alongside justice. (Munir, Umar, Rasool, 2003). Another protection was that confessions must be spontaneous, corroborative, and without force, and witnesses must have high moral and legal standing. Islamic law's maxim that “hudud are suspended in the presence of doubt” meant that capital punishment could not be used if there were even a minor doubt. These precautions show that the traditional jurists did not approach the death penalty as a tool of oppression but as a severely limited measure, strongly conditioned by legal and ethical requirements, thus rendering erroneous killings very infrequent in the system of Sharia.

Contemporary Relevance and Challenges

All three, justice, deterrence, and pardon, illustrate the subtlety of classical Islamic law. Justice ensures fairness and proportion in punishment, deterrence ensures safety to society and dissuasion of crime, and pardon ensures that mercy is always included in the calculation. Rather than being contradictory, the three principles create a balanced system where capital punishment is morally acceptable but strictly limited. (Ismail, 2012) This balance also shows that jurists were strongly sensitized to the human element of law. They knew that while crime must be addressed in order to protect society, forgiveness and mercy are also basic in Islamic values.

Conclusion

This examination of the death penalty in traditional Islamic law demonstrates the delicate balance that exists between human accountability, divine justice, and social order. The



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elaborate lines of thought that recognized the holiness of life and upheld justice with extremely stringent requirements for the death penalty were developed by the four Sunni schools of thought. Hanafi, Maliki, Shafi'i, and Hanbali. The implementation of stringent procedural safeguards such as the requirement for multiple credible witnesses, voluntary confession, and the postponement of hudud punishments in cases of uncertainty is the most noteworthy of these. These were not formalities; rather, they were a manifestation of a great desire to protect the defenseless and prevent a legal miscarriage. Simultaneously, the research concludes that justice, deterrence and pardon were among the underlying principles which were used to direct juristic discussion. The Islamic law gave the families of the victim the option of retaliation, compensation, or forgiveness by juxtaposing mercy with justice, and the type of flexibility introduced to the legal procedure. This is because capital punishment was never designed to be a tool of oppression but a policy that is highly linked with both the ethical and communal duty. Nowadays, however, the question is controversial. Modern Muslim communities are faced with the need to harmonize traditional judgments with the law reform and international human rights issues. In the majority of instances, the protections conceived by the jurists are not complete, and abuses and contradictions are condemned. However, historical juristic issue of justice, deterrence, and mercy is a fruitful ground upon which reforms in the future may be grounded. When all these are put in place properly, these factors would make the death penalty a very rare, tightly regulated exceptionalism and not a regular form of punishment. Generally, the traditional Islamic law is a restrained and principled death penalty model. Its insistence upon adequate evidence, its submission to pardon and its sense of justice is a far more restrained system than is the rule in modern systems. The problem in the face of the Muslim communities of this day is not the problem of forsaking this custom but of reinvigoration of the zeitgeist of the tradition with the content of justice and mercy as an inseparable and guardian of the sacredness of human life both legally and practically.

Recommendations

The evidentiary standard before the capital punishment is handed out should be uncompromising in line with the injunction of Sharia where any reasonable doubt shall justify the suspension of the penalty.

It is also recommended to enhance procedural integrity of fair trials in order to avoid judicial errors, false confessions and miscarriages of justice.

To keep the true essence of Islamic justice, accuracy, transparency, and moral accountability should be prioritized instead of taking a punitive course in the rush.

Limitations

The analysis is primarily based on secondary sources and hence may not be fully representative of the diversity of internal debates in each school.

The lack of fieldwork or first-hand interviews with jurists and practitioners also limits the study from including first-hand views that may further strengthen the findings.

The focus of this research is on the four Sunni schools of law, other important perspectives such as Shi'a jurisprudence or regional applications of Sharia are not covered.

Scope for Future Research

Building on the findings of this study, future research could engage more deeply with primary data, such as interviews with Islamic jurists, legal experts, or policymakers, to



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better understand how classical principles are applied in contemporary settings. Comparative research across multiple Muslim-majority countries would also be useful to observe how Hanafi, Maliki, Shafi'i, and Hanbali interpretations are implemented in different cultural, political, and legal contexts.

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