



“Reforming the Death Penalty in Islamic Countries: Lessons from Successful Initiatives”

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ABSTRACT

The death penalty remains a controversial issue across the Muslim world, where debates often center on reconciling Sharia principles with international human rights standards. This research explores reform initiatives undertaken in selected Islamic countries such as Pakistan, Iran and Indonesia, focusing on policies that have introduced moratoriums, narrowed the scope of capital crimes, or promoted restorative and alternative punishments. Using a Qualitative methodology and comparative approach, this research investigates case studies across various Islamic contexts by critically analyzing legal documents, policy frameworks, and international reports, thereby providing a comparative understanding of reform practices. In addition policy frame works and historical developments are reviewed to identify pattern of reform and their social, political and religious drives. The findings suggest that reforming the death penalty in Islamic countries is both possible and practical when guided by principles of justice, mercy and accountability. Meaningful progress depends on balancing religious traditions with contemporary legal and humanitarian standards, allowing justice system to remain credible and responsive to social needs. These experiences offer valuable lessons for other Islamic societies seeking to modernize their legal systems without undermining faith-based traditions.

Keywords: Capital Punishment, Death Penalty, Human Rights, Islamic Law, Legal Frame Work, Restrictive Justice, Sharia Principles

Introduction

The death penalty has always held an important place in Islamic criminal law. Traditionally, Islamic justice divides punishments into two main types like hooded, which are fixed punishments for serious crimes and tazir, which are discretionary punishments for lessee's offences, in early Muslim societies, these laws were seen necessary to maintain order and protect moral values. Over time, as societies change new idea about justice and human rights began to emerge. Many Islamic countries then forced pressure to review their rational legal systems. They were challenge to balance Sharia-based justice with the standards of modern international law. This ongoing tension between classical Islamic rules and evolving human rights ideas from the background for current reform effort across the Muslim world. It is being demanded by international community to be abolished. Not only can the punishment be enforced in Pakistan, but also in many countries such as United States of America USA, China, Iran, Japan, Saudi Arabia among other countries there are laws that give death penalty upon many crimes. Conversely, death penalty in most states of the world has been banned labeling it as an inhuman, cruel and against human dignity of man (Javed, 2020).

The death penalty has been a divisive subject since its inception in Pakistan's legal, cultural, and religious framework. Pakistan is among the countries with the highest prisoner population on death row. The question of the use of capital punishment raises important questions of justice, human rights, and the effectiveness of the criminal justice system as a whole. It is hard to see how the death penalty itself addresses these particular matters (Rehman, 2025). For example, the legal framework surrounding Pakistan's death penalty is predominantly colonial law, with Zia-ul-Haq's involvement adding the categories of blasphemy, drug trafficking, and terrorism. As a result, the very vague and elastic nature of these laws leaves them open to misuse. It will have a disproportionately



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negative effect on religious, ethnic, and other minorities that experience injustice on a systemic basis (Khan, 2025).

Pakistan is one of the most salient Muslim-dominant nations where the conflicts of the laws of colonial period and Islamic jurisprudence intertwine, and thus this country is a prime example of studying the topic of reforms. The history of death penalty in Pakistan is colonial. The laws on capital punishment can be traced back to the colonial days, especially the Indian Penal Code (IPC) 1860 which became part of Pakistan when it was formed in 1947. The most heinous crimes that were a reflection of English law, which included murder, treason and armed rebellion were all subject to death sentence during colonial times. Nevertheless, the death penalty was greatly increased during the General Zia-ul-Haq (1977-1988) regimes. During the 1990s, the Musharraf era and the People's Party era, death penalty remain active on Pakistan imposed de facto restrictions and an unofficial moratorium on the implementation of the death penalty. In a bid to Islamize Pakistan, Zia codified the Islamic law, and included other crimes such as blasphemy, adultery and drug trafficking among the capital crimes.

The controversial laws such as the Hudud Ordinances that were applied selectively imported many of these laws to Pakistan. The Zia regime expanded on the death sentencing as well as incorporating the death penalty in the legal and religious basis of the country. The international community applied pressure on Pakistan in 2008 to enforce a de facto moratorium on executions because of the potential injustice of the justice system. In 2013, the government lifted the de facto moratorium on capital punishment as something in its National Action Plan that is meant to combat terrorism, initially the death penalty was reinstated only for terrorism related cases, but later it was extended to other crimes as well (Amnesty, 2019). Pakistan has remained one of the leading countries in the world for death sentences and executions since 2013, raising important questions regarding the historical trajectory and future of the death penalty in Pakistan (Khalid, 2025).

Debates over the death penalty in Indonesia have been around for long, sparking two diverging views of those refusing the death sentence practice and those going for it. The grounds for standing against this practice involve the following points. The death penalty is not a criminal sentence simply because it fails to meet the criteria set forth for criminals. Taking someone's life through a death sentence is something serious that no single authority should necessarily perform (Jouet, 2022). When a death sentence is given to deter others alive, the clemency principle is questioned. Those standing for the death penalty base their notion on the following rationales. The death penalty completely restricts the independence of the convict, ensuring that other members of the public will no longer feel threatened. The death penalty is given as a strong repressor for the government, guaranteeing public interest, peace, and public order. The death penalty serves as an instrument of prevention, making a person think twice before committing any crimes (Atras, 2023).

The Islamic Republic of Iran presents one of the most rigid application of capital punishment in the Muslim world, where the death penalty is codified within the Islamic Penal Code. The Code, ratified by the Islamic Consultative Assembly and approved by Guardian Council, draws its legitimacy from article 4 of the Iranian Constitution (1979), which mandated that all laws must be based on Islamic principles. Under Article 262 of Islamic Penal Code of Iran (2013), any individual who insults the Prophet Muhammad (peace be upon him), any of the great prophets, the twelve Imams, or Fatima Zahra (the



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Prophets daughter) is guilty of *saab ul-nabi* (blasphemy) and is subject to the death penalty. “Article 263 of Islamic Penal Code of Iran, outlines mitigating circumstances under which the accused may escape execution such as acting under coercion, anger, intoxication, or mistakenly uttering the words without intent in which case the punishment is converted to a discretionary (*ta'zir*) penalty of 74 lashes .

Earlier, Article 513 of the 1991 Penal Code of Iran prescribed execution for insults amounting to blasphemy and imprisonment ranging from one to five years for lesser offenses against Islamic sanctities. These laws stem from Shi'a Ja'fari fiqh, particularly the rulings of Grand Ayatollah Abul Qasim al-Khui, who asserted in his seminal work *Mabāni Takmilat al-Minhāj* that “he who claims to be a prophet or insults the Prophet must be executed,” thereby equating blasphemy with apostasy. The codification of such religious injunctions into state law demonstrates the deep fusion between theology and jurisprudence in Iran, reflecting a system where divine law defines the parameters of justice. This legal-religious integration reflects the. Although international human rights bodies have repeatedly condemned Iran's use of the death penalty for non-lethal offenses, the Iranian state continues to justify its position as a religious duty derived from Sharia and essential to maintaining the moral and spiritual order of society (Khui, 2007).

The ongoing debate surrounding the death penalty in Islamic countries highlights the complex relationship between religious interpretation, legal reform, and human rights obligations. While many Muslim-majority states justify capital punishment through classical Sharia principles, the evolving understanding of justice within Islam increasingly emphasizes mercy, rehabilitation, and public welfare. Therefore, studying how Islamic nations have navigated this tension offers valuable insights into the compatibility of faith-based legal systems with modern humanitarian values. This research seeks to examine reform experiences in selected Islamic countries Pakistan, Iran, Indonesia, and Morocco to identify how religious, political, and social dynamics influence death penalty reforms and to explore whether Islamic law provides sufficient flexibility for harmonizing justice with compassion.

Theoretical and Legal Framework

Divine Command Theory: Morality depends on **God's will**, not human choice. In the context of your research on **Islamic death penalty reform**, this theory helps explain how laws rooted in divine sources (Qur'an and Sunnah) can still be reinterpreted to reflect **God's mercy and justice** through **Maqasid al-Sharia**. (Adams, 1999).

According to the Divine Command Theory, moral obligations and justice originate from the will of God rather than from human reasoning or social constructs . This theory provides the theological and intellectual foundation of the present study, as Islamic legal principles derive their legitimacy from divine revelation. Within Islamic jurisprudence, capital punishment draws its authority from sacred sources such as the Qur'an and Sunnah, particularly under the categories of *hudud* and *qisas*. However, contemporary interpretations inspired by *Maqasid al-Sharia* the higher objectives of Islamic law emphasize justice, mercy, and the preservation of life. This approach highlights the inherent flexibility within Sharia, showing that divine law is not rigid but allows for reinterpretation and reform in light of its ultimate divine purposes (Auda, 2008). Thus, under Divine Command Theory, reforming the death penalty within Islamic contexts does not represent a departure from divine will but rather a renewed understanding of God's justice and compassion.



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Legally, this framework operates at the intersection of **Islamic law** and **international human rights law**, as reflected in instruments like the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Consequently, Islamic nations such as Pakistan, Iran, and Indonesia are increasingly striving to harmonize divine principles with global human rights norms. This combined theoretical and legal foundation enables the analysis of how death penalty reforms in Islamic countries seek to balance faith-based justice with contemporary humanitarian standards.

Qisas, Hudud and Tazir

Definitely, when Islam came to Arabian Peninsula it divided prohibited acts and special separately discussed three types of field its penalties for them into two categories. These are namely: hududd and tazir punishments

Qisas or alternative punishment, Diyat

The other important question is, can death penalty be abolished in the Islamic religion and at the same time whether it should be viewed as other alternative punishment to diyat? Numerous jurists and the human rights groups allege that Quran besides death penalty offers diyat, the blood money in case the legal heirs compound the crime. It implies that forgiveness receives more creditability compared to revenge. In reinforcement, a verse of Holy Quran is quoted which goes as;

And we ordained to them therein a life for a life, an eye a nose, an ear an ear, a tooth a tooth, and wounds legal retribution. But he that shall yield [his right] as altruism, it is a cleansing to him. And whoever does not judge according to what Allah has revealed it is the wrongdoers who are (Surah Al-Ma'idah, Quran 5:45).

Though the first section of the verse sentences to execute qisas, tit to tit punishment of the degree of crime committed on the wrongdoers. The second section of the verse however gives a proviso on general rule of the verse. Under the light of exception provided, it can be understood that Islam values forgiveness more. Death penalty can be abolished based on Islamic Injunction on two grounds. In the first place, alternative punishment of diyat is provided by Quran itself in place of qisas. Secondly, Allah also prescribes to the giving up as charity (Javed, 2020).

Hudud (Fixed Punishment)

In Islamic law, the term hudood (plural of hadd) refers to specific punishments prescribed by Allah the Almighty in the Holy Qur'an or the Prophetic Sunnah. These punishments are considered haqq-Allah the rights of Allah reflecting divine authority over moral and social order. Islamic teachings classify all responsibilities and liabilities into two main categories: haqq-Allah (the rights of Allah) and haqq-adami (the rights of individuals) (Kamali, 2008)

The word hadd literally means "limit" or "boundary," signifying the divine restrictions established by Allah to maintain justice and righteousness in society. Hudood crimes are viewed as violations of the natural law and the divine order, representing breaches of haqq-Allah that provoke the wrath of God . These crimes are unique because their punishments are fixed by divine command and cannot be altered, reduced, or forgiven by human authorities.

Muslim jurists emphasize that the enforcement of hudood is purely a matter of divine right and cannot be suspended or abolished, even by the victims or the state. The hudood



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category includes seven major crimes:

Adultery or fornication (zina)

False accusation of adultery (qazaf),

Fheft (sariqa)

Armed robbery (harabah)

Consumption of alcohol (shurb al-khamr)

Apostasy (irtidad)

Rebellion or high treason

Due to the severity and moral weight of these offences, Islamic law requires strict standards of proof that leave no room for doubt or uncertainty. The hudood punishments also possess distinct characteristics. First, their severity cannot be increased or decreased under any circumstance. Second, no individual or authority has the right to pardon these penalties unless the offence directly concerns a private harm, in which case the victim may forgive the offender (Kamali, 2008). Lastly, since hudood represents the “rights of Allah,” their enforcement aims to protect the collective moral welfare of the community and preserve divine justice for the benefit of all mankind (Nasir, 2016).

Tazir (The Discretionary Dimension)

Ta'zir is a form of punishment which is not directly stated in the sharia, but the shape and the circumstances are provided to the ruler or state to decide based on the change of time or place. One of the alternatives of punishment that may be applied on hudud offenders is the death penalty. Nevertheless, only 4 hudud offenders can be subjected to death penalty, among which are: Zina Muhshan (married people who engage in adultery) (Khalisa, 2023), deliberate killing, theft (al-hirabah), and apostasy (riddah). The death sentence in some of the crimes under Islamic Law is to be effected even when the Indonesian criminal law is altered. This was proclaimed in the National Criminal Code that just came into force on the 6th of December 2022, as a replacement of the Dutch East Indies era Criminal Code that has been in operation approximately 104 years. In this reform of the Indonesian criminal law, there are major changes in the area of the death penalty.

The death penalty was the central form of sanction that had the most significant weight previously according to Article 10 of the old Criminal Code. But in the new Indonesian Criminal Code it is seen that the term of conditional death penalty is introduced as stipulated in Article 67 of the Criminal Code Law, namely: Special crime as contemplated in Article 64 letter c is the death penalty that is always threatened as an alternative. This is the alternative to death penalty which offers two options of sanctions to the convict; the death penalty and the conditional death penalty. The death penalty is no longer the primary sanction in this context except under Article 99 (Muntafa, 2023) of the new Criminal Code according to which death penalty may be administered following refusal of clemency request by the convict by the state government. Alternatively, the conditional death penalty may be given after 10 years probation that has been good behavior. The National Criminal Code provides that the panel of judges may impose a death sentence by the 10 years probation period in case the defendant is also remorseful and has a willingness to change, or when his contribution to the crime was not dominant (Muntafa, 2023).

These principles confirm that Islamic criminal law per se is subject to change on the basis of values of forgiveness and discretion and mercy in conjunction with the values of



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human rights. Qisas, Hudud, and Tazir are concepts that are utilized when making the point that, while the Islamic criminal law is not purely inhuman as it is founded on the revelations of God, it is very lenient in terms of its elaboration. On the plane of the divine justice, the issue of accountability and forgiveness is dealt with in the texts of the Quran and the Sunnah, which are replaced by the issue of mercy and reform. Hence the reinterpretation of such principles by the present generation could be pivotal in the development of the Islamic laws into the present human rights laws. How these principles have been applied or adjusted in other nations dominated by Muslims is an excellent arrangement of the bigger image of justice, change, and righteousness in the Islamic world.

Comparative Case Studies of Pakistan, Iran, Indonesia, and Morocco

To have better understanding of how the Islamic legal principles intersect with the modern human rights principles, it would be worth to follow the life experience of Muslim countries which struggled to reform the death penalty. The experience of Pakistan, Iran, Indonesia and Morocco gives us invaluable information regarding how diverse most people understand the Islamic law and use it in their policies. Pakistan and Iran are examples of states where the death penalty is perpetuated by traditional jurisprudence and political conservatism and where Indonesia and Morocco are examples of nations where the death penalty is interpreted more reform-oriented based on mercy, discretion and the higher goals of Sharia (maqasid al-sharia). Through these comparative case studies, this paper illustrates how Islamic reasoning can and does justify and change the practice of capital punishment and the result is that there can be a considerable degree of reform when the divine law is viewed through the prism of justice, compassion, and the common good.

Case Study of Pakistan

Death penalty remain controversial in Pakistan due to international human rights influence on formulation of the policies of Pakistan especially death penalty. Currently displayed as a retentions state, Pakistan uses capital punishment referring to sovereignty, traditions of legal systems, and security of people. However, international human rights legislations require the abolishment of the death penalty or the putting of a freeze on the implementation of the same as it is inhumane or against the rights of every person to life. The situation best exemplifies a much discussed conflict between Pakistani government and human rights agreements ratified by the country. Many global human rights organizations includes Amnesty international, Human Rights Watch, United Nations Human Rights council exercises and oversight the use of death penalty in Pakistan and lobbying for change of law that reflects global policies on death penalty. These organizations record use of force on human rights, for change and participate in diplomatic discussions. However, Pakistan has persisted on death penalty laws, which further signify that there are thousands of prisoners awaiting the death penalty.

The state has provided certain religious, legal, and security reasons for such intervention as capital punishment is needed to punish severe crimes such as terrorism and blasphemy (Qamar, 2023). This approach aligns with the Social Contract Theory, which asserts that individuals surrender some of their freedoms to the state in exchange for protection and societal order, thereby legitimizing the state's authority to enforce capital punishment for grave offenses (Rousseau, 1762). Aim of the paper is to analyze influence of



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International Human Rights Organizations on Pakistan's death penalty policies. The objectives includes, to analyze influence of international human rights advocacy on judicial stance and Pakistan legislative stance on death penalty, to assess extent to which Pakistan align the policies of death penalty with international human rights standards., and to explore resistance and challenges in implementation of international human rights on death penalty in Pakistan((khan, 2021).

Case study of Iran

In the Islamic Republic of Iran, a person who insults Prophet Mohammad should be executed. In the previous penal code of Iran (2013), the punishment for insulting the Imams and Fatimah (the Prophet's daughter) was also execution (article 513, Penal code of Iran). According to the book *Mabāni takmilat al-Minhāj*, he who claims to be a prophet is to be executed as well. The punishment of an individual becomes a corruptor on earth is death. Under article 286 of penal code of Iran 2013, any individual or organization that deliberately commits a threatening act against the health of the Islamic society of Iran is a corruptor on earth. These activities involve drug trafficking in large amounts, selling harmful or toxic substances in a large scale, and setting up centers of prostitution at a large scale, disrupting the economy of the country, disrupting the security and order, and robbing numerous times. Execution is the ḥadd of adultery which occurs between a man and his stepmother or between a non-Muslim man and a Muslim woman (then the man would be sentenced to death) and between a man and a woman (then the rapist would be sentenced to death). The ḥadd of a married adulterer is being stoned to death; if this penalty cannot be inflicted, it will be replaced by one hundred lashes (Article 225, Penal Code of Iran 2013).

The penalty of sodomy is execution; if it cannot be inflicted, it will be replaced by one hundred lashes (article 234, Penal Code of Iran 2013). Some jurist consults believe that the penalty of stoning to death existed before Islam and Islam only affirmed it, but other jurist consults do not consider it a canonical punishment. A group who carry out armed uprising against the Islamic republic of Iran are considered outlaws, and if they use weapons, they will be sentenced to death (article 278, Penal Code of Iran). A person who steals repeatedly will be sentenced to death if the judge recognizes him as a corruptor on earth. According to the Iranian Penal Code of Disruptors in the Economic System, forgers of banknotes who intend to harm the Islamic Republic of Iran in this way are sentenced to death (article 2, Penal Code of Iran). Whenever a person commits for the fourth time a crime with ḥadd punishment, he will be executed (article 136, Penal Code of Iran). Article 136 of Iranian Constitution, did not exist with this content in the former Islamic penal code of Iran; only the penalty of drinking for the third time was stated to be execution. Another crime with the death penalty that has not been mentioned in the penal code but is common among Juris consults is sorcery. A Muslim magician will be sentenced to death, but a non-Muslim magician will not be executed (Sharifian, 2019).

Case study of Indonesia

Discussing the death penalty from the perspective of Islamic Law in Indonesia holds its urgency arising from the following grounds. First, although not mentioned in the Constitution as an Islamic state, and, therefore, is not officially declared as an Islamic state, Indonesia is known for its biggest Muslim population in the world regardless of inadequate intellectual sophistication of the most of the population in understanding



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Islamic teachings because of either historical or cultural factors. Second, although it does not self-declare as an Islamic state, Indonesia declares itself as a state that adheres to the principle of God Almighty. Hazarding, as quoted by Jimly Asshiddiqie argues that Indonesia should comply with religious principles, and all the religions in this country hold equal rights to participate in shaping legal systems, including criminal law according to the principles of Pancasila. In its connection to Islamic teachings, the Islamic values (Sadiani, 2023) either those sourced from the Quran and Hadiths, socio-historical experiences or empirical experiences related to the application of fiqh law along the history of Islam, or local sources of the people of Indonesia bring color to the reform of the national law. Third, in essence, the law did not merely exist, but it was rather derived from particular socio-cultural communities. Law represents the values living in society (Rahardjo, 2009), the expectations, and the will of the people. Law is a reflection of the ideas of certain society, and law losing its social context will exist as a burden for its society (Tongat, 2024).

Case study of Morocco

Morocco is one of the most positive experiences of the death penalty restructuring in an Islamic context among the Muslim majority nations. With the assistance of mainstream ulama, the Moroccan monarchy has advocated an interpretation of Sharia ground known as maqasid-al-sharia. The greater ends of justice, mercy and state good. Morocco has a de facto execution moratorium that has been in existence since 1993. And it in 2024 voted in favor of the UN Universal Moratorium on Death penalty. The debates on the legislative arena are still limiting capital punishment to the most serious crimes. Notably Morocco academics have packaged this reform not as westernization but as a form of modernization that is rooted in ijtihad, demonstrating that Islamic logic does not necessarily conflict with international human rights norms. The Morocco experiences have had a lot of teachings of the other Islamic nations especially Pakistan, Iran and Indonesia by showing how the religious adaptation can collaborate in reforming capital punishment laws without leading to loss of faith-based traditions (Berrih, 2024).

The case study of Pakistan, Iran, Indonesia and Morocco illustrates how the Islamic nations have varied conceptions and implementation of death penalty in their legal structures and moral systems. Indonesia and Morocco can be considered as the new forms of reform that will bring to bear Islamic jurisprudence and new human rights norms as long as Pakistan and Iran follow the old school of traditional interpretations which is founded on divine authority. With these comparative drawings, we come to learn that reform does not entail rejection of Sharia but as evolution of the spirit of Sharia which seeks to bring justice and mercy and save lives. The fact that these states are not similar shows that the chances of reform lie in the Islamic religion and everything is dependent on how the legal, political, and religious leaders of the states would wish to interpret its tenets.

Conclusion

This paper has presented the issue of death penalty in the Islamic countries by examining the legal provisions as well as the real life cases. The Qisas, Hudud and Tazir analysis concluded that the implementation of the Islamic criminal law is because the balance between the divine and human discretion is maintained. These are not just principles devoted to punishment, but forgiveness, repentance and social harmony. The comparison



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of the case study of Pakistan, Iran, Indonesia, and Morocco made it possible to observe the differences in the meaning and use of capital punishment by the Muslim-majority countries.

Despite the fact that conservative applications still exist in Pakistan and Iran, and are based on the conservative jurisprudence, Indonesia and Morocco have proved that reform and modernization could be achieved without contradicting the Islamic values. This comparative observation shows that the Islamic law is morally and legally flexible enough to adjust to the modern standards of justice.

The theoretical method of this research study is the qualitative and comparative case study theory which analyzes the perception and adaptation of death penalty by different consumptive Islamic countries based on the provisions of their legal and ethical systems. As demonstrated in the discourse, the Islamic criminal law possesses the reform power in the Islamic religion itself. These higher objectives of Maqasid al-Sharia of justice, mercy, and saving of life provide an ideal foundation for a redefinition of the death penalty and making it not only human but also religious. No doubt that the practice of severe punishments in Pakistan and Iran is not a better example of it being more or less Allah's will but political incapability but the conditional nature of death penalty in Indonesia and moratorium in Morocco is a good example of how such explanations work. From these conclusions it can be concluded that the reformation of the death penalty is not such a task which permeates Sharia instead, on the contrary, it provides it with the initial spirit of justice, mercy and morality.

On the basis of the above-mentioned findings, the paper recommends that the implementation of the reforms in the Islamic countries should be progressive and a planned process, which requires the integration of the legal, religious, and social aspects. It is important to have the collaboration among the ulama, lawmakers, and human rights organizations to redefine the meaning of Hudud, Qisas, and Tazir in line with the prevailing realities. To ensure fairness and Islamic integrity, it is desirable to increase alternative punitive measures like Diyat (blood compensation), community rehabilitation and restorative justice. Further, to prevent the solidarity of the society with the harsh punishments the educational programs and awareness campaigns should emphasize on forgiveness and compassion in the Quran. With these holistic and context-responsive reforms, Islam nations will be able to establish justice systems that respect both Godly direction and human dignity, which is the balance between the faith and humanity in contemporary rule.

Recommendations

Islamic jurists and religious councils should be keen to propagate contextual ijihad to make the old hudud, qisas and tazir laws have a perspective to the modern world. This will give the Islamic states a chance to maintain the current human rights concerns by maintaining the religious and moral odor of the Sharia.

The Islamic states would be forced to gradually proceed with the end of capital punishment as seen in the instance of the death penalty moratorium of Morocco and the conditional death penalty case of Indonesia. The gradual development based on the Islamic line of reasoning would be more sustainable and acceptable majority than such a sudden development based on external influence.

The move towards proper reform should be the cooperation of the ulama (religious academics), legislators and the human rights groups to collaborate in the task. This can be achieved by the creation of national Sharia and Justice Reform committees to achieve balanced policymaking



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between the divine law and the modern law and ethics.

Islamic laws ought to maximize the application of diyat (blood money), mediation and rehabilitation of such crimes by the community through community which now attract the death penalty. These do not substitute the Quranic message of forgiveness and mercy as justice to the victims and their families is not compromised.

The judiciary should be reinforced to ensure that the governments do not abuse the death sentence particularly in cases of political, blasphemy and terrorism. The open trials and appeal proceedings will improve the degree of trust of the population and will make the national systems dependent on the international levels of human rights.

Mercy, repentance and social reform which is stressed in the Quran must be created in schools, mosques and the media. It will be decreased by open discourse and will leave people to exercise empathetic justice by reducing the number of those who support the severity of punishment

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