

Gallup Pakistan History Project's Weekend

Read 31: Public Opinion on Capital Punishment in Pakistan in Year 2015 by Abdullah Tajwar, Research Executive at Gallup Pakistan

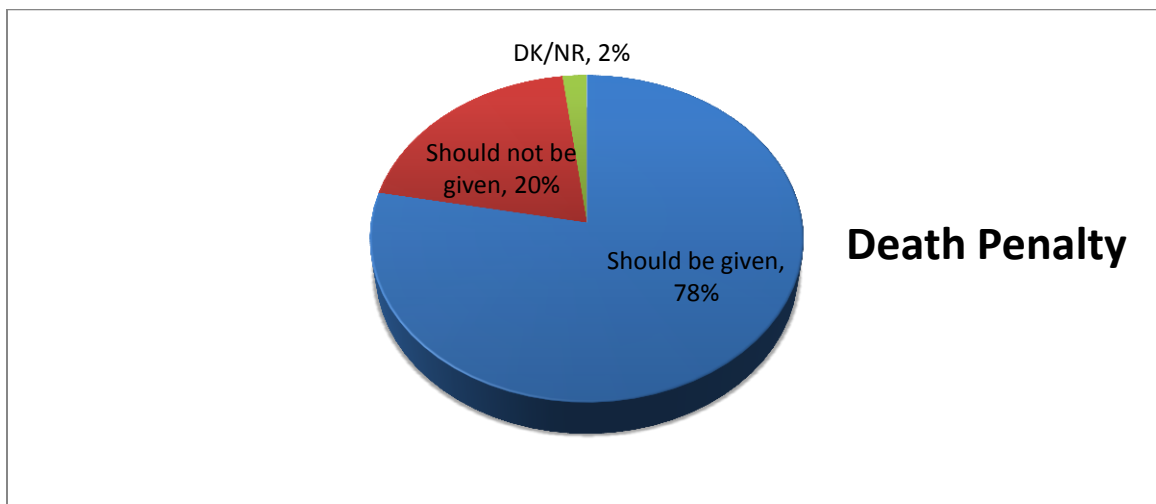
*Abstract: The conclusions presented in this article are predicated on the findings of a survey conducted by Gallup Pakistan in 2015 for Amnesty International, in which a nationally representative sample of 822 men and women were questioned with the intent of **gauging their views on the question of death penalty in Pakistan**. In one part of this survey, the public was asked the following question: Some people opine that death penalty should be given in Pakistan, while others say that death penalty should not be given – even serious criminals should only be sentenced to lifetime imprisonment. What is your opinion on this, should death penalty be given or not? In response, 78% of the respondents believed that death penalties should be executed in Pakistan while 20% believed that criminals should not be executed. 1% of the respondents, however, chose not to respond. The results of this survey were also compiled according to location, provinces and gender which have been illustrated and analysed in this article. The error margin for this survey was kept at 3-5% at the 95% confidence level.*

Pakistan today counts itself among a handful of countries where the death penalty is considered a legal form of punishment. Although capital punishment has historically been practiced all over the world, however, in modern times, particularly after the excesses of the 20th century, many countries have abolished it. Apart from countries that have altogether banned the death penalty, there are some countries that have suspended executions under a moratorium against capital punishment. Pakistan also had in place a moratorium against the death penalty since 2008. However, the Pakistani state decided to resume executions of criminals accused of capital crimes in the aftermath of the tragic massacre of children by the Taliban in the Army Public School, Peshawar, in the winter of 2014. The moratorium was initially lifted only for those convicted of terrorist activities. However, by March of 2015, it was lifted for all capital offenses. Since then, over a hundred offenders have been sentenced to their deaths in Pakistan.

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Capital punishment is a source of perennial debate and controversy, the world over. Despite international law and an overwhelming majority of nations tending towards the abolition of the death penalty, as evidenced by the UN Resolution calling for an International moratorium on the death penalty being voted in favor by a record number of 117 states in 2014, capital punishment still finds ardent support among some states and their people, Pakistan being one such nation, the United States of America being another.

It was with the aim of finding out the public support for the death penalty in Pakistan that Gallup Pakistan carried out an extensive survey in March 2015. In the survey, a representative sample of the Pakistani public was first asked generally about the Death Penalty and was then asked about specific capital crimes and whether these crimes were worthy of death or not. The results of this survey were broken down on the basis of location (both provincial and urban-rural) and gender in order to provide for a deeper level of analysis. In order to gauge the approval of the Pakistani people for the death penalty, the following question was asked: **‘Some people opine that death penalty should be given in Pakistan, while others say that death penalty should not be given – even serious criminals should only be sentenced to lifetime imprisonment. What is your opinion on this, should death penalty be given or not?’** This question elicited a favorable response for capital punishment from a resounding majority of the Pakistani public (78%), whereas only 20% of the public felt that criminals should not be executed, regardless of the crime. A familiar pattern was seen in the results of the provinces as well as within urban and rural areas, with a clear majority of the public in unflinching support for the death penalty. **The entire result of this analysis will be presented below in a tabular format so as to interpret the findings under a provincial, urban-rural as well as a gendered context.**



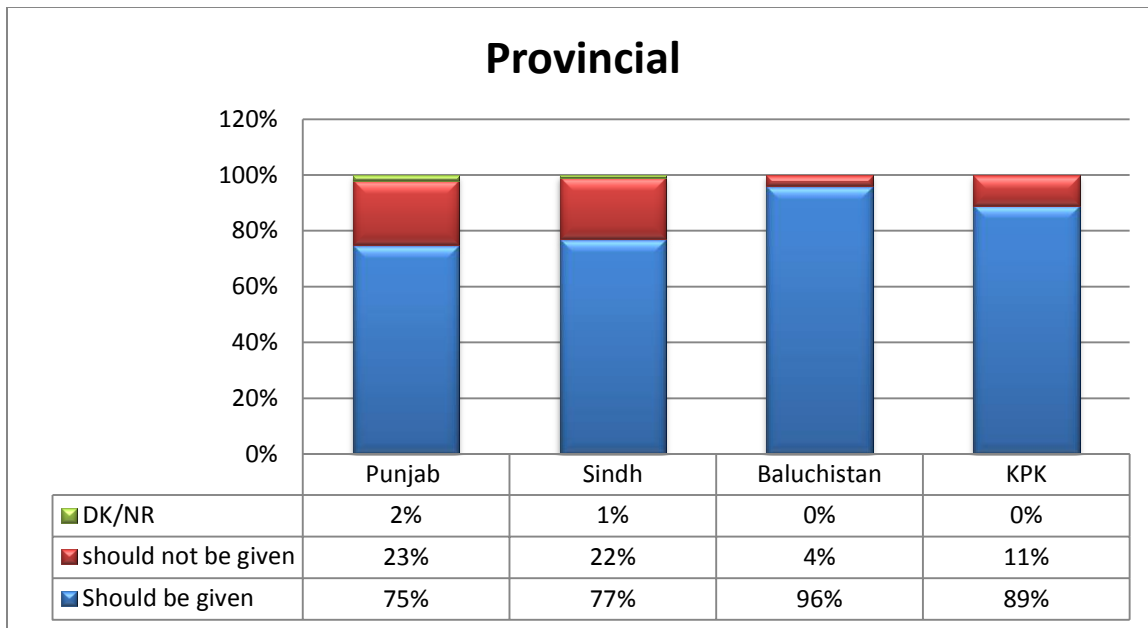
Source: Gilani Research Foundation Survey conducted by Gallup Pakistan 2015

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This remarkably high rate of approval for capital punishment among Pakistanis deserves an extensive explanation. The apparent popularity of the death penalty in Pakistan primarily has its basis in the religion of Islam, which is practiced by an outright majority of Pakistanis. In Islamic jurisprudence, capital punishment has been mandated for certain crimes, such as zina (extramarital sex), apostasy and terrorism. Capital punishment has been prescribed in the Quran as well as the hadith, the two books that Muslims all over the world consider the most important sources of teaching and guidance on Islam. In Islamic jurisprudence, there is in fact a class of crimes called the Hudud crimes which trigger punishments that have been mandated by God via injunction in Quran. Some of the punishments mandate public executions. Therefore, Islam has always been comfortable with the idea of the death penalty. In Pakistan, most Muslims follow Saudi Arabia's orthodox brand of Sunni Islam, an Arab state that is a strict practitioner of Sharia law. In lieu of the influence of Islam on the people of Pakistan, the results of this survey of Gallup Pakistan hardly seem out of the ordinary. The endorsement of capital punishment by Islam has also made it easier for the state to lift the moratorium on the death penalty that had been in place since 2008. Furthermore, this survey, which was taken in 2015, also serves to vindicate that decision of the state since a dominant proportion of the public considers execution as a just punishment.

Among the provinces as well, the majority of the public was in approval of the death penalty. In the Punjab, 75% of Punjabis supported capital punishment whereas 23% opposed it. **For Sindh, the ratio of people in favor of executing criminals was 77%** while 22% were in disapproval. **KPK registered the second highest percentage, with 89% of the residents of KPK consenting to capital punishment** and a meager 11% stating their disdain for it. **Baluchistan ranked in at first in the approval ratings for capital punishment, with an overwhelming 96% of the Baluchi public in favor of the death penalty**, opposed only by a negligible 4% of the population of that province. A tabulated result of the findings of this survey has also been shown.

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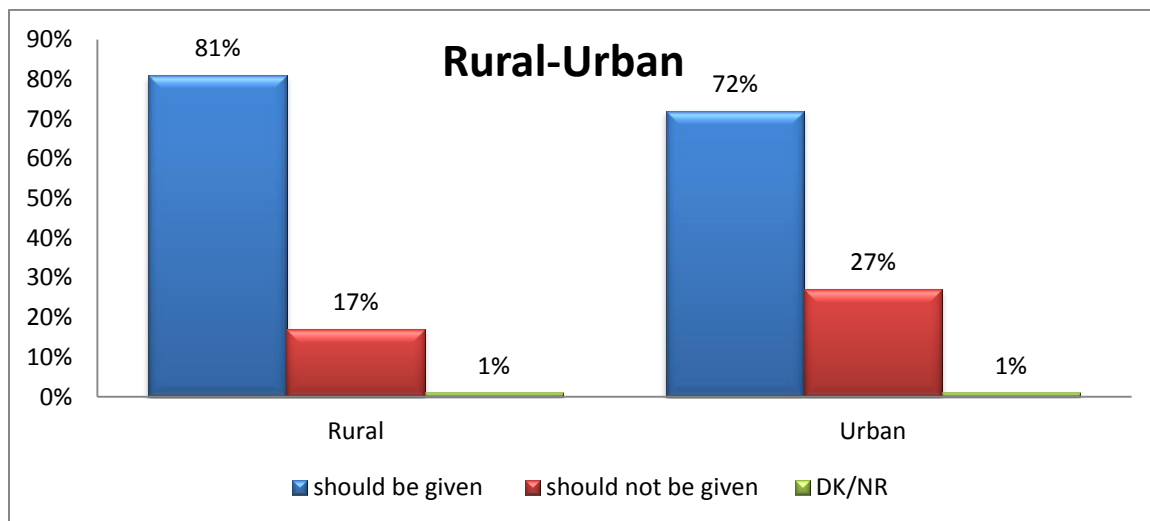
Source: Gilani Research Foundation Survey conducted by Gallup Pakistan 2015

The regional variation in approval for the death penalty can be interpreted in terms of the social makeup of the provinces. The astonishingly high level of approval for capital punishment in Baluchistan and KPK can be answered by the fact that majority parts of these provinces are administered by tribes. In the tribal areas of Pakistan, the power of law rests with the 'Jirga', which is a traditional assembly of tribal elders responsible for making decisions for the community by consensus and in the light of Islamic jurisprudence. In the tribal belts of Pakistan, particularly in FATA and parts of Baluchistan and KPK, this Jirga also performs the duties of a court, hence assuming the role of arbiter of justice for the people of that area. This practice has been ensuing in these areas of Pakistan since medieval times. Pakistan's tribal areas are typically conservative and are largely ardent followers of a strictly orthodox version of Islam. The predominance of this informal institution of justice and the fact that all the decisions of a Jirga regarding punishments are adjudged within the light of a rigid and strict interpretation of Islam serve to elucidate the high level of approval that has been given to capital punishments by the people of these provinces.

Upon a breakdown of this survey within urban and rural classifications, the overall results were naturally tilted towards the death penalty as a form of punishment for capital crimes. However, the proportion of people in rural areas in favor of capital punishment was higher than the proportion in the urban areas of Pakistan. **Whereas 72% of the urban populace voted for capital punishment, this percentage rose higher by nine percentage points to 81% in rural areas. This rise can be attributed to the notion that Pakistan's rural areas tend to lag behind in terms of their socio-economic development as compared to Pakistan's urban areas.** People in rural areas do not have access to higher education or better employment opportunities. Furthermore, Pakistan's rural areas are

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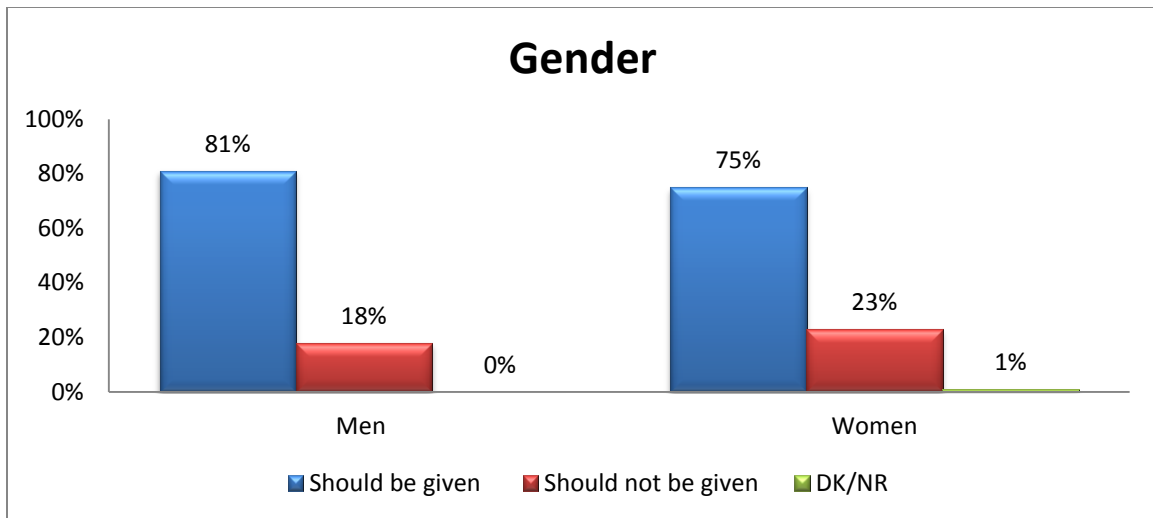
considered to be more religious than Pakistan's urban cosmopolitan centers, particularly the tribal belts of KPK and Baluchistan. The preeminence of Madrassas in Punjab as well as in other parts of Pakistan, which mostly enlist children from the rural poor of Pakistan, also play their part in the greater spread of Islam in rural areas of Punjab and Pakistan. This heightened religious thrust coupled with a lack of education causes Pakistan's rural areas to exude a more conservative and orthodox outlook. The higher proportion of rural inhabitants favoring the execution of criminals can therefore be explained accordingly.



Source: Gilani Research Foundation Survey conducted by Gallup Pakistan 2015

Finally, upon observing this question regarding the death penalty in Pakistan through a gendered lens, a substantial difference of opinion between the two genders was not found. **81% of the male population of Pakistan spoke in favor of capital punishment with the female population closely following suit at 75%.** In comparison, for males, only 18% were against the death penalty, whereas this percentage rose only slightly to 23% for females in Pakistan. Though the female gender is often associated with greater emotionality and compassion, however, empirical results show that with regards to punishing criminals with death, women were not too far behind men. This statistic therefore implies that the issue of capital punishment in Pakistan is predominantly informed by religion. A tabulated result of these statistics is shown on the next page.

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CONCLUSION

As has been empirically verified by the work done by Gallup Pakistan, the question of the abolition of Capital Punishment in Pakistan is one that will continue to be voiced only by a minority of the public, regardless of international law and a growing literature which has suggested that capital punishment is in fact not a successful deterrent to serious crimes, as is consistently argued by the supporters of this form of punishment. The primary reason for this lack of empathy towards criminals is partly down to Islamic law, which openly condones the death penalty for specific crimes. If Pakistan is to make any form of headway in successfully abolishing the death penalty, then the debates on capital punishment need to center around Sharia and Muslim scholars and clerics need to lend popular support to the cause, only then can an appreciable change in public attitude start to be seen.

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