PHILOSOPHY & RELIGION | RESEARCH ARTICLE

Life imprisonment: Life or 25 years, a law that requires interpretation, in Pakistan
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Abstract: The Pakistan Penal Code (PPC) transmits ten kinds of punishments among which the death sentence is certainly the most severe punishment, and the courts adopt stringent criteria in the assessment and appreciation of death sentence. Even the slightest deviation from the prescribed criteria of the verdict often compels the courts to convert a possible ‘capital punishment’, i.e., a death sentence, into life imprisonment because the PPC directs capital punishment as a distinct possibility, while “life imprisonment” seems as the “De Duobus Malis, Minus Est Semper Eligendum”; the lesser is always to be chosen. This legal implication raises numerous questions: If and how a life imprisonment that is enacted as 25 years is less heinous? What is the duration of life imprisonment? Besides, this legal loop hits too close to the human right standards and does not serve justice. Despite the long history of discussions, cases, and state laws, the time span of life imprisonment still needs an interpretation, and Pakistan is no exception to it. A mere read-through of the code is enough to raise this contention. An interpretation is required to settle the ambiguity in law. This research paper will shed light on the ways of imprisonment and its probable improvements in light of other common law following states. It will also describe whether 25 years as life imprisonment is enough to contemplate the meaning of statutes or is it actually subject to some conditions or is it life till death.

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PUBLIC INTEREST STATEMENT
Life imprisonment had a history of long discussion regarding its duration, discussed and varied via case to case and states to state. The topic concerns two significant sectors, i.e., human rights and prison management perspectives. After abolishing the death sentence, sanctioning imprisonment for life as harsh and deterring punishment becomes common. The term life imprisonment has a different meaning in different state laws; some associate this term as till death, and convict has no right for release, while in some jurisdictions, prisoners usually considered for release after a certain period. This term implies 25 years of prison life in Pakistan that does not serve the purpose. Sheer reading to section 57 that describes punishment in Pakistan Penal Code reflects the need for proper interpretation of the law. The current study will shed light on the deliberate notion of life imprisonment laws and in the light of particular other states’ interpretations and justifications.
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Keywords: Life Imprisonment; Duration; PPC; Law; Punishment

1. Introduction
The state’s law plays a significant role in defining and regulating its machinery and mechanisms, and the deliberate infringement of these laws is countered with the imposition and execution of punishment as sanctioned by the state to maintain law and order. The state’s inherited “ius puniendi; right to punish” is a birth-right since the primitive and long-developing classical history of state sovereignty. Every state enforces different forms of punishment depending on the circumstances, conduct, and nature of the offense in light of their law (Schneider, 1995). The prime drive for the imposition of punishment was to maintain public peace and tranquility in the society and enforce certain norms and customs upon the individuals of the states (Schwan & Shapiro, 2011). The concept of punishment does not limit itself to impose the compliance of the law of the state; but instead, the reduction of the sufferings of victims or guardians, with the repentance and guilt of the offender allied to the infliction of punishment (Azeem, 2021). The state is bound to encompass certain values while imposing any penal law under ius puniendi, including legality, culpability, mens rea, necessity, proportionality, and judicial execution of the procedure, and with democratic conception, it now contains “humanity” as well (de La Cuesta, 2011). The breach of law in any state is dealt with the imposition of a sanction, and it can be bodily consignment, penalty, or even death. Since death penalty has been banned from several judicial systems worldwide and atoned by life imprisonment instead, life imprisonment has taken a significant place as it alternates a supposedly heinous sanction. Life imprisonment denies the possibility of acquittal for the imprisoned person unless there is some legal basis for an early or conditional release. The punishment is imposed in proportion to the gravity of the offense, and the perpetrator is suspended from the society and his liberty as per the principles of justice. The degree of guilt is another important factor for the pronouncement of a sentence that extends the discretion of the judicial authorities in the matter (Marchesi, 2018).

Imprisonment was suggested as one of the best measures of punishment for the ages, as it was considered the most conventional and economical way to rehabilitate the offender and reduce the crime rate; at an international level, it is strongly supported to condemn nefarious crimes. Even prior to the decline and eventual abolition of the death sentence, imprisonment has become the ultimate penalty (Grujić et al., 2019). However, the phenomenon of an escalating number of imprisoned offenders worldwide proves that the concept of imprisonment has fallen off the eyes, and at an international forum like the UN, the concept was raised as a concerning issue for the human rights as well as prison management (Peters, 2006). Human rights and other international spectacles have begun to criticize this form of punishment, referring to it as “a slow, torturous death” (Coyle, 2004). Whole life imprisonment coexisting with doctrines like proportionality, i.e., “Just Desert; the punishment should fit the crime”, stirs the discussion on its implementation. This doctrine focuses on the idea that the offender shall not suffer more than what he did and that detention till death is unnecessarily punitive and often inflicted by the state disproportionately (Coyle, 2004). Much like how the judicial authorities hold the power to terminate, extend, or make essential changes in the execution, i.e., rigorous or simple consignment, they hold the power to suspend, compute, adjourn, modify, or free the person. This power endorsed the discussion about the period of life imprisonment: whether it is sufficient to announce the award of life imprisonment to a person for a minor act of offense; whether it is appropriate to consider a specific number of years, like 25 years in Pakistan, of imprisonment in the name of life imprisonment; and whether these numbered years are equally justified as an alternate punishment for death?
In the Rome Statute, the imposition of imprisonment was conditioned with the severity of the crime and circumstances related to it. It limited the imprisonment to a specified number of years not exceeding 30 and further proposed that for life imprisonment or when a person serves two-thirds of the sentence, the courts shall review the sentence for reduction only after spending 25 years in prison and not before. The precedence established a standard of time for conditional release, and the European Court of Human Rights had reportedly mentioned it in the cases where the national legislation was either silent or less than 25 years (Marchesi, 2018). Life imprisonment is recommended in a study by McCune Lindsay (1897); his model took inspiration from Portugal, where the maximum life imprisonment is 20 years he maximum life. He contended that such a term should provide enough deterrence to change people. There are some conditions that are unavoidable in life imprisonment: the hopelessness of convicts and the perpetual life of suffering increases the chances of spirituality among prisoners. Tallock reckoned how the elimination of the death penalty and whole life imprisonment as sentences could be coupled with rehabilitative practices to restore the hope of such prisoners and assure the society that by the time such prisoners get out, they will be detained by their experiences throughout the ages (McCune Lindsay, 1897). The current paper focuses on the substantive definition of life imprisonment and its duration in Pakistan.

Although the theory of punishment emerged and developed a long time ago, it is still applicable blindly worldwide, especially in third world or underdeveloped countries (Ghassemi, 2009). It is an important phenomenon to remember that defining the concept of punishment is different from justifying the terms and forms of punishment. Imposition of any punishment is justified by the legal maxim, “nullum crimen sine lege; no crime without law” and “nulla poena sine lege; no punishment without the law” (Ghassemi, 2009). The rationale behind the concept of punishment is to create deterrence in society from the illegal activities performed (Peters, 2006). H.L.A. Hart contextualized punishment in five ways: punishment must be for a specific offense, it must be for unpleasant consequences, the offender must be proved and the punishment should be administered by proper authorities, and lastly the punishment must be imposed by proper authority (Wesley, 1992). Life imprisonment is often interpreted as the only alternative to capital punishment. It is prevalent in 813 of the 216 territories, and of these, 149 states consider it a severe penalty. However, some countries do not serve death or life imprisonment: in the US, life imprisonment coexists with the death penalty, and countries like Norway, Croatia, Portugal, and Spain serve lengthy determinate punishment for some serious offenses (Griffin & O’Donnell, 2012). The number of life imprisonment prisoners has dramatically risen over the years, and the discussion related to the matter has taken a significant turn (Meraj Ahmad Meraj, 2018). The legal characteristics of life imprisonment are as follows: whether it is considered enough to attain the purpose of punishment and the constitutional duration determined for life imprisonment fit the concept of life imprisonment or the law needs to be interpreted in the literal sense of the term. Many states legislatively determine the degree and nature, i.e., indeterminate, of life imprisonment. However, does a life sentence mean that the person must spend the rest of his natural life in prison? In Pakistan, this point of interpretation of law raised the same ambiguous questions and was referred to in several case laws. The long imprisonments favor public safety and the related concerns: there are minute benefits of long and high-level imprisonments on the safety of the public. This study employs legal definition and interpretation of the law related to life imprisonment in the Pakistani criminal system and analyses it with that of the US and India.

2. Concept of punishment; life imprisonment
In the literal context, punishment means; “a term that causes pain or unpleasant consequences, and it must be for the breach or non-compliance of a particular set of rules that constitute an offense. The offender must be the actual one who committed the crime, and punishment must be administered and imposed by some defined authority (state)” by a renowned jurist and distinguished legal philosopher Hart (Jehle et al., 2021). The definition hints towards the retributive purpose of punishment, although the concept includes justifications for rehabilitation and deterrence besides the prevention and obscuration of crime to recur for which concept of additional
punishment is introduced. However, human vengeance remains the principal factor that urges people to claim the redresser and knock on the door of courts to seek justice and revenge (Shaw, 2013). According to Replevin, Black’s Law Dictionary (10th ed., 2014), “Punishment is a sanction such as a fine, penalty, confinement, or loss of property, right or privilege assessed against a person who has violated.” It is an infliction of sort of pain upon an offender. Another important definition of punishment is that it is a legal process in which the violator is condemned and sanctioned for violating the law and following the prescribed law. This definition was proposed by Garland (Hodgkinson & Schabas 2004). According to Bentham, punishment can only be justified if its nature is more than the harm it inflicted upon the person (Shaw, 2013).

The concept of punishment in Europe reflects the purpose of punishment is to create deterrence in society and to rehabilitate the offender and incapacitation of crime to prevent the chances of further occurrences, so, have developed distinguishing systems to deal with offenders capital punishment is completely abolished in almost all EU countries (.Hart & Gardner 2008). The implication of current criminal law does not require counterpart with the measures and standards of international rights, and concept of punishments and types of punishments are also complex such as; long-term supervision order as a sentence in the Netherlands or electronic monitoring in Poland (Griffin & O’Donnell, 2012). Although imprisonment does not allow degrading and inhumane treatment even of offenders, this is not the case in many states where punishment is inflicted strictly and cruelly that they are even denied the fundamental right of hope, and in underdevelopment countries, station in jails is far from worst. The extent of the crime that inflicts life sentence already make them poor candidates in the penal system for any progressive efforts, and they are likely to be the last one to leave the prison, or there are fewer chances for them to leave, even their basic needs are considered less critical rather rehabilitation. Moreover, it is a harsh reality that sometimes even a minor offense gets severe punishment; the principle of “nulla poena sine lege; no punishment for the act not prohibited by law” is not entirely followed by states. In Life-imprisonment state convicts the person under its right to detain the criminals and prevent the occurrence of further crimes, and to inform the society about the justice which has been served in the form of punishment for committing harm to any person (Van & Appleton, 2019). Different states associate different meanings to the term life sentence and impose the sentence for the different range of offenses, and the execution of sentence is also done in a variety of ways. The study of Padfield et al. (2010) reveals that even the minimum terms to be served in prison before an early release differ throughout Europe. For understanding the concept of imprisonment, it is further divided into two fundamental categories, i.e., “formal life imprisonment,” where the court explicitly imposes a sentence of imprisonment for life, that includes;

**Life without parole;** release is not considered in routine but may be granted by head of state or executive of state.

**Life with parole;** where court or other authority by law considers the release routinely.

**Irreducible life without parole;** absolute imprisonment with no release options.

**Symbolic life with parole;** when release can take place after certain period of time, this certain period is the question to be decided and attributed differently in different jurisdictions

Furthermore, “informal life imprisonment” imposes a sentence that may not be called life imprisonment but may result in the person being detained in prison for life including long terms as De Facto imprisonment, for instance, 99 years, and a range of other interventions where the individual is detained indefinitely post-conviction (Parsons, 2015). Both formal and informal life imprisonment can be further divided; however, imprisonment in either way helps discourage the offender from committing the same crime again, and, in some cases, enlightens them about the heinousness of the act they had committed and gives them a chance to reflect in the meanwhile.
On the other hand, long-term confinement squeezes them to go through the many filters of social isolation, suspension of time, deprivation of liberty and hope, prolonged sexual abstinence, and a loss of responsibility and social status (usefulness/productivity), along with the regimentation of life. Imprisonment that is imposed to ensure that the law is obeyed and the society is not affected by the offender under the check of law sometimes result otherwise, i.e., the disparity of life cause the prisoners to commit suicide or the deprived living facilitation bring them deadly diseases. The prison management and penal system that the state treasury serves have to bear the consequences in a certain way (Alschuler, 2003). When a court announces the punishment, it tries to balance out the reasoning with the amount of punishment to maintain public peace and justice at the same time (Alschuler, 2003), as the penal law is introduced to avoid arbitrariness and unjust system and to shatter the monarch system that authorizes any person to announce the punishment for the offender. Although the law provides the convict with the right to ask for a concession, sometimes, life imprisonment does not signify the sentence for the rest of the life. However, due to complex procedural loops, any person who does not know the fundamental facts and degree of punishment ultimately aids the unjust installation of punishments (Alschuler, 2003).

Despite its seeming popularity, “imprisonment for life” is a relatively novel concept among the punishments prescribed under the PPC. Life imprisonment has been reserved for grave offenses, of which, for some, the only prescribed penal alternative is the death penalty. The term life imprisonment is commonly understood to be 25 years due to the literal interpretation of section 57 in the PPC and the wide range of instances where provisional courts do not assert a right to continue the imprisonment if the prisoner had already spent 25 years in confinement. This practice aids the question of interpretation regarding its span, and if it is determined by law, then whether, after the conditioned time has been spent, a prisoner can claim a release as a matter of right. The same concern had been raised by the case Haroon Rashid alias Shahid vs. The State in Pakistan’s Supreme Court (SC). Later, when the SC’s Chief justice, Asif Saeed Khosa, heard a computation petition, took notice of these impugned queries and remarked:

“How can we cut the sentence to half when we do not know how long the convict’s natural life is?”

Petitioner Haroonul Rashid was accused in 12 different cases of murder and sentenced for 12 years in each, to be served concurrently. The duration of his imprisonment was 22 years from 1997 to 2019. This case seemingly set a milestone for the prolonged discussion in Pakistan over life imprisonment, its transportation, and period. Life imprisonment is a controversial subject in many states due to its number of years and terminology. Besides, it is under observation in courts to clarify the meaning of seeking justice (Parsons, 2015).

2.1. Rationale behind punishment
The penal law system is supposedly a well-developed institution for the state to maintain order and sovereignty, but it is impossible to trace the origin of punishments in history. Most historians consider punishment an evil inflicted upon the one who commits wrong. Due to the increase in crime rate, emotional trauma, and sufferings of innocent, humans customarily ritualize their necessity and evolve criteria and concept of punishment (Parsons, 2015). There was initially no concept of a series of punishments besides death and imprisonment. Variation in the form of punishment and the nature of offenses were not defined in history; the idea was based entirely on disobedience and deterrence, for instance; major offenses in time of primitive people were treason, witchcraft, poisoning, etc. with the start of civilization period started which focuses on maintaining proper prison systems and also code of administration industrialized. Now, in modern times, evolution is giving rights to the persons imprisoned (Nellis, 2017). For quality and quantity of punishment, the graveness of offense does matter. Furthermore, the idea of punishment changes with the proportionality concept the idea shifted to ‘dignity of life as the notion claimed “if death has no cost life has no worth” and “eye for an eye” but eventually, punishment of offender came
under the control of community but with the time code of law established (Peters, 2006). It makes it appropriate for an offender to deter from crimes and get punished for law violations.

As for Islamic perspectives of punishments, ‘the right to life is one of the most important objectives for any being. Whereas some muslim scholars have a counter view and contend that life should be preserved after preservation of religion, some of them argue that preservation of life is first to be protected than religion (Adil, 2018). It is based on the argument that men without their lives will not protect their religion, so their lives are the first important thing to be protected and preserved. Based on this, murder and suicide are prohibited in religion as progeny, wealth, and religion all depend upon a person's life. The Quran also mentions that one should not hand over to destruction (2:195).

Further, if anyone intentionally kills an innocent being (a believer), his end will be in Hell (4:93). A Muslim judge cannot replace a prescribed punishment entirely depending upon his discretion; it is their moral obligation to remain faithful to their religion. The death penalty is prescribed in the cases of Qisas, and it can only be replaced with diyat money. In Quran, there is no mention of life imprisonment or life sentence. It contemplates either death sentences, lashes, disbanding from land, cutting off limbs, or diyat amount. However, by the acts of Muslim countries such as Malaysia, they replaced the death penalty with life imprisonment by making life protection and preservation a significant objective of religion. Punishment is for the protection of a society which is established by siyasah rationale; not all forms of punishment hold this objective but life imprisonment (Peters, 2006). So, upon aforementioned, we can draw an analogy that life imprisonment is not prohibited in Islam, but no clear cases describe its span.

3. Reference study of life imprisonment in other states

As the death penalty's inconsistency with principles of humanity was brought into the light, life imprisonment has replaced capital punishment and is reckoned as the most common sentence imposed for heinous crimes worldwide. That consequently made it a center of discussion in international criminal justice reform. According to Article 10 of the International Covenant on Civil and Political Rights, the deprived right of liberty should be executed with dignity and respect of humanity; besides, the purpose of imprisonment must be reformulation and social rehabilitation; this has led to the decades-long discussion of the inhuman character of life imprisonment (de La Cuesta, 2011). In the first global survey of prisoners serving life terms, van and Appleton (2019) argue for a human rights-based reappraisal of this exceptionally harsh punishment. The authors estimate that nearly half a million people face life behind bars, and the number is growing as jurisdictions both abolish death sentences and impose life sentences more frequently, even for crimes that would never have attracted capital punishment. They explore this trend through systematic data collection and legal analysis, persuasively illustrated by detailed maps, charts, tables, and comprehensive statistical appendices.

The countries where the death sentence is abolished, life imprisonment is imposed automatically.

For crying like murder; in other cases, a life sentence is passed at the discretion of judicial authorities; for instance, in many EU countries, manslaughter is convicted with life imprisonment, but same is not applicable in all EU countries. In another instance, that sentence is computed and altered with life imprisonment. Anyhow, the pronouncement of a life sentence is contingent on grave criminal infections; for instance; 80% of prisoners in the jail of England and Wales, as per a study, are charged with murder 8 and 12 percent for genocide, slaughter, and other heinous crimes (rape, arson, and others), respectively (UDODC, 1994). However, the amount of time the person sentenced to life has to serve entirely depends on their sentence. In Pakistan, judicial institutions, i.e., court judges altogether, are of the view that the term ‘life imprisonment has not been defined explicitly in the code and interpretation related to it did not consider this question at length and ambiguously answered it (Azeem, 2021). Likewise, in Canada, life sentences are considered ten years in prison for first-degree murder and 25 for second-degree murder (UDODC, 1994).
3.1. Life Imprisonment in India

Life imprisonment inhabits an essential place in our sister state, India. According to one of the estimates,

55.8% population in India is frontline life imprisonment. Despite its popularity, life imprisonment is a new concept, and it was introduced through an amendment in 1955 after replacing the punishment of transportation in the Indian Penal Code 1860 like the case in Pakistan. It is served for severe offenses or for some of those offenses in which the only punishment is the death penalty (K.I. Vibhute, 2016). Since India and Pakistan share the common origin of English common-law, penal laws have the same deliberation; in India, life imprisonment is considered to be a more humane and less cruel punishment in the eyes of Indian law, and it is a better alternative to death punishment (Vibhute, 2016). However, the situation to reckon the punishment of life imprisonment is very different in India. In the verdict given by Supreme Court of India in (Union Of India vs. V. Sriharan, Murugan & Ors on 2 December 2015) by a bench of 5 judges upon observing life imprisonment? The court gave its opinion in a significant split ratio of 2:3, and it was on whether courts could place sentences beyond the decided period of remission after commuting death sentence to life imprisonment? The majority of judges believed that only the High court and Supreme Court had the authority to go beyond remission fixed term. However, the judges only decide where the death sentence is commuted into life imprisonment because the death sentence is too harsh for the offense and the convict (The Hindu, 2016).

On the other hand, a minority of judges did not hold the same opinion, and according to their views, remission of life imprisonment means you are creating a new punishment. They also said that this interpretation creates a blurred line between judicial functions of imposition and execution of sentences to be implemented (Anderson, 1999). In another case of Gopal VinayakGodse Vs. State of Maharashtra, Supreme Court of India discussed that sanction must be imposed based on Prima facie, and life imprisonment is not for any definite term and must be treated as whole of the remaining life as it indicates latterly. Court further interpreted the Prison Act rules to enable the prisoner to earn remissions.

In the criminal law amendment act, which appeared in 2013 and then in 2018, they reported several offenses in IPC which were punishable by imprisonment for life, which means that person's natural life span. As per the interpretation of the literal meaning of ‘life imprisonment, change in words creates inconsistency because the language had not been changed (Anderson, 1999). Transportation started in Andaman’s in 1857; after the rebellion was put down initially, transportation was a novel punishment, and it did not exist before. India adopted transportation in 1773, the very first prisoner who was transported from India to Island was in 1773, and it included only those prisoners who were punished with brutal labor punishment or imprisonment for life (Patra, 1963). The transportation system in India was a very delicate matter, and it was not as like in Europe. Later on, the first draft of the Indian Penal Code in 1837 included transportation as punishment in almost every offense instead of life imprisonment. Indian Law Commissioner observed that prolonged punishment might look harder, but it is not dreadful as transportation, which will help society stay away from crimes (Anderson, 1999).

The Law committee reviewed this punishment, considered it a better punishment, and recommended it for a lifetime instead of shorter punishment as it will not deter people. After its acceptance, several other questions were raised regarding the transportation of prisoners from the original port to destination ports, including its budgetary issues. Subsequently, observing such obstacles and issues, Bengal decided in 1811 that no more prisoners would be transported to Andamans. Prisoners who have committed heinous crimes will be sent to jail for life imprisonment rather than transportation (Taylor, 2009). However, this policy was refused due to overcrowding of prisons. As time passed, more prisoners were awarded the punishment of transportation (Taylor, 2009).
In 1955 statute ended the long and complex saga of transportation punishment in India; thus, the formal blockade to this punishment was already held by the case of Pandit Kishori Lal v. King-Emperor in 1944. Although the decision was of transportation, the convict was sent to Lahore Jail instead, and he was convicted of the nationalist movement against India. The Privy Council held that it is not necessary for the case of transportation that prisoners must be sent to overseas jails, and it can be sent to other jails within the territory of India (Radhika, 1998). The duration of a life sentence has been reduced in many cases of India as it has been politicized and been misused very much. Life imprisonment in India has been announced to be in between 10 and 14 years. In 1978, authorities prevented making any arbitrary life sentence punishment. In the case of Marru Ram v. Union of India constitutional provision of 433-A, the court held that this article is untouchable and the powers provided to President and Governor under the constitution shall not be changed. No one, except President and Governor, may shorten the punishment of life imprisonment, but that must fulfill 14 years of imprisonment first. After 1956, transportation completely vanished from books of statutes in India. The majority of members of the committee decided to follow life imprisonment despite much criticism over it as well. The main concerns were related to threefold things, one is security, second is servitude, and last is the recovery of costs. The minority was of the view that life imprisonment is harsher and include deterrence which makes prisoner suffer more besides it is cruel in nature. In 1956, transportation was finally replaced with Life Imprisonment (Radhika, 1998)

3.2. Life imprisonment in United States of America

Over time, life sentences increased in USA, and it proved to be beneficial for society as it reduced the crime rate in USA. One out of nine prisoners is on a life sentence in USA and without the word of parole. However, life imprisonment is not defined as for whole life rather than life in prisoner defines shorter period with the presumption of release at the end. The notion of a life sentence was raised after the ban on the death penalty in 1972 (Nellis, 2017). The idea of a life sentence got acceptance quickly as it is also considered a way of rehabilitating offenders because they identify their primary goal during this period (Kozlowska, 2017). In USA, almost a third of all prisoners are serving life imprisonment out of the whole world (Griffin & O’Donnell, 2012: UDODC, 1994). Life imprisonment means to be imprisoned for the rest of life, but in some cases, the government has the authority to release the individual on parole only if they see the potential in the prisoner. However, the individual shall be released after serving in prison for some years if sentenced with parole (Nellis, 2017). Parole means the temporary release of a convict on the condition that he will not commit any crime and promise to behave within laws (Nellis, 2017; Kozlowska, 2017). Life imprisonment without parole eliminates the possibility of getting released from prison. It mainly includes criminals convicted for heinous crimes and may affect fellow prisoners, or there could be other reasons such as cognitive behavior or mental unfit. Usually, parole is called supervisory released; the following factors are kept in mind while allowing for parole: Mental Health, Good Behaviour, Age, Time served & Public safety.

Life imprisonment and life imprisonment without parole are considered valid and legal punishment for offenses committed by an individual under 18. After 2012, a life sentence without parole for children under 18 is prohibited (Illinois v. Davis, 2014). This does not mean that the court can hand down the offender’s sentence, but it requires the court’s discretion in the matter to be decided. However, many of the children are detained in prisons for life sentences even without parole. The basic issue was resolved in 2012 after the judgment of Miller case ((2012) 567 (SC) 460 (US)), in which it was decided to allow parole for children imprisoned. However, after the situation at hand, the dispute arose regarding sentences whether parole must be granted to those even who were imprisoned before Miller Case judgment. The decision made was in favor of all child offenders who are serving a life sentence (State v. Long, (2014) Ohio 849 (US)). The increased prevalence of life sentences stands at odds with attempts to scale back mass incarceration; a study reveals that The United States incarcerates people for life at a rate of 50 per 100,000, roughly equivalent to the entire incarceration rates of the Scandinavian nations of Denmark, Finland, and Sweden (Gottschalk, 2012). As discussed above, there are two major types of life
sentences in USA: life sentence on parole and a life sentence without parole. In USA, the period is a question open and depends upon the court’s discretion and upon the prison bench regarding life sentence.

The above-stated discussion closes that life imprisonment is supposedly not the best course of action for many jurisdictions, nor is it a valuable outcome for society. Imprisonment itself has retributive effects. Several scholars provide empirical evidence that imprisonment beyond specific points diminishes public safety benefits associated with it. It is also contended that the discretion provided under a democratic framework is another ample reason that makes life imprisonment a matter of disagreement, and the extensive and somewhat arbitrary use of imprisonment weakens its general deterrence value. In a speech to members of the USA Bar Association in 2013, former Attorney General Eric Holder acknowledged that “too many prisoners in USA serve prisons for too long and for no excellent law enforcement reason.” (Gottschalk, 2012). Several other states have argued over the same or somewhat similar factors that have brought the issue of prolonged imprisonment to the center of criminal justice reform debates in a way not previously seen, arguing that it is a questionable and uncertain system. The 14th UN Congress on Crime Prevention and Criminal Justice (2020) examined life imprisonment and provided recommendations on its use to guide member states to a system compliant with international standards. There certainly is a need, for guidance on its application and implementation at an international level, given that the number of life-sentenced prisoners has risen by almost 84 percent since 2000 (Reade, 2018).

4. Life imprisonment in Pakistan

There are two comprehensive codes in the legislative framework of Pakistan that deal with substantive and procedural penal laws, namely the PPC and Code of Criminal Procedure (CrPC) 1989, that subsequently define the offence and its kinds and prescribes the punishments. In addition to these, other local and unique codes for different crimes are left out from the PPC: Hudood Ordinances, 1979, Control of Narcotic Substance Act, 1997, and Prevention of Corruption act, 1947, to name a few (Shahid, 2019). As for the punishments, death is the most severe punishment in Pakistan, and it is conditioned with high standards of evidence as capital punishment. The slightest deviation from the requirement compels the courts to change the death penalty into life imprisonment. Despite many amendments related to a death sentence, such as a moratorium of execution imposed in 2008, consequently, no executions occurred till 2011, but the provisional amendment related to death as a punitive remedy was yet to be made in the constitution (Azeem, 2021). The sentences that the PPC impose range from simple imprisonment to death and life imprisonment. Moreover, it includes Islamic punishments such as Qisas, daman, tazir, and diyat (Sourdin & Zariski, 2019). In the Pakistani legal framework, a convict is imprisoned to prevent the furtherance of crime and maintain justice and peace in the society. Additionally, the preamble of the PPC provides the rehabilitation theory of punishment; however, the chances for the person to rehabilitate in prison are few and ensuring that the crime will not recur fails (Sourdin & Zariski, 2019).

Furthermore, some crimes are heinous that it is only fair to punish the convicts as strictly as possible. This again leads to the issue of whether the accused can expect to surface his punishment after a particular time, i.e., 25 years, as the determining of a term will suggest, and would that be enough to call life imprisonment for the rehabilitation of the offender. Lerner (2013) discussed that the rehabilitation goal could not justifiably be inflated in “without parole life imprisonment”. This is because without parole, the imprisonment disowns the overall rehabilitative model, and by abandoning the defendant’s fundamental right to go back into their community, the government makes an irreversible decision regarding an individual’s place and value in the society. While giving a penalty of life imprisonment, the defendant is not given any hope of reform in the punishment. Pakistan penal law has defined many punishments including the life imprisonment, with the two major forms falling under the category of imprisonment, specifically 10 or 14 years of imprisonment or life imprisonment (Evan, 1991). The time for life imprisonment in Pakistan is not
specified except the meaning deduced from section 57 and prison rules. Whereas, the same has been interpreted with a slightly different context in our sister state, i.e., India, as it is anticipated life span of a person that is why 25 years of imprisonment is considered to be life imprisonment standard in statutes of Pakistan (Section 52). Thus far, the issue of period and the rationale behind the determined period, i.e., 25 years, has not been answered in certain and unequivocal terms, even by the superior courts. For instance, in “Zargul’s case of 1989, Dilawar Hussain vs State case of 2013,” the Supreme Court of Pakistan reckoned the duration as 25 years while referring to section 57 of the code and rule 140 of the Pakistan Prison Rules, 1978. This rule incorporated that every convict of life imprisonment has to complete a rigorous sanction cycle and shall undergo a minimum of 15 years of substantive punishment before going to the provincial government for a remission under section 401 of CrPC. Thus, if he was not granted remission under that, he must complete 25 years of imprisonment. A remission is not given in some instances, as the rules provide. Remission means a reduction in the sentence that the court does not grant in the following cases:

- If a sentence is of less than 4 months and rigorous.
- If the sentence is 1 month and the prisoner volunteered for labor work.
- In cases of imprisonment as a result of default in fine.
- In cases of anti-state activities by the convict.
- In cases where ordinary remission is not provided for the offences committed after getting into prison.

A condition for providing remission to a prisoner is that they spent at least 1/3rd of their punishment (Pakistan Prison Rules, #199). If a prisoner has spent 2/3rd of their punishment, they may earn a concession in the punishment with good behavior and conduct. Let us read section 57 of the PPC in conjunction with Rule 199 of Pakistan Prison Rules. It declares that “in calculating fractions of terms of punishment, imprisonment for life shall be reckoned as equivalent to imprisonment for 25 years”. Therefore, at least 25 years in prison must be considered for the calculation of remission and eligibility years of release from life imprisonment. Nonetheless, it does not justify to extract that life imprisonment itself means 25 years in all cases. The period of detention in prison shall include a period that the convict spent in custody while counting or awarding punishment (Pakistan Prison Rules, Chapter VIII). There is another slightly different concept regarding punishment rather than remission: commutation of sentence. Commutation is the changing of a sentence from one kind into another. Section 53 of the PPC provides two types of imprisonment: life and simple imprisonment. Simple imprisonment is for a specific period, while life imprisonment is for more (Kausar, 2019).

A number of crimes are enlisted for life imprisonment, such as in the case of Qatal-i-Amad only if the requirements of Qisas does not fulfil. One of the significant queries is how to consider a punishment. Chapter 8 of the Pakistan Prison Rules, 1978, states that a sentence is required to be infracted. Remission is given for the excellent behavior of prisoners and services provided by them during their imprisonment. Therefore, under section 55 of the PPC, the power to commute sentences is granted to the executive to change one kind of punishment into another, which, if it is life imprisonment, can be changed into 14 years of simple imprisonment as per the section. Whereas, on the other hand, by applying Rule 217(ii) of the PPR, the executive loses the power to change any sentence, but the duration of it. Under this rule, the prisoner can only get 10 years of remission for a sentence, and the executive cannot give any more remission. Hence, it proves that 25 years is only relevant when calculating the remission of a sentence and the prisoner’s eligibility to get a release (Kausar, 2019). Section 401 of the CrPC provides the rule that if a convict has completed 14 years of imprisonment in aggregate, including remissions of all kinds, he shall be
considered for release (Azeem, 2021). The ambiguity of this interpretation is discovered yet again in another case, Abdul Malik vs. the State, where it was strongly argued that “life imprisonment under code means incarceration for the entire life and the remission granted by the provincial government on the strength of rules cannot offset the mandate of substantive law, i.e., code” (Azeem, 2021). A precise analogy could be drawn from all the statutes that provide life imprisonment as a sentence according to the 1972 ruling that altered the sentence of transportation with life imprisonment and later in an amendment made in section 57 of the PPC that conditioned 25 years in prison for life imprisonment. The procedure laid down in section 401 is detailed and instructive with regard to where the convicts must be so released by the provincial government and which convicts shall be considered for life imprisonment. It all depends upon the competent authorities to determine such a question (Azeem, 2021; Kausar, 2019). Hence, the discussion reflects that the interpretation of these sections for the period for life imprisonment is linked with the legal pursuits of calculation in remission. There is always room for lenient and looped spots to resuscitate certain rigidities in the common law interpretation. These loops sometimes create a plethora of repeated constructions, thus becoming a common practice without any explicit legal assistance.

4.1. Interpretation of law regarding Life imprisonment in light of cases

All the laws and rules do not seem to fill in the vacuum of clarification required for questions including whether, after serving 25 years of imprisonment, the convict has a right to be released? Or if the convict has undergone 25 years of imprisonment after the remission of a sentence, would they be released from prison? These questions bring another ambiguity in legal procedure. A famous case judgment for this is of Dilawar Hussain’s (2013), who decided that life imprisonment implied imprisonment for a life of 25 years. He relied on section 57 of the PPC and Rule 140 of PPR, 1978. In another case, the Honorable Supreme Court declared that the provincial government has the power under section 401 of CrPC that commutation and remission of the sentence are subject to 15 years of imprisonment Another question was raised in the 1968 case of Muhammad Hussain vs. the State, where the Lahore High Court considered that a prisoner must be released after 20 years of imprisonment if sentenced to transportation for life. The Honorable Lahore High Court elucidated that transportation for life implied the remaining life span of the convict.

Furthermore, the offender has no bestowed right to be released or freed when they have served the aggregate of the sentence set out by the PPC, which is 14 years of the sentence. Additionally, according to section 401 of CrPc, after the expiry of 14 years of imprisonment, further detention for life is illegal. The Supreme Court once referred to the English case, R vs. Foy, 1962, that held that “life imprisonment means imprisonment for life and no doubt many people come out while they are still alive, but, when they do come out, it is only on the license, and the sentence of life imprisonment remains on them until they die”. It further elaborates that “if a prisoner is released in terms of Prison Rules … the said prisoner is in fact under an order of release (which, in Pakistan, is granted under section 401 CrPC read with Prison Rules) and the sentence of imprisonment for entire life continues”. The Pakistani courts did not define it unequivocally (Kausar, 2019). In the aforementioned famous case of Haroonur Rasheed, the matter was brought into question before the full bench of the Supreme Court. The accused was put behind bars 12 times in 12 different cases. The courts in Pakistan, as well as the rules read in accordance to section 57 of the PPC, referred to life imprisonment after calculating the fraction of terms as 25 years of imprisonment. However, in a literal context, life imprisonment implies that the convicts should be in prison until death. The question of the interpretation of law was an issue; it is a rational process to answer a layman’s understanding. Therefore, it is the responsibility of the court to interpret life imprisonment correctly as the people’s approach toward the literal meaning and not the historic or purposive approach. After this case, many questions raised massive public importance. An extensively accepted opinion in the literature and jurisprudence is that the admission of life imprisonment cannot be unconditional. However, they must only be the result of a thorough consideration of the conditions of its execution where the possibility of its revision at the end of serving a certain number of years must be rendered by an independent body with full respect to the rights of the
defendant (de La Cuesta, 2011). Lord Mustill had incorporated his suggestion in a case relating to life imprisonment that the words pronounced by the judge do not always mean what they say. Thus, if a prisoner is sentenced to life imprisonment, only in the minority of cases, it means “the rest of life of convict” as the words proposed. However, regarding the small majority of cases where the prisoner has to be confined for the rest of their life, it is not the usual or intended effect of the sentence, since the detention of a prisoner depends upon a series of recommendations and decisions made by executive orders, as it can be mandatory or discretionary and with or without the possibility of parole, remissions, or early release (Shahid, 2019).

There is some misinterpretation concerning section 55 of the PPC and rule 217 of Pakistan Prison Rules (PPR) (Pakistan Prison Rules, Rule 217(ii)). Section 55 affords the executive the power to commute the sentences for life imprisonment and a 14-year time period for computation. On the other hand, Rule 217(ii) of PPR provides that life imprisonment cannot be forwarded beyond 15 years of imprisonment. Thus, one can contemplate that a prisoner must complete 15 years of imprisonment, after which he may be considered for release. Section 3 (26) of the General Clauses Act defines imprisonment similar to that contemplated in the PPC. In one of the laws, namely Offences against Property (Enforcement of Hudood Ordinance, 1979), section 2(e) prescribed that imprisonment for life meant imprisonment until death, but according to the PPC, this meaning does not exist. Life imprisonment implies 25 years of imprisonment and not death imprisonment. The other reason for the misconception of life imprisonment is that section 57 of the PPC declares that the fraction of imprisonment for life is equivalent to 25 years, and the plain reading of section 57 interprets that it does not focus on the meaning of life imprisonment, but is only concerned with the fraction and calculation of imprisonment. The language of the section does not deem the term to be 25 years (Shahid, 2019).

Furthermore, there is a vast contradiction in section 57 of the PPC and section 2 of the Hudood Ordinance. According to the former, 25 years of imprisonment is regarded as life imprisonment, and in the latter case, it implies death imprisonment. A similar view was taken up by another case, Muhammad Riaz vs. The State, where a retrial was demanded on the basis of articles 9, 10, and 10A. The High Court of Peshawar admitted life imprisonment as 25 years under section 57 of the PPC, and it was declared that no person should be imprisoned till death until he has committed an offence under Offences against Property (Enforcement of Hudood) Ordinance, 1979. Lastly, life imprisonment under section 401 of CrPc contemplates that if a convict served a minimum of 15 years in jail as imprisonment, this minimum period of imprisonment and release is not a rule but an exception as provided by law. In other words, an offender can claim a remission of the sentence after 15 years as a matter of right (Azeem, 2021; Shahid, 2019). However, the government is not obligated to follow such rules; in fact, the exercise of such law depends upon chances of rehabilitation. The above discussion establishes that life imprisonment is for the remainder of one’s life; thus, nobody can claim imprisonment remission after 15 years (Shahid, 2019). Such discrepancies proposed in the case of life imprisonment declare that the law only vaguely explains the term, and it needs to be clarified by way of interpretation or with a clear amendment in law, to make it assessable to the proper understanding of laypeople.

5. Conclusion
In penal policies, life imprisonment was systematically described in contrast to the death penalty, and after the desertion of the death penalty, this form of punishment remarkably increased globally in the last 30 years. Life imprisonment provides a unique global account of its prevalence, aside from the usual US/EU outliers Van & Appleton, 2019. Although the term life imprisonment suggests that it covers the whole life of the offender, some states do not take it literally. The absence of a typology for life sentences and the diffusion of notions to describe the punishment in the criminological lexicon, for example, de facto death sentence, virtual death sentence, and death-in-prison, further attest to the great complexity in grasping the contours of life sentence imprisonment. Likewise, in Pakistan where the life imprisonment lasts for 25 years, in the state where life expectancy is above 50, the teen offender will probably be out in his 50s, while the
situation of the adults may not be the same. Nearby, many crimes are heinous, life imprisonment for a person. This can be contemplated with the circumstance in Sri Lanka where no one has been executed to death since 1976 and the country has had a suspension on carrying on further sentences. Thus, each state reflects its way of sentencing individuals for mainly two purposes: to ensure peace in the society and community and to ensure that justice meets its ends (Alschuler, 2003). Many Western states have divided life imprisonment into different types based on the purposes, such as the Fully Irreducible Life Imprisonment that has the stiffest punishment ever where the person, despite being alive, cannot return to society. In short, it enlightens the literal meaning of life imprisonment into a practical approach. Life imprisonment is undoubtedly one of those punishments that have universal acceptance for the criminals to bring peace to society. However, there are many disruptive issues regarding life imprisonment in Pakistan that need to be addressed more often to make the punishment effective. Besides, in developing countries like Pakistan, prison life does not serve the purpose of retaliation and rehabilitation of evil; instead, chances that things turn more violent are more frequent. Another reason that acetate the clearance in law is the law and order situation in underdeveloped countries; there are excellent chances for the one-time offender to become a habitual offender in the life of prison. The constitutionality of life imprisonment has also provoked the intervention of the highest judicial bodies in some other countries. For instance, in Spain, several Supreme Court decisions have highlighted the inconsistency of life imprisonment with the content of Art. 15 of the Constitution, followed by the European Court of Human Rights regarding the life sentence imposed in the UK (de La Cuesta, 2011). There are sufficient grounds that demand the proper interpretation of laws, not limited to a section of the PPC that defines life imprisonment and brings more inconsistency and misunderstanding to the interpretation. Section 57 of the PPC needs to add specific words to elucidate the meaning of life imprisonment. The imprisonment-for-life sentence should be considered to mean 25 years of imprisonment as per section 57 of the PPC only when “reckoning” is done to calculate the “fractions of terms of punishment”. The literal meaning of life imprisonment identifies that it is for the whole life span of a person. The whole life span includes his natural life, and it does not contemplate any meaning regarding the legal definition of life span. As amidst the legal framework, CJ Asif Saeed Khan Khosa resided the question of the duration that the Advocate General of Punjab implied to mean an imprisonment for the natural life of a convict. Khosa contended that the misconception began with the misinterpretation of section 57 of the PPC. He stresses that the section has no bearing on the “duration of life imprisonment” and is only concerned with the “calculation of fractions of terms of punishment” in other offences that have been misconstrued as life imprisonment’s duration (Kausar, 2019; de La Cuesta, 2011). He further added that the power of remission under the code is the power of the court, and the convict cannot claim that as a matter of right. He stated that “The principles of statutory interpretation dictate that a statute must be construed as a whole and that words that are reasonably capable of only one meaning must be given that meaning (the literal rule); that ordinary words must be given their ordinary meanings unless absurdity would result (the golden rule)” (Desk, 2019).

It is difficult for a layperson to interpret life imprisonment’s punishment that requires identifying the purposive approach in defining life sentence or life imprisonment. The purposive approach is a way to interpret the definition, words, or any sentence through the ends of its intention. The current scenario also insists on considering the perspective of prisons and punishments. It is a widespread practice in underdeveloped and legally unstable societies that some people relish in prison beyond the protocols. The same disagreement has been pulled recently by several legal community members while discussing prisoners of Jihad, terrorism, genocide, child rape, etc. Life imprisonment is undoubtedly one of the top ways to rehabilitate the offender and make the society at peace, but there is a general trend of shift toward imprisonment on parole.

Just like the USA, Pakistan should open its gates toward parole. Parole is a temporary release from prison on condition of good behavior. By this approach, the two-fold benefit can be observed: overcrowding of prison will be reduced, and the convicts are allowed a better life. However, for the
latter, a committee with the power of remission should be established. This committee needs to act in favor of the society and convict by maintaining balance. The executive authorities should set a fixed time to ensure that parole is not be granted to the prisoner before they have spent the prescribed (e.g. 15, 14, or 13) number of years in prison. Many states, including India, are adopting this approach. It is time for the Pakistani Judiciary to adopt new laws and approaches according to the current needs and remove the ambiguities around the interpretation of section 57. Ideally, a span of 10 years is a more accurate balance to give the convict a chance to be a better person in society.

There should be no vested right for the life convict to be released after serving the aggregate sentence mandated by the prison rules. A straightforward analogy can be drawn from the above ruling. In 1972’s criminal law reforms, the sentence of transportation-for-life was changed into imprisonment-for-life, and Section 57 was amended to mandate 25 years as the minimum jail-term for a life convict. Hence, it will be incorrect to consider imprisonment for life as 25 years. After serving 25 years, or 15 years if a prisoner has earned complete remission of his sentence, the life convict or lifer only gains a right to be considered for release by the provincial government under Section 401 CrPC. Whether he would be released or not remains within the discretion of the provincial government. The procedure laid out in Section 401 is detailed and instructive in this regard. Section 401(3) lays out that where a convict so released by the provincial government violates any condition of their release, they may be arrested without warrant and be made to undergo the remaining length of the unserved sentence, which for a life convict, will be the rest of their life.

It can be concluded that “life imprisonment” is mentioned as one of the best sentences to rehabilitate an offender. However, it will lead to negativity in the convict’s mind if it is not adjoined with parole or probation. In this manner, it will compel a prisoner to be a better person and opt for good behavior. Unfortunately, not much jurisprudence has developed in this area in Pakistan because when it comes to the meaning of life imprisonment, the courts place heavy reliance on the term “fractions of punishment” that is envisaged in section 57 of the PPC and equates it with 25 years of rigorous imprisonment. Reforms must be introduced in the interpretation of life imprisonment so that we have clarity about its meaning. This problem is yet to be addressed by the Pakistani Judiciary, and we patiently await the verdict of the Supreme Court in the matter. The Pakistani Legislature needs to amend its laws, as it holds significant inconsistency, which is not suitable for the justice system. Former Chief Justice also made efforts to clarify the ambiguities, but it will be worth changing the matter and clarifying the meaning in terms of substantive statutes itself and not only through case laws. India and the USA are already holding the best forms of life sentence that encourages Pakistan to maintain peace with a delicate balance of the improved system of life imprisonment for the betterment of the society and prisoners.
Afscher, A. (2003). The changing purposes of criminal punishment: A retrospective on the past century and some thoughts about the next. The University of Chicago Law Review, 70(1), 1. https://doi.org/10.2307/1600541

Anderson, C. (1999). Convicts in the Indian Ocean: Transportation from South Asia to Mauritius, 1815-53. Macmillan.

Azemm, H. M. (2021, May 25). Life imprisonment in Pakistan: Life or 25 years? Global Village Space. Retrieved January 9, 2022, from https://www.globalvillagespace.com/life-imprisonment-in-pakistan-life-or-25-years/

Coyle, A. (2004). Replacing the death penalty: The vexed issue of alternative sanctions. P.

Dolibir Singh v. State of Punjab, (1979) 3 (SCC) 745 (Ind.).

de Le Cuesto, J. (2011). The principle of humanity in penal law. Revue Internationale de Droit Penal, 82(3), 457–476. https://doi.org/10.3917/idp.823.0457

Desk, N. (2019, October 18). How long is a life sentence? The Friday Times - NayaDaur. Retrieved January 8, 2022, from https://www.thefridaytimes.com/how-long-is-a-life-sentence/.

Dilwar Hussain v The State, (2013) SCMR (SC) 1582 (Pak.).

Ghassemi, G. (2009). Criminal punishment in Islamic societies: Empirical study of attitudes to criminal sentencing in Iran. European Journal on Criminal Policy and Research, 15(1–2), 159–180. https://doi.org/10.1007/s10610-008-0095-2

Gottschalk, M. (2013). No way out? Life sentences and the politics of penal reform. In C. Ogletree & A. Sarot (Eds.), Life without parole: USA’s new death penalty? (pp. 227–281). New York University Press. https://www.polisci.upenn.edu/sites/default/files/No%20Way%20Out-Gottschalk.pdf

Griffin, D., & O’Donnell, I. (2012). The life sentence and parole. The British Journal of Criminology, 52(3) pp. 611–629. Retrieved January 15, 2022, from https://doi.org/10.1093/bjc/azr097

Grujić, Z., Blađić, D., & Bojančić, B. (2019). Reexamining the justification for introducing life imprisonment in Serbian criminal legislation. Thematic Conference Proceedings of International Significance, 9(1), 134–142.

Hart, H. L. A., & Gardner, J. (2008). Punishment and Responsibility: Essays in the Philosophy of Law, 2. Oxford University Press. https://doi.org/10.1093/acprof:oso/9780199534777.001.0001

The Hindu. (2016, October 26). Spared of the noose, convict to remain in jail. The Hindu. Retrieved January 18, 2022, from https://www.thehindu.com/news/national/tamil-nadu/spared-of-the-noose-convict-to-remain-in-jail/article15783463.ece.

Hodgkinson, Schabas, W. (2004). Capital punishment: Strategies for abolition (pp. 390). Cambridge University Press.

Illinois v. Davis, (2014) IL (SC) 115,595(U.S.).

Jehle, J. M., C., Nagtegal, M., Palmowski, N., Pycro-Górowska, M., van der Wolf, M., & Zila, J. (2021). Dealing with dangerous offenders in Europe: A comparative study of provisions in England and Wales, Germany, the Netherlands, Poland and Sweden. Criminal Law Forum, 32(2), 181–245. https://doi.org/10.1007/s10609-020-09411-2

Kausar, T. (2019, December 22). PPC and Reckoning imprisonment for life. The News. Retrieved January 11, 2022, from https://www.thenews.com.pk/en/news-detail/986109-reckoning-imprisonment-for-life

Kozlowska, H. (May31). One in three prisoners serving a life term anywhere is in the US. Quartz. Retrieved January 18, 2022, from https://qz.com/974658/life-prison-sentencesare-for-more-common-in-the-us-than-anywhere-else/

Lerner, C. S. (2013). Life without parole as a conflicted punishment. Wake Forest Law Review, 48(13–50), 1101–1117. https://ssrn.com/abstract=2329864

Marchesi, D. (2018). Imprisonment for life at the International Criminal Court. Utrecht Law Review, 14 (1), 97. https://doi.org/10.18352/ulr.422

Maru Ram v. Union of India, (1981) 1 (SCC) 107 (Ind.).

McCune Lindsay, S., (1897). Penological and preventive principles, with special reference to Europe and USA. 2nd. William Tallow. Eds. In 1896. The ANNAS of the USAn academy of political and social science. Wertherme, Leo &Co. 9(3). 139–140. https://doi.org/10.1177/000271629700900317

Meraj, Ahmad Meraj. (2018). The concept of crime and punishment in Islam. International Journal of Humanities and Social Science Research, 4(5), 27–34. www.socialsciencetjournal.in

Miller v. Alabama, (2012) 567 (SC) 460 (U.S.).

Muhammad Asghar v. Govt. of Sindh, (1977) PLD (SC) 212 (Pak).

Muhammad Hussain v. The State, (1968) PLD (Lah.) 1 (Pak.).

Muhammad Riaz v. The State, (2017) PCLJ (Pesh.) 582 (Pak.).

Naïb Singh v. State of Punjab, (1983) 2 (SCC) 454 (Ind.).

Nellis, A. (2017). Still Life: USA’s increasing use of life and long-term sentences. The sentencing project. Research and Advocacy Reforms, 9–28. https://www.sentencingproject.org/publications/still-life-USAs-increasing-use-life-long-term-sentences/

Padfield, N., Van Zylsmi, D., & Dünkel, F. (Eds.). (2010). Release from prison: European policy and practice (1st ed.). Wilan. https://doi.org/10.4324/9781849274246

PanditKishorilal v. King Emperor, (1945) 26 ILR (Lah.) 325 (Ind.).

Parson, A. R. (2015). Understanding Restorative Justice– How Empathy Can Close the Gap Created by Crime. British Journal of Community Justice, 13(1), 114. Retrieved January 11, 2022, from https://link.gale.com/apps/doc/A450038928/AONE?u=anonymous&sid=goglescholar&user id=45587878

Peters, R. (2006). Crime and punishment in Islamic law: Theory and Practice from the Sixteenth to the Twenty-First Century (Themes in Islamic Law). Cambridge University Press. https://doi.org/10.1017/ CBO9780511610677

Radhika, S. (1998). A Despotism Of Law: Crime And Justice In Early Colonial India, (Vol. 17, no. 1, pp. 342). Delhi: Oxford University Press. Retrieved January 17, 2022, from https://doi.org/10.1177/0257643010170100108

Reade, K. (2018, June 11). Life imprisonment: A practice in desperate need of reform. Penal Reform International. Retrieved January 11, 2022, from https://www.penalreform.org/blog/life-imprisonment-a-practice-in-desperate-need-of/

Schneider, I. (1995). Imprisonment in pre-classical and classical Islamic law. Islamic Law andSociety, 2(2), 157–173. https://doi.org/10.1163/1568519952993967

Schwan, & Shapiro, S. A. (2011), How to read Foucault’s discipline and punish Anne Schwan and Stephen Shapiro. Pluto Press.

Shahid, R., Life Imprisonment: A way forward. COURTING THE LAW, (October 6, 2019). last visited May 19, 2020. https://courtingthelaw.com/2019/10/06/courting-the-law-life-imprisonment-a-way-forward/

Shaw, G. C. (2013). Hart’s lost essay: ‘Discretion’ and the legal process school. Harvard Law Review, 127(2), 666–727. http://www.jstor.org/stable/23742021
Sourdin, T., & Zariski, A. (2019). Responsive judge: International perspectives. Springer.
State v. Long, (2014) Ohio 849(U.S.).
Taylor, C. S. (2009). From hell to paradise? voluntary transfer of convicts to the Andaman Islands Cambridge University Press 43.
UDODC. (1994). (rep.). Life Imprisonment . Vienna: United Nations crime prevention and criminal justice . Retrieved February 8, 2022, from https://cdn.penalreform.org/wp-content/uploads/2013/06/UNODC-1994-Lifers.pdf
Union of India v. V. Siharan, (2016) 7 (SCC) 1 (Ind.)
Van, Z. S. D., & Appleton, C. (2019). Life Imprisonment: A Global Human Rights Analysis (pp. 428). Harvard University Press. Retrieved January 12, 2022, from http://www.jstor.org/stable/j.ctvckq60v
Vibhute, K. I. (2015). Life sentence ‘after ‘life sentence’ in a span of ‘life’: A penal measure. Journal of the Indian Law Institute, 58(4), 447–456. Retrieved January 11, 2022, from http://www.jstor.org/stable/45163081
Wesley, C. (1992). H.L.A. Hart and the justification of punishment. Canadian Journal of Law & Jurisprudence, 5 (3), 43–55. https://heinonline.org/HOL/LandingPage?handle=hein.journals/caljlj5&div=8&id=6&page=