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False accusation of girl with Down syndrome leads Pakistan to question blasphemy law

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ISLAMABAD, Pakistan — Before the case of Rimsha Masih, a 14-year-old with Down Syndrome, nobody dared question Pakistan's controversial blasphemy law.

Now a debate is raging, and both Muslims and Christians are beginning to question how the law is corrupted for personal gain.

It all started on a Thursday evening last month in Mehrabad, a poor sprawling suburb of Islamabad that is home to Christians and Muslims. Malik Hammad, a neighbor and the complainant, said Masih had burned pages of Noorani Qaida, a primer used to familiarize children with the Quran, although he didn't witness it.

Masih carried the remains in a plastic bag to throw it away, Hammad told the police. Mehreen Noor, a 9-year-old Muslim girl, living in front of Masih, said she was the first to pick up the burned pages.

"First I saw them here and more here," she said, pointing at places where garbage was scattered on the grassy ground. "My mother told me to bring them to the imam."

The imam then led a mob of dozens of angry Muslims to Masih's house. Zahid Pervaiz, 34, was one of the few Christians in the neighborhood who dared to have a look.

"They shouted that they wanted to throw petrol on her and burn her," he said, still visibly disturbed. The next morning the mob moved on to the police station to demand that Masih, who can neither read nor write, be arrested.

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The police eventually capitulated and arrested Masih. For her "safety," she was put in Adiala Jail, a high-security prison where the country's foremost terrorists are detained.

All Pakistan Minorities Alliance, which represents religious minorities in the country, took Masih's family to a secret location. Pervaiz' family, along with hundreds of other Christian families fled to relatives, churches or simply the street, fearing retaliation from the Muslim community.

Two weeks later, the story took a shocking turn. The deputy imam and two other witnesses accused the imam of orchestrating the whole event. They said he had himself burned the pages, and put them in Masih's plastic bag. The imam, Khalid Judoon Chishti, was attempting to scare the Christians out of town, the witnesses said.

Chishti, who had only arrived in Mehrabad at the beginning of the year, expressed this desire four months earlier in a speech, Pervaiz said. He was arrested.

"After the arrest of cleric Judoon, it is now clear that people use and misuse this law for their personal gain," said Tahir Naveed Chaudhry, the girl's defense lawyer. Human rights activists say the law is mainly used for settling personal scores.

The arrest led to a national and international outcry and made headlines around the world.

Sajid Ishaq, chairman of the Pakistan Interfaith League and himself a Christian, realized that he needed support from Muslim leaders to help free Masih. He found that support in an usual place – the Pakistan Ulema Council, an umbrella group of Muslim scholars and clerics, some of whom are allied with fundamentalist groups.

Tahir Ashrafi, the chairman of the council, said he supported Masih because she has Down syndrome like his son. A medical report released after Masih's arrest did not substantiate her condition, but did mention that her mental age is younger than her years.

Despite his support of the girl, Ashrafi said the law should not be abolished. "Let me be clear, this law should remain," he said in one of three press conferences held in support of Masih.

Pakistan's blasphemy law stems from a British colonial law passed in 1860 that called for a jail sentence of up to 10 years, with or without fines, for acts that insult "the religion of any class."

It was expanded several times, most severely in the 1980s when Pakistani dictator Zia ul Haq turned Islam on its head and tried to force his interpretation of the religion on the states as a whole. He added a clause recommending the death penalty for willfully defiling the Prophet Mohammad. He also added a clause that outlawed the Ahmadi sect, which doesn't believe Mohammad is the last prophet, from calling themselves Muslims.

Since then, thousands of blasphemy cases have been filed. The majority of the accused are Muslim, though percentage-wise, Christians are hardest hit.

Judges are often under pressured to rule in favor of the complainant even though the evidence is flimsy. Either way, those they acquit are rarely left alone.

"In these cases many of those who are acquitted are murdered before the courts, they're burned before the courts. He can't return to his own home and he can't live with his original identity," Chaudhry said.

Masih won't be an exception. If Masih ever comes back, said Noor, the 9-year old, "I will teach her a lesson. I will burn her hand."

In 2010, Aasia Noreen, a poor, 45-year-old Christian woman, was sentenced to death for defiling Prophet Muhammad [HOW?]. She's still on death row.

Two politicians, Governor Salman Taseer and Minister Shahbaz Bhatti, were murdered in 2011 for supporting Noreen and criticizing the blasphemy law. An unknown gunman killed Bhatti. His own bodyguard, Mumtaz Qadri, killed Taseer. Qadri is now considered a hero in some parts of Pakistan. Rao Abdur Raheem, the prosecutor in Masih's case, has his picture on the wall of his office.

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"He's like my brother. His age is 30 years. In 30 years he killed only one person. Why? There was no person who was able to charge [Governor Taseer]. He's so powerful. That was the problem," he said.

Several governments in Pakistan have tried to amend the blasphemy law, but have always backed down in the face of pressure from the religious right. A bill to amend the blasphemy law — which would have made it more difficult to accuse someone and would have established stricter punishments for false accusations — was withdrawn in 2011.

Tens of thousands of people flooded the streets to protest the bill drafted by Sherry Rehman, now Pakistan's ambassador to the United States, in [WHEN?]. Rehman received death threats and went into hiding.

That seemed to be the end of the debate, until the case of Masih.

But even now, critics say, the religious right has set the parameters of the debate, which do not extend beyond the issue of how it is implemented. Ashrafi, the chairman of the Ulema council, said there simply needed to be more thorough investigations before a charge is made.

"Repeatedly there are incidents. Complaints of blasphemy have to be thoroughly investigated," said Ashrafi, adding that he supports more severe punishments for false accusations.

Ayesha Tammy Haq, a lawyer and media personality in Pakistan, said the problem lies not in the law per se, but in society.

"The key is that if you have a law, no matter how good the law may be or how difficult it is to have someone charged, if you are able to whip up hate, people take the law into their own hands and they kill people," Haq said.

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On Friday, a judge ordered Masih to be released on bail for \$10,500, which was paid by members of Chaudhry's organization.

"God is great!" Chaudhry said with a grin, as he gave the thumbs up. The next day, Masih boarded a helicopter under heavy protection to an unknown location where she was reunited with her family. Chaudhry thinks a higher court will quash the case against her.

Pervaiz and many of the other Christians have returned to Mehrabad, but they say they continue to live in fear.

"There is no safety. We need safety. We are very, very worried. Nothing goes as it used to go anymore. Eventually we all will have to move from here."

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