**3/22/09 THESKEPTICARENA.COM**

**OCCAM'S RAZOR**

**"PLURALITY SHOULD NOT BE POSITED WITHOUT NECESSITY." THE WORDS ARE THOSE OF THE MEDIEVAL ENGLISH PHILOSOPHER AND FRANCISCAN MONK WILLIAM OF OCKHAM (CA. 1285-1349). LIKE MANY FRANCISCANS, WILLIAM WAS A MINIMALIST IN THIS LIFE, IDEALIZING A LIFE OF POVERTY, AND LIKE ST. FRANCIS HIMSELF, BATTLING WITH THE POPE OVER THE ISSUE. WILLIAM WAS EXCOMMUNICATED BY POPE JOHN XXII. HE RESPONDED BY WRITING A TREATISE DEMONSTRATING THAT POPE JOHN WAS A HERETIC.**

**WHAT IS KNOWN AS OCCAM'S RAZOR WAS A COMMON PRINCIPLE IN MEDIEVAL PHILOSOPHY AND WAS NOT ORIGINATED BY WILLIAM, BUT BECAUSE OF HIS FREQUENT USAGE OF THE PRINCIPLE, HIS NAME HAS BECOME INDELIBLY ATTACHED TO IT. IT IS UNLIKELY THAT WILLIAM WOULD APPRECIATE WHAT SOME OF US HAVE DONE IN HIS NAME. FOR EXAMPLE, ATHEISTS OFTEN APPLY OCCAM'S RAZOR IN ARGUING AGAINST THE EXISTENCE OF GOD ON THE GROUNDS THAT GOD IS AN UNNECESSARY HYPOTHESIS. WE CAN EXPLAIN EVERYTHING WITHOUT ASSUMING THE EXTRA METAPHYSICAL BAGGAGE OF A DIVINE BEING.**

**WILLIAM'S USE OF THE PRINCIPLE OF UNNECESSARY PLURALITY OCCURS IN DEBATES OVER THE MEDIEVAL EQUIVALENT OF PSI. FOR EXAMPLE, IN BOOK II OF HIS COMMENTARY ON THE SENTENCES OF PETER ABELARD, HE IS DEEP IN THOUGHT ABOUT THE QUESTION OF "WHETHER A HIGHER ANGEL KNOWS THROUGH FEWER SPECIES THAN A LOWER." USING THE PRINCIPLE THAT "PLURALITY SHOULD NOT BE POSITED WITHOUT NECESSITY" HE ARGUES THAT THE ANSWER TO THE QUESTION IS IN THE AFFIRMATIVE. HE ALSO CITES ARISTOTLE'S NOTION THAT "THE MORE PERFECT A NATURE IS THE FEWER MEANS IT REQUIRES FOR ITS OPERATION." THIS PRINCIPLE HAS BEEN USED BY ATHEISTS TO REJECT THE GOD-THE-CREATOR HYPOTHESIS IN FAVOR OF NATURAL EVOLUTION: IF A PERFECT GOD HAD CREATED THE UNIVERSE, BOTH THE UNIVERSE AND ITS COMPONENTS WOULD BE MUCH SIMPLER. WILLIAM WOULD NOT HAVE APPROVED.**

**HE DID ARGUE, HOWEVER, THAT NATURAL THEOLOGY IS IMPOSSIBLE. NATURAL THEOLOGY USES REASON ALONE TO UNDERSTAND GOD, AS CONTRASTED WITH REVEALED THEOLOGY WHICH IS FOUNDED UPON SCRIPTURAL REVELATIONS. ACCORDING TO OCCAM, THE IDEA OF GOD IS NOT ESTABLISHED BY EVIDENT EXPERIENCE OR EVIDENT REASONING. ALL WE KNOW ABOUT GOD WE KNOW FROM REVELATION. THE FOUNDATION OF ALL THEOLOGY, THEREFORE, IS FAITH. IT SHOULD BE NOTED THAT WHILE OTHERS MIGHT APPLY THE RAZOR TO ELIMINATE THE ENTIRE SPIRITUAL WORLD, OCKHAM DID NOT APPLY THE PRINCIPLE OF PARSIMONY TO THE ARTICLES OF FAITH. HAD HE DONE SO, HE MIGHT HAVE BECOME A SOCINIAN LIKE JOHN TOLAND (CHRISTIANITY NOT MYSTERIOUS, 1696) AND PARED DOWN THE TRINITY TO A UNITY AND THE DUAL NATURE OF CHRIST TO A SINGLE NATURE.**

**WILLIAM WAS SOMEWHAT OF A MINIMALIST IN PHILOSOPHY, ADVOCATING NOMINALISM AGAINST THE MORE POPULAR VIEW OF REALISM. THAT IS, HE ARGUED THAT UNIVERSALS HAVE NO EXISTENCE OUTSIDE OF THE MIND; UNIVERSALS ARE JUST NAMES WE USE TO REFER TO GROUPS OF INDIVIDUALS AND THE PROPERTIES OF INDIVIDUALS. REALISTS CLAIM THAT NOT ONLY ARE THERE INDIVIDUAL OBJECTS AND OUR CONCEPTS OF THOSE OBJECTS, THERE ARE ALSO UNIVERSALS. OCKHAM THOUGHT THAT THIS WAS ONE TOO MANY PLURALITIES. WE DON'T NEED UNIVERSALS TO EXPLAIN ANYTHING. TO NOMINALISTS AND REALISTS THERE EXIST SOCRATES THE INDIVIDUAL AND OUR CONCEPT OF SOCRATES. TO THE REALIST THERE ALSO EXIST SUCH REALITIES AS THE HUMANITY OF SOCRATES, THE ANIMALITY OF SOCRATES, ETC. THAT IS, EVERY QUALITY WHICH MAY BE ATTRIBUTED TO SOCRATES HAS A CORRESPONDING "REALITY", A "UNIVERSAL" OR EIDOS, AS PLATO CALLED THEM. WILLIAM MIGHT BE SAID TO HAVE BEEN SKEPTICAL OF THIS REALM OF PLURALITY CALLED THE REALM OF UNIVERSALS. IT IS NOT NEEDED FOR LOGIC, EPISTEMOLOGY OR METAPHYSICS, SO WHY ASSUME THIS UNNECESSARY PLURALITY? PLATO AND THE REALISTS COULD BE RIGHT. PERHAPS THERE IS A REALM OF EIDOS, OF UNIVERSAL REALITIES WHICH ARE ETERNAL, IMMUTABLE MODELS FOR INDIVIDUAL OBJECTS. BUT WE DON'T NEED TO POSIT SUCH A REALM IN ORDER TO EXPLAIN INDIVIDUALS, OUR CONCEPTS OR OUR KNOWLEDGE. PLATO'S EIDOS (FORMS) ARE EXCESS AND UNNECESSARY METAPHYSICAL AND EPISTEMOLOGICAL BAGGAGE.**

**IT MIGHT WELL BE ARGUED THAT BISHOP GEORGE BERKELEY APPLIED OCCAM'S RAZOR TO ELIMINATE MATERIAL SUBSTANCE AS AN UNNECESSARY PLURALITY. ACCORDING TO BERKELEY, WE NEED ONLY MINDS AND THEIR IDEAS TO EXPLAIN EVERYTHING. BERKELEY WAS A BIT SELECTIVE IN HIS USE OF THE RAZOR, HOWEVER. HE NEEDED TO POSIT GOD AS THE MIND WHO COULD HEAR THE TREE FALL IN THE FOREST WHEN NOBODY IS PRESENT. SUBJECTIVE IDEALISTS MIGHT USE THE RAZOR TO GET RID OF GOD. ALL CAN BE EXPLAINED WITH JUST MINDS AND THEIR IDEAS. OF COURSE THIS LEADS TO SOLIPSISM, THE VIEW THAT I AND MY IDEAS ALONE EXIST, OR AT LEAST THEY ARE ALL I KNOW EXIST. MATERIALISTS, ON THE OTHER HAND, MIGHT BE SAID TO USE THE RAZOR TO ELIMINATE MINDS ALTOGETHER. WE DON'T NEED TO POSIT A PLURALITY OF MINDS AS WELL AS A PLURALITY OF BRAINS.**

**OCCAM'S RAZOR IS ALSO CALLED THE PRINCIPLE OF PARSIMONY. THESE DAYS IT IS USUALLY INTERPRETED TO MEAN SOMETHING LIKE "THE SIMPLER THE EXPLANATION, THE BETTER" OR "DON'T MULTIPLY HYPOTHESES UNNECESSARILY." IN ANY CASE, OCCAM'S RAZOR IS A PRINCIPLE WHICH IS FREQUENTLY USED OUTSIDE OF ONTOLOGY, E.G., BY PHILOSOPHERS OF SCIENCE IN AN EFFORT TO ESTABLISH CRITERIA FOR CHOOSING FROM AMONG THEORIES WITH EQUAL EXPLANATORY POWER. WHEN GIVING EXPLANATORY REASONS FOR SOMETHING, DON'T POSIT MORE THAN IS NECESSARY. VON DÄNIKEN COULD BE RIGHT: MAYBE EXTRATERRESTRIALS DID TEACH ANCIENT PEOPLE ART AND ENGINEERING, BUT WE DON'T NEED TO POSIT ALIEN VISITATIONS IN ORDER TO EXPLAIN THE FEATS OF ANCIENT PEOPLE. WHY POSIT PLURALITIES UNNECESSARILY? OR, AS MOST WOULD PUT IT TODAY, DON'T MAKE ANY MORE ASSUMPTIONS THAN YOU HAVE TO. WE CAN POSIT THE ETHER TO EXPLAIN ACTION AT A DISTANCE, BUT WE DON'T NEED ETHER TO EXPLAIN IT, SO WHY ASSUME AN ETHEREAL ETHER?**

**OLIVER W. HOLMES AND JEROME FRANK MIGHT BE SAID TO HAVE APPLIED OCCAM'S RAZOR IN ARGUING THAT THERE IS NO SUCH THING AS "THE LAW." THERE ARE ONLY JUDICIAL DECISIONS; INDIVIDUAL JUDGMENTS AND THE SUM OF THEM MAKE UP THE LAW. TO CONFUSE MATTERS, THESE EMINENT JURISTS CALLED THEIR VIEW LEGAL REALISM, INSTEAD OF LEGAL NOMINALISM. SO MUCH FOR SIMPLIFYING MATTERS.**

**BECAUSE OCCAM'S RAZOR IS SOMETIMES CALLED THE PRINCIPLE OF SIMPLICITY SOME CREATIONISTS HAVE ARGUED THAT OCCAM'S RAZOR CAN BE USED TO SUPPORT CREATIONISM OVER EVOLUTION. AFTER ALL, HAVING GOD CREATE EVERYTHING IS MUCH SIMPLER THAN EVOLUTION, WHICH IS A VERY COMPLEX MECHANISM. BUT OCCAM'S RAZOR DOES NOT SAY THAT THE MORE SIMPLE A HYPOTHESIS, THE BETTER. IF IT DID, OCCAM'S WOULD BE DULL RAZOR FOR A DIM POPULACE INDEED.**

**SOME HAVE EVEN FOUND A USE FOR OCCAM'S RAZOR TO JUSTIFY BUDGET CUTS, ARGUING THAT "WHAT CAN BE DONE WITH LESS IS DONE IN VAIN WITH MORE." THIS APPROACH SEEMS TO APPLY OCCAM'S RAZOR TO THE PRINCIPLE ITSELF, ELIMINATING THE WORD "ASSUMPTIONS." IT ALSO CONFUSES MATTERS BY CONFUSING "LESS" WITH "FEWER." OCCAM WAS CONCERNED WITH FEWER ASSUMPTIONS, NOT LESS MONEY.**

**THE ORIGINAL PRINCIPLE SEEMS TO HAVE BEEN INVOKED WITHIN THE CONTEXT OF A BELIEF IN THE NOTION THAT PERFECTION IS SIMPLICITY ITSELF. THIS SEEMS TO BE A METAPHYSICAL BIAS WHICH WE SHARE WITH THE MEDIEVALS AND THE ANCIENT GREEKS. FOR, LIKE THEM, MOST OF OUR DISPUTES ARE NOT ABOUT THIS PRINCIPLE BUT ABOUT WHAT COUNTS AS NECESSARY. TO THE MATERIALIST, DUALISTS MULTIPLY PLURALITIES UNNECESSARILY. TO THE DUALIST, POSITING A MIND AS WELL AS A BODY, IS NECESSARY. TO ATHEISTS, POSITING GOD AND A SUPERNATURAL REALM IS TO POSIT PLURALITIES UNNECESSARILY. TO THE THEIST, POSITING GOD IS NECESSARY. AND SO ON. TO VON DANIKEN, PERHAPS, THE FACTS MAKE IT NECESSARY TO POSIT EXTRATERRESTRIALS. TO OTHERS, THESE ALIENS ARE UNNECESSARY PLURALITIES. IN THE END, MAYBE OCCAM'S RAZOR SAYS LITTLE MORE THAN THAT FOR ATHEISTS GOD IS UNNECESSARY BUT FOR THEISTS THAT IS NOT TRUE. IF SO, THE PRINCIPLE IS NOT VERY USEFUL. ON THE OTHER HAND, IF OCCAM'S RAZOR MEANS THAT WHEN CONFRONTED WITH TWO EXPLANATIONS, AN IMPLAUSIBLE ONE AND A PROBABLE ONE, A RATIONAL PERSON SHOULD SELECT THE PROBABLE ONE, THEN THE PRINCIPLE SEEMS UNNECESSARY BECAUSE SO OBVIOUS. BUT IF THE PRINCIPLE IS TRULY A MINIMALIST PRINCIPLE, THEN IT SEEMS TO IMPLY THE MORE REDUCTIONISM THE BETTER. IF SO, THEN THE PRINCIPLE OF PARSIMONY MIGHT BETTER HAVE BEEN CALLED OCCAM'S CHAINSAW, FOR ITS MAIN USE SEEMS TO BE FOR CLEAR-CUTTING ONTOLOGY.**

**TODAY, WE THINK OF THE PRINCIPLE OF PARSIMONY AS A HEURISTIC DEVICE. WE DON'T ASSUME THAT THE SIMPLER THEORY IS CORRECT AND THE MORE COMPLEX ONE FALSE. WE KNOW FROM EXPERIENCE THAT MORE OFTEN THAN NOT THE THEORY THAT REQUIRES MORE COMPLICATED MACHINATIONS IS WRONG. UNTIL PROVED OTHERWISE, THE MORE COMPLEX THEORY COMPETING WITH A SIMPLER EXPLANATION SHOULD BE PUT ON THE BACK BURNER, BUT NOT THROWN ONTO THE TRASH HEAP OF HISTORY UNTIL PROVEN FALSE.**

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**THE SCIENCE SEGMENT**

**ADVANCE IN HEART RESEARCH**

**11/03/08**

**SCIENTISTS HAVE DEVELOPED A BIODEGRADABLE SCAFFOLD ON WHICH HEART TISSUE CAN BE GROWN IN THE LAB, POSSIBLY PAVING THE WAY FOR THE CREATION OF WHOLE ORGANS, THE INDEPENDENT REPORTS. IN THE MEANTIME, THE GOAL IS TO PRODUCE LIVING PATCHES FOR MENDING DAMAGED HEARTS. THE FLEXIBLE POLYMER MATRIX ENSURES GROWING CELLS ALL ALIGN THE RIGHT WAY, AND DISSOLVES WITHIN MONTHS.**

**THE MIT AND HARVARD RESEARCHERS HAVE SUCCESSFULLY CREATED PATCHES OF RHYTHMICALLY CONTRACTING CARDIAC MUSCLE FROM RAT STEM CELLS. IT WILL TAKE SOME WORK TO BUILD UP HUMAN HEART MUSCLE THICK ENOUGH TO BE USEABLE, AND TO DEVELOP HEART VALVES AND OTHER ORGANS. SCIENTISTS COULD ALSO TEST NEW DRUGS ON SYNTHETIC TISSUE, THUS SPARING WOULD-BE LAB ANIMALS FROM UNDERGOING EXPERIMENTAL TREATMENTS.**

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**THE ARENA GOES ABROAD**

**2 MEN FACE DEATH IN AFGHANISTAN OVER CONTROVERSIAL TRANSLATION OF QURAN**

**2/6/09**

**NO ONE KNOWS WHO BROUGHT THE BOOK TO THE MOSQUE, OR AT LEAST NO ONE DARES SAY. THE POCKET-SIZE TRANSLATION OF THE QURAN HAS ALREADY LANDED SIX MEN IN PRISON IN AFGHANISTAN AND LEFT TWO OF THEM BEGGING JUDGES TO SPARE THEIR LIVES. THEY'RE ACCUSED OF MODIFYING THE QURAN AND THEIR FATE COULD BE DECIDED SUNDAY IN COURT.**

**THE TRIAL ILLUSTRATES WHAT CRITICS CALL THE UNDUE INFLUENCE OF HARDLINE CLERICS IN AFGHANISTAN, A MAJOR HURDLE AS THE COUNTRY TRIES TO ESTABLISH A LAWFUL SOCIETY AMID WAR AND MILITANT VIOLENCE.**

**THE BOOK APPEARED AMONG GIFTS LEFT FOR THE CLERIC AT A MAJOR KABUL MOSQUE AFTER FRIDAY PRAYERS IN SEPTEMBER 2007. IT WAS A TRANSLATION OF THE QURAN INTO ONE OF AFGHANISTAN'S LANGUAGES, WITH A NOTE GIVING PERMISSION TO REPRINT THE TEXT AS LONG AS IT WAS DISTRIBUTED FOR FREE.**

**SOME OF THE MEN OF THE MOSQUE SAID THE BOOK WOULD BE USEFUL TO AFGHANS WHO DIDN'T KNOW ARABIC, SO THEY TOOK UP A COLLECTION FOR PRINTING. THE MOSQUE'S CLERIC ASKED AHMAD GHAWS ZALMAI, A LONGTIME FRIEND, TO GET THE BOOKS PRINTED.**

**BUT AS SOME OF THE 1,000 COPIES MADE THEIR WAY TO CONSERVATIVE MUSLIM CLERICS IN KABUL, WHISPERS BEGAN, THEN AN OUTCRY.**

**MANY CLERICS REJECTED THE BOOK BECAUSE IT DID NOT INCLUDE THE ORIGINAL ARABIC VERSES ALONGSIDE THE TRANSLATION. IT'S A PARTICULARLY SENSITIVE DETAIL FOR MUSLIMS, WHO REGARD THE ARABIC QURAN AS WORDS GIVEN DIRECTLY BY GOD. A TRANSLATION IS NOT CONSIDERED A QURAN ITSELF, AND A MISTRANSLATION COULD WARP GOD'S WORD.**

**THE CLERICS SAID ZALMAI, A STOCKY 54-YEAR-OLD SPOKESMAN FOR THE ATTORNEY GENERAL, WAS TRYING TO ANOINT HIMSELF AS A PROPHET. THEY SAID HIS BOOK WAS TRYING TO REPLACE THE QURAN, NOT OFFER A SIMPLE TRANSLATION. TRANSLATED EDITIONS OF THE QURAN ABOUND IN KABUL MARKETS, BUT THEY INCLUDE ARABIC VERSES.**

**THE COUNTRY'S POWERFUL ISLAMIC COUNCIL ISSUED AN EDICT CONDEMNING THE BOOK.**

**"IN ALL THE MOSQUES IN AFGHANISTAN, ALL THE MULLAHS SAID, 'ZALMAI IS AN INFIDEL. HE SHOULD BE KILLED,'" ZALMAI RECOUNTED AS HE SAT OUTSIDE THE CHIEF JUDGE'S CHAMBERS WAITING FOR A RECENT HEARING.**

**ZALMAI LOST FRIENDS QUICKLY. HE WAS CONDEMNED BY COLLEAGUES AND EVEN BY OTHERS INVOLVED IN THE BOOK'S PRINTING. A MOB STONED HIS HOUSE ONE NIGHT, SAID HIS BROTHER, MAHMOOD GHAWS.**

**POLICE ARRESTED ZALMAI AS HE WAS FLEEING TO PAKISTAN, ALONG WITH THREE OTHER MEN THE GOVERNMENT SAYS WERE TRYING TO HELP HIM ESCAPE. THE PUBLISHER AND THE MOSQUE'S CLERIC, WHO SIGNED A LETTER ENDORSING THE BOOK, WERE ALSO JAILED.**

**THERE IS NO LAW IN AFGHANISTAN PROHIBITING THE TRANSLATION OF THE QURAN. BUT ZALMAI IS ACCUSED OF VIOLATING ISLAMIC SHARIAH LAW BY MODIFYING THE QURAN. THE COURTS IN AFGHANISTAN, AN ISLAMIC STATE, ARE EMPOWERED TO APPLY SHARIAH LAW WHEN THERE ARE NO APPLICABLE EXISTING STATUTES.**

**AND AFGHANISTAN'S COURT SYSTEM APPEARS TO BE STACKED AGAINST THOSE ACCUSED OF RELIGIOUS CRIMES. JUDGES DON'T WANT TO SEEM SOFT ON POTENTIAL HERETICS AND LAWYERS DON'T WANT TO BE SEEN DEFENDING THEM, SAID AFZAL SHURMACH NOORISTANI, WHOSE AFGHAN LEGAL AID GROUP IS DEFENDING ZALMAI.**

**THE PROSECUTOR WANTS THE DEATH PENALTY FOR ZALMAI AND THE CLERIC, WHO HAVE NOW SPENT MORE THAN A YEAR IN PRISON.**

**SENTENCES ON RELIGIOUS INFRACTIONS CAN BE HARSH. IN JANUARY 2008, A COURT SENTENCED A JOURNALISM STUDENT TO DEATH FOR BLASPHEMY FOR ASKING QUESTIONS ABOUT WOMEN'S RIGHTS UNDER ISLAM. AN APPEALS COURT REDUCED THE SENTENCE TO 20 YEARS IN PRISON. HIS LAWYERS APPEALED AGAIN AND THE CASE IS PENDING.**

**IN 2006, AN AFGHAN MAN WAS SENTENCED TO DEATH FOR CONVERTING TO CHRISTIANITY. HE WAS LATER RULED INSANE AND WAS GIVEN ASYLUM IN ITALY. ISLAMIC LEADERS AND THE PARLIAMENT ACCUSED PRESIDENT HAMID KARZAI OF BEING A PUPPET FOR THE WEST FOR LETTING HIM LIVE.**

**NOORISTANI, WHO IS ALSO DEFENDING THE JOURNALISM STUDENT, SAID HE AND HIS COLLEAGUES HAVE RECEIVED DEATH THREATS.**

**"THE MULLAHS IN THE MOSQUES HAVE SAID WHOEVER DEFENDS AN INFIDEL IS AN INFIDEL," NOORISTANI SAID.**

**THE LEGAL AID ORGANIZATION, WHICH USUALLY REPRESENTS IMPOVERISHED DEFENDANTS, IS DEFENDING ZALMAI BECAUSE NO ONE ELSE WOULD TAKE THE CASE.**

**"WE WENT TO ALL THE LAWYERS AND THEY SAID, 'WE CAN'T HELP YOU BECAUSE ALL THE MULLAHS ARE AGAINST YOU. IF WE DEFEND YOU, THE MULLAHS WILL SAY THAT WE SHOULD BE KILLED.' WE WENT SIX MONTHS WITHOUT A LAWYER," ZALMAI SAID OUTSIDE THE JUDGE'S CHAMBERS.**

**THE PUBLISHER WAS ORIGINALLY SENTENCED TO FIVE YEARS IN PRISON. ZALMAI AND THE CLERIC WERE SENTENCED TO 20, AND NOW THE PROSECUTOR IS DEMANDING THE DEATH PENALTY FOR THE TWO AS A JUDGE HEARS APPEALS.**

**NEARLY EVERYONE IN COURT CLAIMS IGNORANCE NOW.**

**THE MOSQUE'S MULLAH SAYS HE NEVER READ THE BOOK AND THAT HE WAS DUPED INTO SIGNING THE LETTER. THE PRINT SHOP OWNER SAYS NEITHER HE NOR ANY OF HIS EMPLOYEES READ THE BOOK, NOTING THAT IT'S ILLEGAL FOR THEM TO READ MATERIALS THEY PUBLISH.**

**ZALMAI PLEADED FOR FORGIVENESS BEFORE A JANUARY HEARING, SAYING HE HAD ASSUMED A STAND-ALONE TRANSLATION WASN'T A PROBLEM.**

**"YOU CAN FIND THESE TYPES OF TRANSLATIONS IN TURKEY, IN RUSSIA, IN FRANCE, IN ITALY," HE SAID.**

**WHEN THE CHIEF JUDGE LATER BANGED HIS GAVEL TO SILENCE SHOUTING LAWYERS AND NODDED AT ZALMAI TO EXPLAIN HIMSELF, THE DEFENDANT STOOD AND CHANTED QURANIC VERSES AS PROOF THAT HE WAS A DEVOUT MUSLIM WHO SHOULD BE FORGIVEN.**

**SHARIAH LAW IS APPLIED DIFFERENTLY IN ISLAMIC STATES. SAUDI ARABIA CLAIMS THE QURAN AS ITS CONSTITUTION, WHILE MALAYSIA HAS SEPARATE RELIGIOUS AND SECULAR COURTS.**

**BUT SINCE THERE IS NO ULTIMATE ARBITER OF RELIGIOUS QUESTIONS IN AFGHANISTAN, JUDGES MUST STRIKE A BALANCE BETWEEN THE COUNTRY'S LAWS AND PROCLAMATIONS BY CLERICS OR THE ISLAMIC COUNCIL, CALLED THE ULEMA COUNCIL.**

**JUDGES ARE "SO NERVOUS ABOUT ANNOYING THE ULEMA COUNCIL AND BEING CRITICIZED THAT THEY TEND TO PUSH THE ISLAMIC CASES ASIDE AND JUST DEFER TO WHAT OTHERS SAY," SAID JOHN DEMPSEY, A LEGAL EXPERT WITH THE U.S. INSTITUTE OF PEACE IN KABUL.**

**DEFERRING TO THE COUNCIL MEANS THAT EDICTS ISSUED BY THE GROUP OF CLERICS CAN INFLUENCE RULINGS MORE THAN LAWS ON THE BOOKS OR A JUDGE'S OWN INTERPRETATION OF SHARIAH LAW, HE SAID.**

**JUDGES HAVE TO BE CAREFUL ABOUT WHOM THEY MIGHT ANGER WITH THEIR RULINGS. IN SEPTEMBER, GUNMEN KILLED A TOP JUDGE WITH AFGHANISTAN'S COUNTER-NARCOTICS COURT. OTHER JUDGES HAVE BEEN GUNNED DOWN AS WELL.**

**MAHMOOD GHAWS SAID THAT EVEN IF HIS BROTHER IS FOUND INNOCENT, THEIR FAMILY WILL NEVER BE TREATED THE SAME.**

**"WHEN I GO OUT IN THE STREET, PEOPLE DON'T SAY HELLO TO ME IN THE WAY THEY USED TO," HE SAID. "THEY DON'T ASK AFTER MY FAMILY."**

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**FAMOUS QUOTES**

**HUGO LAFAYETTE BLACK (1886–1971) 85 YEARS.**

**HE WAS AN AMERICAN POLITICIAN AND JURIST. A MEMBER OF THE DEMOCRATIC PARTY, BLACK REPRESENTED THE STATE OF ALABAMA IN THE UNITED STATES SENATE FROM 1926 TO 1937, AND SERVED AS AN ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES FROM 1937 TO 1971. BLACK WAS NOMINATED TO THE SUPREME COURT BY PRESIDENT FRANKLIN D. ROOSEVELT AND CONFIRMED BY THE SENATE BY A VOTE OF 63 TO 13. HE WAS FIRST OF NINE ROOSEVELT NOMINEES TO THE COURT, AND WITH THE EXCEPTION OF WILLIAM O. DOUGLAS, HE OUTLASTED THEM ALL. BLACK IS WIDELY REGARDED AS ONE OF THE MOST INFLUENTIAL SUPREME COURT JUSTICES IN THE 20TH CENTURY.**

**"(THE FIRST AMENDMENT) ITS FIRST AND MOST IMMEDIATE PURPOSE RESTED ON THE BELIEF THAT A UNION OF GOVERNMENT AND RELIGION TENDS TO DESTROY GOVERNMENT AND DEGRADE RELIGION."**