

the power of the caliphs was made possible by the transformation of the military and bureaucratic office of the proto-*qadi* into a more narrowly defined but increasingly independent role of the *qadi* as judge. Regarding legal methodology, the declining influence of the rationalists (*ahl al-ra'y*) in favor of the traditionalists (*ahl al-hadith*) culminated in a "great synthesis" of the two approaches to legal reasoning that established the parameters of legal thought in Sunni Islam. In the final stage of development, the Sunni juristic "schools" (*maddhab*) were established through a process of scholarship that evolved throughout the formative period from scholarly circles to personal schools, culminating in four primary doctrinal schools whose scholarship was then projected back to an eponym, such as Shafi'i. The formation of Islamic law is thus revealed as series of related dynamic processes that built upon existing customs and norms, but rapidly took form as an entirely new and distinctive system of legal thought, institutions, and practices.

The important and difficult relationship of law and the legal scholars to the body politic and the caliphs surfaces throughout the text (for example, in the development of the office of the *qadi*, as noted earlier), but is also the subject of a separate chapter near the end of the book. Here Hallaq convincingly demonstrates that by the end of this formative period Islam possessed a functional rule of law, consisting of a separation and balance of power between the independent 'ulama' and, especially, the legal scholars (*fuqaha*) on the one hand, and the caliphs and the governmental bureaucracy on the other. This was made possible by popular support for the scholars who, unlike the government, had close daily contact with the population, and were respected or even revered by the people for their religious values and civic leadership. Consequently, the caliphs' need for political legitimacy could be obtained only through the support of the scholars. At the same time, the scholars depended on the government for financial and other assistance, so their indepen-

dence was limited by the need to maintain reasonably good relations with the ruling authorities, though they did not hesitate to challenge the government when important issues were at stake. Hallaq shows how this separation and balance of power, though subject to occasional strains, was ultimately due to the fact that "Islamic law did not emerge out of the machinery of the body politic, but rather arose as a private enterprise initiated and developed by pious men who embarked on the study and elaboration of law as a religious activity" (p. 204). The edifice of Islamic law, whose creation is so well depicted in Hallaq's book, supported a rule of law that lasted until the 19th century, when this edifice and the rule of law that it supported were dismantled by Western forces of colonialism and modernity.

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MODERN HISTORY AND POLITICS

Deadly Connections: States that Sponsor Terrorism, by Daniel Byman. Cambridge, UK and New York: Cambridge University Press, 2005, xi + 311 pages. Map. Appendix to p. 333. Bibl. to p. 357. Index to p. 369. \$30.

Reviewed by Jeffrey M. Bale

Anyone brave or foolish enough to wrestle with the contentious issue of state sponsorship of terrorism is immediately confronted by several obstacles. The first is a problem that has long corrupted research in the terrorism field: the frequently imprecise, partisan, and indeed propagandistic uses of terms such as "terrorism" and "state sponsorship." The second is the question of whether, in an era when transnational terrorist networks operating in far-flung regions are increasingly dominating the head-

lines, traditional ways of thinking about state sponsorship of terrorism have become outmoded, i.e., an example of “old-think” (p. 2). Although Georgetown University professor Daniel Byman has not managed to resolve all of the thorny issues related to his chosen topic, he deserves credit both for not ignoring these problems and for helping to clarify various matters that have often not been given adequate consideration.

Byman’s focus herein is on “the nexus between terrorist groups and state sponsors” (p. 8), and he defines state sponsorship as “a government’s *intentional assistance* to a terrorist group to help it use violence, bolster its political activities, or sustain [its] organization” (p. 10). Although this focus on active state support for non-state terrorist groups precludes a consideration of acts of terrorism carried out directly by the security forces of particular states, he later devotes an entire chapter to “passive [state] sponsors” who “deliberately turn a blind eye to the activities of terrorists in their countries but do not provide direct assistance” (p. 13). Indeed, the entire middle portion of his book is devoted to illustrative and intrinsically interesting case studies of state sponsorship of terrorism (Iran, Syria, Pakistan, and the Taliban’s Afghanistan).

The first and last portions of *Deadly Connections* are instead more theoretical and/or policy-oriented. In chapter 1, he rightly emphasizes that there are “several types of state sponsorship” of terrorism and offers a typology of four categories of state support: “strong supporters” are states with both the desire and the capacity to support terrorist groups; “weak supporters” are those with the desire but not the capacity to offer significant support; “lukewarm supporters” are those that offer rhetorical but little actual tangible support; and “antagonistic supporters” are those that actually seek to control or even weaken the terrorist groups they appear to be supporting (p. 5). In chapter 2, he correctly notes that “[u]nderstanding motivations is vital both for predicting when a state might support a terrorist group and for determining how to end this backing” (p. 21), and he goes on to

identify three primary motivations that lead states to risk supporting terrorist groups: “strategic” reasons, above all to weaken or destabilize rival regimes; “ideological” reasons, especially to export their doctrines or political systems; and “domestic” reasons, in particular to gain popular support by aiding “oppressed” kinsmen (p. 32). In chapter 3, he argues that states provide six types of support to terrorists: “training and operations; money, arms, and logistics; diplomatic backing; organizational assistance; ideological direction; and (perhaps most importantly) sanctuary” (p. 59). He concludes, perhaps unjustifiably, that terrorist groups that receive significant amounts of state support are far more difficult to counter and destroy than those that do not.

Later, Byman addresses the complex issue of how to stop state sponsorship of terrorism. In chapter 9, he argues that states which support terrorism are difficult to deter, either because they have already calculated that the strategic benefits of sponsoring terrorist groups outweigh the potential costs — inasmuch as sponsoring terrorism is often perceived as vital to their own geopolitical or domestic interests but is not usually viewed as an outright act of war by the states that are victimized — or because they are ideologically driven to do so in spite of those costs. These factors explain why “cutting the deadly connection between states and terrorist groups is difficult at best and impossible at worst...[and why] there is no universal policy or simple response that the United States or other concerned countries can take to get state sponsors out of the terrorism business” (pp. 273-74). It follows that “the coercing power must recognize variations in the motivations of the state sponsor and the type of support it provides” (p. 274) in order to deploy an effective combination of instruments: engagement, political pressure, economic pressure, military action, and/or supporting anti-sponsor radicals. Indeed, using the wrong instruments is likely to induce state sponsors to increase their support to terrorist groups.

Byman’s thoughtful, nuanced analytical approach is far more illuminating than

the usual simplistic discussions of state sponsorship of terrorism. Nevertheless, some of his interpretations are problematic. First, despite his justifiable criticisms of official US government definitions of terrorism (pp. 4, 7), the one he adopts is misleading in that it excludes direct state terrorism, historically the most important and costly type (as the examples of the Khmer Rouge, junta-led Guatemala, and Stalinist Russia demonstrate). Second, although he acknowledges that terrorists have their own agendas and can thus be difficult to control or even turn against their sponsors, he nonetheless often refers to them as “proxies.” In this context, it is crucially important to distinguish between a) basically autonomous terrorist groups pursuing their own extremist agendas that manage to finagle support from states, and b) groups that are essentially the tools of state security agencies hoping to maintain plausible deniability, such as “death squads” in various Third World countries. Third, he exaggerates the importance and extent of actual state sponsorship — as opposed to attempted covert state manipulation — of terrorism during the Cold War, and he is even less justified in suggesting that nowadays “the dynamic between states and terrorist groups may be changing but has become perhaps more important” (p. 2). In reality, today’s global Islamist terrorist networks arguably derive much more benefit from collaborating with weak but ideologically sympathetic states (like the Sudan in the mid-1990s and Taliban-ruled Afghanistan), establishing bridgeheads or sanctuaries in the territories of failed states (like Somalia), and infiltrating Muslim communities in the West than they do from receiving aid from strong states whose instrumental support always comes with strings attached. Indeed, apart from Iran, the primary sponsors of Islamist terrorism have not been “enemy” states at all, but rather elements within the governments of nominal US allies such as Saudi Arabia and Pakistan. This highlights another key issue that Byman alludes to (p. 14) but that deserves more extensive treatment: the need to identify which elements within particular states

are engaged in actively supporting terrorism, since it is often particular factions within the security services rather than actual government leaders who are most complicit in terrorism.

Byman has made a very valuable contribution to our understanding of state sponsorship of terrorism. Yet despite his best efforts to introduce more clarity and rigor into the debates on this important topic, he has perhaps inadvertently reinforced the long-standing tendencies of international relations theorists and policy-makers to pay too much attention to state actors at the expense of global extremist networks. Since this very obsession with the security threats posed by hostile states was in part responsible for the astonishing series of intelligence failures leading up to 9/11, the maintenance of a similar state-centric perspective with regard to terrorism may well end up contributing to future tragedies or policy fiascos.

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Beyond Chutzpah: On the Misuse of Anti-Semitism and the Abuse of History, by Norman G. Finkelstein. Berkeley and Los Angeles, CA: University of California Press. 2005. xi + 226 pages. Appends. to p. 317. Index to p. 332. \$22.50.

Reviewed by Marc Saperstein

Norman Finkelstein, of DePaul University, devotes the first section of *Beyond Chutzpah* to books written by Phyllis Chesler, Gabriel Schoenfeld, and Abraham Foxman about the “New Anti-Semitism.” With considerable sarcasm and scorn (e.g., “Poor Elie [Wiesel] is shocked — shocked!...” (p. 61), he dismisses these discussions of anti-Semitism as exaggerated, hysterical, paranoid, and cynically calculated to parry and taint any criticism of Israel. There is not a word in this section about the undeniably scurrilous anti-Jewish material emanating in abundance from Arabic