

bionic mosquito

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Thursday, January 4, 2018

Israel: 7 Percent Legitimate

[The Libertarian Case for Israel](#), by Alan Futerman, Rafi Farber, and Walter Block.

As a follow-up to [my review of Alison Weir's book, *Against Our Better Judgment: The Hidden History of How the U.S. Was Used to Create Israel*](#), I would like to examine this essay regarding the libertarian case for Israel.

After noting the anti-Israel sentiment in the Arab world, the authors comment:

What is much more vexing is that a similar attitude is pervasive among the libertarian community (and, even, shonda, amongst, happily, a very small percentage of Jews) where Israel is often picked out as a particularly pernicious state relative to almost all others.

I had to look it up: Shonda: shame, disgrace. It is interesting – one might consider such descriptors from a nationalist or religious viewpoint, like “what a disgrace that some Jews hold an anti-Israel position”; but why would this be true from a *libertarian* standpoint? Just because a libertarian happens to be Jewish, does that preclude him from looking negatively on the creation and / or existence of the state of Israel?

The authors note that, of course, libertarians are against all states – but why do some libertarians hold a special hatred of the Israeli state? It is “troubling” to the authors that this is so. They point to an essay by Rothbard as perhaps being the root of this libertarian hatred, with Rothbard pointing to the Six-Day war.

Going far beyond blaming Israel for the Six Day War though, Rothbard insists that the entire State of Israel is illegitimate... What is peculiar about Rothbard's article is that he finds the State of Israel “uniquely pernicious” in that it was supposedly founded on massive land theft and expropriation from Arabs.

Well, it wasn't “supposedly” founded in such a manner – it was *specifically* founded in such a manner. In this massive land theft there is nothing necessarily unique about Israel, the authors point out (although few examples are both as recent and as egregious and continue to drive war even to the present day); they neglect to point out the terrorism that was also present in the founding.

Our thesis...is that Rothbard did not go far back enough in time in analyzing legitimate land claims....

Yes; the Six Day War isn't the issue. The year 1948 is the issue.

Much of the land currently under dispute was homesteaded by Jews before the territory was even called “Palestine,” when it was in fact called “Judea”.

What? *The authors look back to the time of Christ* (they do not refer to the time as this; they refer to it as Roman times), and offer that somewhere up to 3 million Jews populated the land today known as Israel.

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A New Blog

I have decided to start a new blog (and still will continue with this one). The most immediate reason is that the workings of blogger ...

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🗨 **RMB:** I'm more in the camp saying, "inflation is a government policy" than "inflation c ...



These Jews were unjustly murdered or expelled from their lands and sold into slavery after rebelling against the Roman Empire. Since there can be no man-made statute of limitations in libertarianism...

This is going to be interesting...

...if modern day Jews can prove descent from the original Jewish homesteaders, which we demonstrate they can both culturally and genetically...

The authors do not demonstrate this 2000 year descent in this article, but I believe I am citing only from a summary; I cannot find another, more detailed examination by these authors online.

In any case, I will not take this point seriously. *Culturally?* What on earth does this mean? Westerners share certain cultural characteristics with ancient Greeks. What does this prove about land claims?

Genetically? I am quite certain that virtually everyone of Mediterranean ancestry (including the Palestinian Arabs) has traces of Jewish genes going back to the time of Christ; throw in the expanse of the Ottoman Empire in more recent years and you pretty much cover all of Southern Europe, northern Africa, the Middle East and Central Asia. Do they all have claim to this land?

This is nonsense; correction, this is nonsense on stilts. To lay claim, an individual must demonstrate prior ownership by an ancestor – a specific ancestor; ownership of property that was stolen. Can you imagine the chaos if *culture* or *genes* over thousands of years is sufficient to establish a claim?

...then all land with prodigious evidence of previous Jewish homesteading...

“Prodigious evidence” from 2000 years ago? Evidence that connects specific individuals to specific land claims?

...dated to the time of the fall of Judea, should return to the descendants of the original homesteaders.

“Original homesteaders”? Why stop at the fall of Judea? Did Joshua lead the Jews into unoccupied land? [This site](#) identifies 12 battles of Joshua, eleven of which were instigated by the Israelites. I guess we could go back even further, but you get the point; the point is that the argument presented by the authors is pointless – it is never-ending.

These are modern day Jews, who by and large have never relinquished their claims to their ancient homeland.

I have written enough about this “2000 year” baloney.

Israel never actively expelled Arabs from their homes in the aftermath of the Six Day War, and only allows building of Jewish settlements on vacant, unhomesteaded land.

I have no idea if this is true, but it is irrelevant for my purposes; I only include it here because I expect a few readers will provide a few links to the contrary. The issue isn't the Six Day War; the issue dates to the founding of the State of Israel.

In tackling Rothbard's claims of mass expulsion of Arabs during the 1948 War of Independence, we concede that this did indeed happen in certain isolated cases.

There were 750,000 refugees. This is “isolated”?

But the point is, did they have a right to these areas in the first place?

Arabs lived in the land continuously for thousands of years; multiple generations can be specifically traced and identified.

In fact, the population that was ethnically cleansed were the Jews of Arab countries (about 850,000), who were expelled and expropriated after the creation of the State of Israel.

As they say, payback is a *****. Those Arab countries probably had to make room for all of the Palestinian refugees that they took on; and the Zionists of Israel no doubt cooperated fully in the Jewish expulsion from Arab lands – as they had regarding Jews throughout Europe.

🗨 **bionic mosquito:** "Now, I view Revelation as applying specifically to the Jewish society and the city of Jerusale ... >

🗨 **Roger:** "But look: the Dow, the S&P, and the Nasdaq are all at record highs! So things are great!" >

🗨 **Anonymous:** I continue to read your writings. Sensible and enjoyable. Thank you. Peg >

🗨 **Roger:** Thank you. I will take a look. >

🗨 **Deacon Patrick:** Christ is Risen! Hi Roger, I have been watching videos on the site www.youtube. ... >

🗨 **Roger:** "That optimism is quite at odds with the postmillennial obsession with things getting increasin ... >

🗨 **bionic mosquito:** I don't know what else a Christian could do other than work to improve the world via Christ, and ... >

🗨 **bionic mosquito:** I always appreciate your work. >

🗨 **Deacon Patrick:** Recently, I have been following the website, "Eschatology Matters". It is an Evangelical s ... >

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Finally, regarding the legitimacy of Israel as a state, even according to Israel's most vociferous critics of which Rothbard was one, 7% of pre-1948 Palestine was purchased legitimately by Jews.

As noted in the title, Israel is 7% legitimate.

Conclusion

Every single person on earth, if the ancestry is traced back far enough (and 2000 years is more than far enough – a few hundred years is probably far enough), has a history of both victim and perpetrator. What are we supposed to do with that? The authors have made a libertarian case for a war of all against all.

Let's deal in reality: there are between 30,000 and 50,000 Palestinian refugees from 1948 still alive today who have a direct claim to property in Israel, property that was stolen from them. There are almost 5 million registered direct descendants of the 750,000 refugee property owners alive today.

If one is to speak of a legitimate claim on stolen property, one can only deal in such specific terms – specific individuals (including specific descendants) with specific claims; to do anything else invites chaos.

There is nothing "libertarian" about the case made in this essay for Israel.

Posted by [bionic mosquito](#) at 3:48 AM



Labels: [non-aggression principle](#), [war](#)

41 comments:



Veterans for Peace Indianapolis January 4, 2018 at 6:28 AM

This is a case of realpolitik in the media: Block gets to get published in The Forward and expose people to some libertarian thinking and hopefully someone will google Rothbard and read more.

If he published a tighter essay, more in line with yours, would it have been published at all?

[Reply](#)

Anonymous January 4, 2018 at 8:31 AM

Not impressive for Dr Block. He writes that ownership is 9/10 of the law. Furthermore, his own area of New Orleans should immediately go back to the any remaining ancestors of the native population of that area OR to any ancestors of the colonizing French as Napoleon did not have a legitimate claim to the Louisiana Purchase.

And the best one is Hawaii. For whatever fruit company to take over Hawaii, they recognized the queen as the owner of the islands. Ergo, by Block's logic the current king owns every inch of those islands and therefore one of the wealthiest people on Earth. So hit the road US Navy, US Army, millions of others, the King is back.

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JaimeInTexas January 4, 2018 at 12:02 PM

Hawaii was the first thing I thought of, too.
How about Alaska?
The westward expansion?

RE. the 6-day war

A few years ago, a bunch of documents were released that put into question as to who started that little war. I may still play a role in your discussion.

Documents from IDF archive shed new light on Six-Day War
48 years after the Six-Day War, documents released by the IDF paint a picture of the mounting tensions in the run-up to the war and the moments of triumph etched deeply in Israeli minds.

<https://www.ynetnews.com/articles/0,7340,L-4665441,00.html>

'There were great intelligence failures before the Six Day War'

Newly released documents release extent of intelligence failures before Six Day War. So how did Israel win?



JaimeInTexas January 4, 2018 at 12:13 PM

Israeli Prime Minister After Six-Day War: 'We'll Deprive Gaza of Water, and the Arabs Will Leave'

Declassified minutes of security cabinet sessions in the months after the Six-Day War show government ministers who were at a loss to deal with its implications

<https://www.haaretz.com/israel-news/.premium-1.823075>

From the linked article, a quote of Education Minister Zalman Aranne. Has much changed since '67?

"The way I know the Jewish people in Israel and the Diaspora, after all the heroism, miracles and wonders, a Jewish state in which there are 40 percent Arabs is not a Jewish state. It is a fifth column that will destroy the Jewish state. It will be the kiss of death after a generation or a generation and a half," he warned.



JaimeInTexas January 4, 2018 at 2:35 PM

It should have been "It may still play a role in your discussion."

By "It" I mean the 6-day war.

[Reply](#)

Anonymous January 4, 2018 at 10:44 AM

This land is mine...

<https://m.youtube.com/watch?v=4pKMV6e5kEo>

[Reply](#)



A Texas Libertarian January 4, 2018 at 11:50 AM

"Rothbard insists that the entire State of Israel is illegitimate... What is peculiar about Rothbard's article is that he finds the State of Israel "uniquely pernicious" in that it was supposedly founded on massive land theft and expropriation from Arabs."

Yet another example of Rothbard being the tireless and fearless pursuer and purveyor of truth that he was.

I'm glad you brought up the indefensible wars of invasion under Joshua. How is that any more legitimate (in a libertarian sense) than Rome's expulsion of the Jews after the Jewish War?

[Reply](#)

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Anonymous January 10, 2018 at 6:48 AM

There isn't enough evidence of Joshua's invasion or current Jewish descent from the people he led, so no case can be made from that. There is plenty of evidence of Jewish homesteading from Roman times and current Jewish descent from those people. A private court probably would not go for a case based on Joshua. But a private court might grant Kohanim (Jews of priestly descent) ownership of the Temple Mount by shares. There is plenty of evidence that they built it in Herod's time, and plenty of evidence that current Jews of priestly descent are direct descendants of those homesteaders. Their claim to it has never been relinquished.



Jack January 10, 2018 at 10:24 PM

@thejewishlibertarian

"There is plenty of evidence of Jewish homesteading from Roman times and current Jewish descent from those people..."

Not in the real world.

[Reply](#)

Anonymous [January 4, 2018 at 11:53 PM](#)

"I believe I am citing only from a summary; I cannot find another, more detailed examination by these authors online."

Try this:

<https://thejewishlibertarian.com/israel-vs-rothbard/>

Jason Walt

[Reply](#)

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bionic mosquito [January 5, 2018 at 5:44 AM](#)

Thank you.

[Reply](#)



Kojak's Dad [January 5, 2018 at 3:44 AM](#)

I have been following Rafi Farber for several years. He's an articulate and principled libertarian...though I cannot follow him to his conclusion that Jews are morally entitled to all the land in Greater Israel. To his credit, he does not advocate using violence against his Arab neighbors (he is one of the settlers in Sumaria), but rather advocates buying them out and telling them to 'go away.' As harsh as that sounds, it is a defensible position. When I have posed the question "what if they choose not to be bought out?" his answer was (I believe) that they could stay. The undercurrent of his argument is, however, that the Jews are entitled to the land and that buying out the Arabs is a matter of practicality, not morality.

I generally like Rafi, and reading him has given me a deeper appreciation of the intractability of the Arab/Israeli conflict. There is no prospect for peace if the goal is ethnic or religious purity, and certainly on the Israeli side there are strong feelings that all the land of Greater Israel should belong only to Jews.

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bionic mosquito [January 5, 2018 at 5:47 AM](#)

"He's an articulate and principled libertarian..."

Does Rafi Farber advocate for open borders for Israel? We are told, after all, that open borders is the only principled libertarian position.

Anonymous [January 5, 2018 at 6:03 AM](#)

Who theory of purchase impossible. The possible places for these people to relocate to will rise in prices and you will need to deal with hold outs that will not sell for any price. Then what do you do with religious or other cultural properties? How much is the Gold Dome facility worth? How do you provide access for these people to these places? Who maintains the roads and other services providing this access?

The only answer is not libertarian which is to kick the holdouts and simply force the people to go through some immigration process to get to their places of worship and congregation.



Kojak's Dad [January 5, 2018 at 4:14 PM](#)

Bionic: I don't recall him writing about borders one way or the other, but since I know Rafi is an anarchist, he would probably use the Rothbard argument in favor of strict individual property rights without concern for artificial state boundaries.



bionic mosquito [January 5, 2018 at 7:29 PM](#)

What I am after is a specific essay specifically about open borders for Israel by a libertarian who claims that open borders is the only proper libertarian position. I don't want a general "open borders is for everyone" essay.

I have no idea if Rafi is one of these open borders libertarians, so I will not add him to my list. See here:

<http://bionicosquito.blogspot.com/2017/08/open-borders-for-israel.html>

I could add Block to the list.

Anonymous [January 10, 2018 at 6:41 AM](#)

Hey bionic mosquito etc. - Let me clarify two things. I do not believe Jews are entitled to any part of the land of Israel that they or previous generations of Jews have not homesteaded. A Jew has no right to take anyone's property on the argument that "God gave it to me." I do believe Jews have a religious obligation to homestead and/or purchase all of Biblical Israel though, but this is not a libertarian point. On open borders, political borders don't mean anything, so if that means open borders I'm for it.

Anonymous [January 10, 2018 at 6:42 AM](#)

Hey bionic mosquito etc. - Let me clarify two things. I do not believe Jews are entitled to any part of the land of Israel that they or previous generations of Jews have not homesteaded. A Jew has no right to take anyone's property on the argument that "God gave it to me." I do believe Jews have a religious obligation to homestead and/or purchase all of Biblical Israel though, but this is not a libertarian point. On open borders, political borders don't mean anything, so if that means open borders I'm for it.



bionic mosquito [January 10, 2018 at 6:43 PM](#)

Rafi, I think you open a hornet's nest if you try to claim that under the NAP "previous generations" is enough to establish ownership absent a direct claim - one real individual reaching back 2000 years (in your argument) and demonstrating that Nicodemus was his ancestor and Nicodemus owned property X.

You will create a war of all against all, because every individual on earth has, in their past generations, been both victim and perpetrator of equal atrocities.

As to open borders, my point is simple: one cannot derive open borders from the non-aggression principle; further, in a world of state borders, there is no libertarian answer to managing state borders.

My second point: I am waiting for any open borders libertarian to write an argument in favor of open borders for Israel - right now, today.

That's it. Simple.

[Reply](#)



JaimeInTexas [January 5, 2018 at 7:40 AM](#)

IN a Libertarian society, can a violation of the NAP include the taking of the violator's property?

Is there even such thing as a Libertarian society?

[Reply](#)

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Matt@Occidentalism.org [January 5, 2018 at 8:21 AM](#)

Jamie,

What I hear is that you can do whatever you like to a violator under the aegis of the NAP. For example, if a child trespasses into your apple orchard and you catch him or her red-handed, then you are allowed under the NAP to punish the child by having sex with the child, or any other punishment including sacrificing the child to a dark god to use the child's blood to make unleavened bread.

This, and open borders (for the West, not for Israel - for G-d's sake we aren't antisemitic) are non-negotiable libertarian principles, straight from the mouths of the best libertarians, believe me.

[JaimeInTexas](#) [January 5, 2018 at 10:08 AM](#)



I remember.

I am asking specifically about taking property, as in land. Surely, the worse thing that a Libertarian could contemplate. Can a human be a person, have an existence, in a pure Libertarian world and not be a slave?

I am talking about PRIVATE LAND (1) not a wayward product of evolutionary happenstance.

(1) my attempt at some high pitched, hysterical, shrieking, intonation.



A Texas Libertarian January 5, 2018 at 1:10 PM

Matt,

"if a child trespasses into your apple orchard and you catch him or her red-handed, then you are allowed under the NAP to punish the child by having sex with the child, or any other punishment including sacrificing the child to a dark god to use the child's blood to make unleavened bread."

Seriously? This is your contribution to the discussion?

The NAP does not authorize raping a child. This is a classic leftist appeal to emotion with no basis in fact or logic. Congratulations.

NAP does not have a set punishment theory, but I believe that a proportional system of punishment is the most just and in line with the undercurrent of reciprocity (the Golden Rule) found in libertarian thought. To the extent you deprive someone of their rights, yours are forfeit unless you pay the victim restitution.



JaimelnTexas January 5, 2018 at 4:47 PM

Can a human be a person, have an existence, without owning property in a pure Libertarian world and not be a slave?



bionic mosquito January 5, 2018 at 7:22 PM

ATL

It was argued by Robert Wenzel that in a libertarian order a property owner is free to choose whatever punishment he chooses for someone who has initiated aggression against him or his property.

I replied something to the effect: so, the farmer can shoot a child for picking an apple from his orchard?

Wenzel stuck to his guns: value is subjective, who else can decide for the farmer what the apple is worth, blah, blah, blah.

Then he tried to switch it from punishment to the act of attempting to stop the perpetrator (which is a very different scenario). In other words, the victim of an ongoing crime is free to stop the crime in any way he wants - you know, like if a six year old is walking out of your store with a \$1 candy bar.

I quit reading Wenzel after this.

I believe Rothbard and Block hold to this second view (active crime) - not the first (punishment). I might be wrong about this.

So Matt is just offering his take on what these libertarian philosophers have stated.

I am pulling this from memory, but I am pretty sure I got it right - Matt can correct if necessary and I could probably find my posts of this exchange if it is important to you.

My point: don't blame Matt for this.



bionic mosquito January 5, 2018 at 7:32 PM

should read: you know, like if a six year old is walking out of your store with a \$1 candy bar, you can shoot him.



Matt@Occidentalism.org January 5, 2018 at 7:37 PM

"I am pulling this from memory, but I am pretty sure I got it right - Matt can correct if necessary and I could probably find my posts of this exchange if it is important to you."

That's right.

As for Wenzel, I specifically asked him REPEATEDLY whether child abuse would be acceptable as a punishment, and he refused to rule it out. He even refused to rule out pedophile communities that abused children.

Needless to say, its freaking unbelievable and I stopped reading his site too. I also mentioned that if his "Private Property Society" were to come into being, I would work to destroy it (with violence, not words).

[Reply](#)



Matt@Occidentalism.org January 5, 2018 at 11:27 AM

I think you have your questions back to front.

The answer to the second is NO, you could hardly live any life at all. You would be a visitor on all lands, and have to pay such rents or tolls, or otherwise provide whatever services required to the owner of the land in which you are currently present.

As for the first, I don't think libertarian theory makes distinctions between property as in land, or property as in your iPhone. All are property.

More to the point one should look at what life would look like under single owner polity. Lets say Hawaii had a single owner. You live there. You would have whatever rights that the owner of Hawaii chooses to give you. You have the right to leave, but not the right to chop down wood to buy a boat, and you don't have access to the airport (its private property and you aren't welcome there). You can never leave.

There is nothing in a true anarchic society that lends itself to self actualization. I think in reality the average person would have much less in terms of what are today considered 'rights' than they would under the system we have today.

The owner of Hawaii could create conditions within Hawaii that increase the probability that you will sell yourself into slavery, per Walter Block. Yes, you will have signed your freedom away "willingly", but the conditions that compelled you to do so would not be of your making. And by the way, most modern slavery is exactly the type of "libertarian slavery" approved of by Walter Block, so I don't think that the New York Times was wrong to describe him as a slavery advocate.

TL;DR The anarchic libertarian society is a nightmare for humanity. f you want a picture of the libertarian anarchic society of the future, imagine a boot stamping on a human face — forever.

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JaimeInTexas January 5, 2018 at 4:52 PM

Interesting that you used Hawaii as an example. A long time ago I was reading to learn what Property In Fee meant and Hawaii was used in some of the materials.

Is the Libertarian world Feudal?

[Reply](#)



Matt@Occidentalism.org January 5, 2018 at 10:45 PM

"Is the Libertarian world Feudal?"

I have asked that question myself. It would lend itself to feudalism in a situation of multiple owners (and they may not be at actual person at the head of the feudalism, however, more like an abundance of baronies). In a single owner it would be more like a plantation, with master and slaves. However, if you consider privileged slaves or oversees to be a nobility of sorts, then that would be feudalism too.

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JaimeInTexas January 6, 2018 at 5:36 AM

Slaves? Hmmm. Better than starving. If unable to peacefully egress then slaves for a time to pay for trespass, rinse, repeat?

The only real commons the air and the oceans?

[Reply](#)



Matt@Occidentalism.org January 6, 2018 at 7:29 AM

"The only real commons the air and the oceans?"

I am curious why you would think the air could not be commoditized. It could be included part of the land, or something that is sold separately. Payment could be organized along the lines of a poll tax. As for the ocean, it is easily partitioned.

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[Replies](#)



JaimeInTexas January 6, 2018 at 7:56 PM

The ocean, parts could be privatized: close to shore or an area around floating base.

The air, if it could be done it would require ownership of a very large tract land and, then, by what means? States have done it. Individuals ... to how many feet above? I guess someone could park climbs and ... collect tolls?



JaimeInTexas January 7, 2018 at 8:51 AM

Blimps not climbs.

[Reply](#)



Jack January 7, 2018 at 8:01 PM

Good article and good reviews of Alison Weir's book.

A question: where does Rothbard say 7% of pre-1948 Palestine was purchased legitimately by Jews? Actually, much of the 6-7% that was held by Jews before '48 wasn't acquired in a libertarian legitimate way. Much of it was acquired from Palestinians using The Ottoman Land Code of 1858, a very unlibertarian law.

[Reply](#)

[Replies](#)



bionic mosquito January 7, 2018 at 8:59 PM

I did not look into the accuracy of the claim.

[Reply](#)

Anonymous September 4, 2023 at 1:29 PM

I believe you misstate the argument. The point is, most "Palestinians" (that nation is extinct, lol) are Egyptian sharecroppers (check their family names), not land owners at all. Just being in the land to tend the property of the wealthy doesn't give them any property rights according to any legal code, let alone the libertarian one (the terms are fellahin versus effendi). And then, don't forget, the Arab nation joyfully declared a war of genocide against the Jews. The Jews won, so their very lives are all forfeit (2 lives for a life, as I recall Block and Rothbard arguing), let alone their property. Bottom line, Israel is 100% legit.

[Reply](#)

Anonymous September 4, 2023 at 1:56 PM

One more point: The land was acquired mostly from Turks, not "Palestinians" (and by the way, the very word Palestinians used to mean local residents, of whatever religion, e.g., the Jerusalem Post used to be called the "Palestine Post"), and the Jew-hating Turks unfairly denied title to plenty of full-blown Jewish owners. In fact, the land only became desirable as Jews increased emigration, because the land was cursed in many ways (crop failures, wars, natural disasters) when occupied by our enemies (the source of the term "Green line"), exactly as the Bible prophesies (Lev. 26:32). Most of the place was truly ownerless, then Jews "mixed their labor with the land" and acquired it fair and square.

And if you read your Bible, you should know where this is heading. The Jews have returned to their rightful homeland, never to be uprooted again, to repent of the behaviors we picked up from our dear hosts in exile, and onwards and upwards, as God (the true God, the one who kept his word to restore the supposedly eternally Wandering Jew [according to false prophets] back to his land) brings the full and final Redemption for all humanity forever, Amen.

[Reply](#)

[Replies](#)

• [bionic mosquito](#) [September 4, 2023 at 2:31 PM](#)

The lengths true believers will go to justify murder, theft, terrorism, and lies.

• [Anonymous](#) [September 5, 2023 at 5:12 AM](#)

NB, I don't justify the regime.

• [bionic mosquito](#) [September 5, 2023 at 6:08 AM](#)

I am speaking of 1948 and the years and methods preceding this and following it. However, you cannot escape the regime, as the crimes continue.

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