



Walter E. Block
Alan G. Futerman

The Classical Liberal Case for Israel

 Springer

The Classical Liberal Case for Israel

“It is essential to make the liberal case for Israel in order to assure continued bipartisan support. This book makes that case convincingly.”

Alan Dershowitz, Former Felix Frankfurter Professor of Law at Harvard University and Author of *Defending Israel*.

“Classical Liberalism, often associated with the spread West from Northern Europe in creating free nations, is argued here as applying to Israel, with ancient roots in the principles of human freedom.”

Vernon L. Smith, Ph.D., Nobel Prize in Economic Sciences (2002), and Professor, George L. Argyros Endowed Chair in Finance and Economics, Professor of Economics and Law, Smith Institute for Political Economy and Philosophy, at Chapman University.

“Walter Block and Alan Futerman have written what will soon be recognized as the gold standard in defense of the moral and legal rights of the State of Israel to exist. Sweeping in its scope, exhaustive in its research, thorough in its approach, consistent in its philosophical underpinnings, ‘The Classical Liberal Case for Israel’ will deeply resonate with and profoundly challenge all serious thinkers on the rights of the Jewish people. Professor Block is the most intellectually honest academic I have ever known. His extraordinary career has spanned a lifetime of steadfastly influencing many thousands of people – including me – to embrace and understand personal liberty. This is his greatest work.”

Hon. Andrew P. Napolitano, Senior Judicial Analyst, Fox News Channel.
Best-selling author.

“In today’s world, the center of political struggle is shifting towards the confrontation between liberalism and progressivism, between those who believe in human rights and those who divide the world into ‘oppressed and oppressors,’ where oppressed are always right, and oppressors are always wrong. Israel and Zionism will inevitably be at the center of this struggle. That is why the book, which is making a strong liberal case for Zionism and the Jewish State, is very timely and important.”

Natan Sharansky, Former Prisoner of Zion and Deputy Prime Minister of Israel, Former Chairman of the Executive of The Jewish Agency for Israel.

“In novel twist of political scholarship, Block and Futerman write in a take-no-prisoners style by invoking classical liberal thought into the Middle East. These authors are not interested in compromise, but only in clarity and force of their argument to counter the Palestinian claims to Israeli lands. Many may disagree with particular points of their exposition. But no one can deny that their theoretical rigor, when coupled with their mastery of the historical record, makes them redoubtable champions of the Israeli cause.”

Richard Epstein, Ph.D., Laurence A. Tisch Professor of Law and Director Classical Liberal Institute at New York University and Peter and Kirstin Bedford Senior Fellow at the Hoover Institution.

“For 73 years Palestinian terrorists have been conducting an unprovoked aggressive war against the State of Israel with the express intent of ‘finishing the job that Hitler started.’ In waging this genocidal war of aggression they have lied about their own identity, about the land that Israel was created on – it was neither Arab nor ‘Palestinian’ – and about the history of the Jews – the indigenous inhabitants of the Middle East. The Classical Liberal Case for Israel is a welcome antidote to Palestinian lies, whose sole purpose is the destruction of the Jewish state and the ethnic cleansing of its Jews.”

David Horowitz, author of *The Enemy Within: How a Totalitarian Movement Is Destroying America*.

“The only problem with this book is that it took so long for someone to finally write it. Not only does it add to the overwhelming evidence that it’s the rejection of socialism not its adoption that delivers prosperity to the people, but it provides defenders of Israel with an even stronger moral and economic justification for their position. This book is a must read, especially for those Jewish Americans who still advocate the failed socialist policies that hamstringing the Israeli economy until its people found the wisdom to successfully abandon them. Israel still has a long way to go on its journey to becoming a libertarian promised land, but it’s headed in the right direction. If only America would follow her lead.”

Peter Schiff, Host of the Peter Schiff Show Podcast, author of *The Real Crash: America’s Coming Bankruptcy – How to Save Yourself and Your Country*, Chairman of Schiff Gold, and Chief Economist and Market Strategist of Euro Pacific Capital.

“I’ve got to say this book took me by surprise. I’m not a Jew, and don’t have a dog in the Israeli-Palestine conflict. But I’ve always been interested in Israel’s story—starting with reading Leon Uris’ ‘Exodus’ in high school, visiting both Israel and its neighbors quite a few times, and doing the research for my first book, ‘The International Man’.

“I’d never considered that there was a classical liberal case for Israel.

“After reading their thesis there are points I’d argue with my dear friend Walter Block (et al.). Including questions about the conflict between a classical libertarian agenda and that of a state founded on socialist and theocratic principles. But – aside from elements of polemic that are to be expected when arguing a point of view – this book is a genuine education.

“After the first 50 pages it’s tempting to think the basic argument has been laid out, but the entire book is thought provoking and highly engrossing – touching on how property rights originate through homesteading, whether today’s Jews can claim an unbroken line of succession from the time of the destruction of the Temple and the question of Khazar heritage. A strength is that they consider specifics rather than making generalized assertions.

“And it’s a good read.

“Will this work change anybody’s mind? A tricky question, since its subject stirs up so much emotion – the public’s arguments are about feeling much more than about thinking.

“Should you read it? Without question if you’re pro-Palestinian or neutral. And also if you’re on the side of Israel, simply because it presents all sides of the question in an intellectually honest way.”

Doug Casey, World-renowned investment advisor, founder of Casey Research and author of the Crisis Investing series of books, “Totally Incorrect” and with John Hunt, the novels “Speculator,” “Drug Lord,” and “Assassin.”

“A compelling case for Israel, based on classical liberal ideas and the historical record.”

Jesse Fried, Dane Professor of Law, Harvard Law School.

“For a hundred and fifty years, supporters of Jewish nationalism have made their case on historical, cultural, religious, socialist, humanitarian and other grounds. Block and Futerman now offer their classical liberal argument for Zionism.”

Douglas Feith – Senior Fellow, Hudson Institute, and former US Under Secretary of Defense for Policy.

“An unusual – and most welcome – analysis of the case for Israel from a classical liberal perspective. It will go a long way in overcoming historical myth and resolving the tension some classical liberals feel between freedom and national identity.”

Sam Peltzman, Ph.D., The Ralph and Dorothy Keller Distinguished Service Professor Emeritus of Economics at the Booth School of Business, University of Chicago.

“The authors present a painstakingly clear and unapologetic case for the legitimacy of Israel, based on the historical record, and through the lens of classical liberal values. With anti-Zionism sweeping the world’s international organizations and American campuses, this book could not have been published at a more opportune time.”

Jay P. Lefkowitz, Adjunct Professor at Columbia Law School, former Deputy Assistant to President George W. Bush, and former U.S. Special Envoy for Human Rights in North Korea.

“The Classical Liberal Case for Israel is a careful and nuanced analysis of Israel’s history as the homeland of the Jewish people. The authors provide a thorough and accurate depiction of the historical record, including a valuable critique of the work of the new historians, to show not just the foundational record in support of Israel but the powerful case for Israel from a liberal perspective. The book is a triumph, providing clarity amidst heated political rhetoric.”

Steven Davidoff Solomon, Professor of Law, New York Times “Deal Professor,” and Faculty Co-Director Berkeley Center for Law and Business, U.C. Berkeley School of Law.

“The Classical Liberal Case for Israel is a comprehensive and deeply researched defense of Israel. More than 70 years after the state’s establishment, attacks on its legitimacy and misrepresentation of its character persist despite widespread acceptance and recognition of its achievements. For those who are open to unbiased examination of the debate, this book is a necessary and compelling read.”

Ilan Troen, Ph.D., Stoll Chair in Israel Studies, emeritus, Ben-Gurion University of the Negev (Israel) and Stoll Family Chair in Israel Studies, Brandeis University (USA).

“In this monumental undertaking, the authors thoroughly and systematically lay out the case for Jewish property rights in the Land of Israel, based on liberal principles and historical facts.”

Moshe Koppel, Ph.D., Chairman, Kohelet Policy Forum, and Professor at the Computer Science Department at Bar-Ilan University.

“This work provides a welcome – and sorely needed – counterweight against the accumulation of biased anti-Israeli screeds that masquerade as academic research. The authors construct an impressive intellectual edifice that debunks the prevailing anti-Israeli narrative – or rather, myths – that dominate the academic discourse on the Israeli-Arab conflict in general, and the Israeli-Palestinian one, in particular. They argue persuasively that while Zionism and Israel are the product of the practical implementation of principles of classical liberalism and libertarianism, anti-Zionism is, in effect, an endeavor to supplant it with a regime of destructive tyranny. Thus, contrary to the claims of its detractors, Israel was not built with the aim of expelling, robbing, and destroying others, but of creating, developing, and thriving itself. Accordingly, the authors succinctly encapsulate the clash between Zionism and anti-Zionism as a ‘fight between those who want to build, and those who want to destroy.’ It is a book that should be read by all who have an interest in both the history and the future of the Middle East as well as the fate of the people who populate it.”

Martin Sherman, Ph.D., Founder and CEO of The Israel Institute for Strategic Studies.

“This is a well-researched, in depth analysis of the problems that Israel faces.”

Moshe Dann, Ph.D., Research Associate, The Israel Institute for Strategic Studies.

“Two groundbreaking contributions to Western Civilization – the Austrian School and Modern Zionism – are one and a half centuries old, and their triumph has become manifest in recent times.”

“Bridging these two successful trends was long overdue. With their book, Block and Futerman ingeniously built the winning bridge.”

Dr. Gustavo Perednik, Author, Former Lecturer at The Hebrew University of Jerusalem and others.

“The ‘Classical Liberal Case for Israel’ is an exhaustive examination and compilation of well foot-noted historical accounts of the Jewish presence in the Holy Land during the past 2000 years, since the illegal Roman occupation and

expulsion. The Jews are clearly the historical indigenous people of Israel and have remained attached to the land both physically and emotionally, against all the odds. This thoroughly researched book is a welcome reminder for both friends and foes, alike."

Kenneth Abramowitz, Co-Founder and Managing General Partner of NGN Capital, Threat Analyst and author of *The Multifront War*.

*"At a time when the millenarian Jewish attachment to the Land of Israel, recognized 100 years ago by the League of Nations as 'the grounds for reconstituting their national home in the country,' has been obliterated from public memory by decades of relentless anti-Israel and anti-Semitic propaganda, reclaiming the historical truth is not only a scholarly necessity but a prerequisite for Arab-Jewish reconciliation. This is why *The Classical Liberal Case for Israel* is a must read."*

Efraim Karsh, Ph.D., Emeritus Professor of Middle East & Mediterranean Studies, King's College London.

*"I view the Bible as both the contentious title deed to the Land of Israel and the defining document of western morality. It is also a comprehensive matrix of human coexistence and as such, it contains relatively few ritualistic regulations when compared to its vast compendia on property rights and economic freedom. This is one of the great secrets of the success of Israel, the people of the Book and the land of the Book; Israel in whose defense many books have been written. But, my illustrious friend, Walter Block along with his colleague Alan Futerman, has created the first of such books to be fixed upon such firm footings. *The Classical Liberal Case for Israel* carefully catalogs the compelling congruence between morality and economics, placing Israel at the epicenter of the intellectual turbulence that its existence generates. This book will thrill Israel's admirers with its searing honesty and persuasive linking of cause to effect. Even Israel's detractors will ultimately benefit from this volume because every scholar of integrity welcomes exposure of his weaknesses. All readers interested in the rich story of human progress will enjoy the laser beam of incandescent brilliance this book throws onto Israel, its economic success story, the focal point of the Middle East and pivot point of world politics for millennia."*

Rabbi Daniel Lapin, Author of *Business Secrets from the Bible*, and *Thou Shall Prosper*, and President of the American Alliance of Jews and Christians.

"A hundred years ago, Israel's early political leaders built a country on economic and social philosophies rooted in Marxist socialism. In due time those rigid principles stifled the country's enormous intellectual capital, drove dynamic entrepreneurs to expatriate to freer countries like America, and created destructive fissures in Israel's society. Even when opponents of Marxist Labor socialism ascended to authority when Likud leader Menachem Begin first was elected Prime Minister of Israel in 1977, they found socialism so deeply entrenched in all walks of Israeli life that they could not uproot its underpinnings. As the country's economic realities descended perilously further, only in recent years did dire necessity become

the mother of inventing an emerging 'start-up nation'. But great societal change cannot sustain itself merely by abstract need without a compelling intellectual argument to influence future policy makers. In their book, The Classical Liberal Case for Israel, co-authors Walter Block and Alan Futerman, cogently and impressively make the persuasive case that Israel's future success will be determined in great measure by whether its leaders can supplant the inherited socialist infrastructure that animated early Zionism's Marxist socialist ideologues a century ago with the kind of classically liberal economic and social world view that has proven successful in every economically great contemporary Western country that chose classical liberalism over excessive government asphyxiation."

Rabbi Dov Fischer, Young Israel of Orange County, Adj. Prof. of Law at University of California, Irvine (UCI) School of Law, Contributing Editor, *The American Spectator*, and Former Chief Articles Editor, *UCLA Law Review*.

"One of the amazing things about Israel is this: During roughly half a century it gave the world its most successful example of true socialism, and then, within the span of a few years, it turned around and created one of the world's most dynamic capitalist economies. Many books have been written about Israel by socialist authors. Now, at last, we have a fine treatment from a libertarian perspective. The larger story that Futerman and Block have produced is thoughtful and compelling. Their devastating takedown of Murray Rothbard adds piquancy."

Joshua Muravchik, Ph.D., Author of *Heaven on Earth: The Rise, Fall, and Afterlife of Socialism* and *Making David Into Goliath: How the World Turned Against Israel*.

"This terrific work reminds libertarians why Israel is worth defending -- and why classical liberalism remains an ideological touchstone for the Jewish State."

Ben Shapiro, Author, Editor Emeritus for *The Daily Wire* and Host of *The Ben Shapiro Show*.

"Having escaped the brutality of religious tribalism in Lebanon, and as a staunch defender of the foundational values that define free and enlightened societies, I can attest that Israel is a beacon of hope in a large sea of illiberalism. In a utopian world free of genocidal hate, a nation organized around religious identity would be unnecessary but we do not live in such a world. The Classical Liberal Case for Israel offers a compelling analysis for its existence using a classical liberalism framework. A much-needed book to address many of the falsehoods spread on university campuses."

Gad Saad, Ph.D., Professor of Marketing, Concordia University Research Chair in Evolutionary Behavioral Sciences and Darwinian Consumption (2008–2018), and author of *The Parasitic Mind: How Infectious Ideas Are Killing Common Sense*.

"Israel haters claim the country is formed from massive land theft. In other words, they charge the State of Israel with property rights violation. The Classical Liberal Case for Israel rightly argues that the truth is precisely the opposite. Property rights explain not only why Israel's existence is legitimate, but also just. And why it should

be universally regarded as such. This book is a must-read for anyone who genuinely wants to understand the truth and should certainly be studied by those whose job is to formulate policy on Israel.”

Colonel Richard Kemp CBE, Former Commander of British Forces in Afghanistan.

“The authors argue convincingly for Israel as a libertarian success story. They do so in large part by emphasizing two usually neglected topics: First, Israel was ‘built on both legitimate land purchases as well as legitimate land claims from the past.’ Second, Murray Rothbard’s toxic hostility to Israel resulted from glaring inconsistencies and needs to be rejected. Together, their arguments give libertarians abundant reason to celebrate the Jewish state.”

Daniel Pipes, Ph.D., President, Middle East Forum.

“Israel belongs to the Jews because God said so. Period. But not everyone believes in God and not everyone understands divine justice. For them, The Classical Liberal Case for Israel is a must-read. It argues convincingly that history, common sense, and basic fairness can lead to only one conclusion: Israel’s legitimacy is rock solid.”

Elliot Resnick, Jewish Press Chief Editor.

“Israel and its existence are always under attack. Israel reflexively defends itself. Many assist in that effort by making the case for Israel and now we have a new effort namely, The Classical Liberal Case for Israel.

“To my mind, it sounds too defensive. Israel can be whatever it wants to be and need not be what others want it to be. Too often demands are made on Israel to behave in a certain way that no one else manages to do. Even the liberal west isn’t liberal. We need not justify ourselves to anyone.

“Unfortunately for Israel, it is ruled by an extremely liberal court which constantly is at odds with the Knesset. In other words, it is too liberal for the people.

“Having said that, it is important for Israel to stress her historical and legal claims to the land which this book does admirably. But her existence doesn’t depend on such claims. It depends on the strength of her army and her economy.”

Ted Belman BAsc, LLB, Editor and Publisher of Israpundit, Jerusalem, Israel.

“Older libertarians or Objectivists are wont to say that for them, ‘It all began with Ayn Rand.’ For libertarians this writer’s age, it all began with Walter Block. No one has captured more souls for liberty than this good professor.

“Since Walter Block has practically authored the libertarian non-aggression axiom, his and his co-authors’ application of it to the vexation that is Zionism and the Jewish State cannot but be scrupulously just. This indeed it is.

“It is in its fealty to freedom, in general, that makes this book’s methodical defense of Israel significant – and, in particular, its kind, if coruscating, critique of the stance taken toward the legitimacy of the Jewish State by Mr. Libertarian himself, Murray Rothbard.

“Inarguably –and despite their dispossession 2,000 years ago –Jews clung to life in Israel throughout the centuries, never relinquishing their claim to the occupied territory. Enduring the ruthlessness of the Byzantines, the massacres of the Muslim

dynasties, and the onslaught of the Crusaders, the Mongols, and the Ottoman Turks – Jews struggled to maintain a continuous presence in Israel since the exile. “Theirs is a tie that has never been severed. If anything, by maintaining over the centuries a purposeful, continuous, and heroic presence in the conquered land, the Jew’s claim to Israel has been affirmed and sealed in the annals of time. No subsequent hegemonic regional power, like the Ottomans, ever had the right to deny them their natural right to lawfully repurchase land titles from those willing to sell them.

*“All these points are driven home in *The Classical Liberal Case for Israel*. As Block and Futerman put it, ‘What were Jews who wanted to buy land to do, when going through the official [if unsavory] channels was the only lawful way to purchase property?’*

*“Noted, too, with appreciation, is that *The Classical Liberal Case for Israel* is dedicated to Vladimir Ze’ev Jabotinsky. Obscurity being the fate of many a hero of the Right, few know that Jabotinsky was one of the philosophical founding fathers of the Jewish State, who had, alas, been successfully sidelined by the country’s pushy socialist framers, their followers, and the ever-willing court historians. All have smeared Jabotinsky’s thinking as fascist. Far from being of ‘a fascist strain,’ ‘Jabotinsky was a classical liberal and thus a champion of individual liberty,’ surmise the authors. Nicely done!”*

*Iana Mercer, paleolibertarian columnist since 1999, author of *Into the Cannibal’s Pot: Lessons for America from Post-Apartheid South Africa* (2011) and *The Trump Revolution: The Donald’s Creative Destruction Deconstructed* (June, 2016).*

*“The main charge against the State of Israel, that from which all other scurrilous attacks flow, is that of massive land theft and expropriation. To counter this lie, Block and Futerman resort to the private property rights philosophy of John Locke, Classical Liberalism and Libertarianism, to show not only that this fundamental charge is wrong, but also why Israel’s existence is just. Thus, *The Classical Liberal Case for Israel* convincingly argues not only against Israel’s enemies, but also for a positive: this country is a living example of liberty that all freedom lovers around the globe should cherish.”*

Isi Leibler, CBE, AO, International Jewish Leader and Former Chairman of the Governing Board of the World Jewish Congress.

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The Classical Liberal Case for Israel

Commentary by Benjamin Netanyahu

 Springer

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*This book is dedicated to Vladimir Ze'ev
Jabotinsky*

Commentary by Benjamin Netanyahu

The Classical Liberal Case for Israel makes the practical and moral case for Israel. It is based on truths and facts that need to be repeated over and over.

Block and Futerman understand that the only way to defeat a big lie is with a big truth.

Prime Minister of the State of Israel
Jerusalem, Israel
11/26/2020

Benjamin Netanyahu

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From Both Authors

This book is the outcome of many years of work. Throughout the time leading to the publication of the present work, we have received much help from many different people. We are thankful to Rafi Farber for his valuable ideas, suggestions, edits and help in the writing of this book. We also wish to thank the following persons for their invaluable feedback, comments, advice and much more (on this book, and/or previous essays and articles of ours that lead to it): Reuven Azar, Daniel Pipes, David Horowitz, Moshe Dann, Peter Lewin, Daniel Doron, Michael Makovi, Joel Kirsch and Leslie Marsh. Also, the work, help and assistance of Lucie Bartonek, Joseph Daniel, Mariëlle Klijn and Camilya Anitta from Springer was invaluable to get us here.

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Walter Block: With great love and respect, I acknowledge the teachings of my mentor and friend, Murray N. Rothbard. He and I do not agree on the issues covered in this book. Nevertheless, everything I know about libertarianism, and much of what I know of scholarship, I gratefully attribute to him.

Alan Futerman: Many people have helped me to get here, more than I could ever mention in this brief section. But the following had the greatest impact on me. I wish to thank my family, especially my beloved parents Marcelo and Ana, who

made me a proud Jew, and my wonderful brother Jordan. My grandparents Moises, Rebeca, Mauricio and Sofía, who introduced me to the history of Israel and the Jewish people. My professor, Gustavo Perednik, who taught me the theoretical framework on which my views on Israel and Zionism are based. My friends, they know who they are.

I could never have done this without the constant advice, support and help from Desiré, the love of my life. Thank you for being there, always.

Neighborhood Bully

Well, the neighborhood bully, he's just one man
His enemies say he's on their land
They got him outnumbered about a million to one
He got no place to escape to, no place to run
He's the neighborhood bully

The neighborhood bully just lives to survive
He's criticized and condemned for being alive
He's not supposed to fight back, he's supposed to have thick skin
He's supposed to lay down and die when his door is kicked in
He's the neighborhood bully

The neighborhood bully been driven out of every land
He's wandered the earth an exiled man
Seen his family scattered, his people hounded and torn
He's always on trial for just being born
He's the neighborhood bully

Well, he knocked out a lynch mob, he was criticized
Old women condemned him, said he should apologize.
Then he destroyed a bomb factory, nobody was glad
The bombs were meant for him. He was supposed to feel bad
He's the neighborhood bully

Well, the chances are against it and the odds are slim
That he'll live by the rules that the world makes for him
'Cause there's a noose at his neck and a gun at his back
And a license to kill him is given out to every maniac
He's the neighborhood bully

He got no allies to really speak of
What he gets he must pay for, he don't get it out of love
He buys obsolete weapons and he won't be denied

But no one sends flesh and blood to fight by his side
He's the neighborhood bully

Well, he's surrounded by pacifists who all want peace
They pray for it nightly that the bloodshed must cease
Now, they wouldn't hurt a fly. To hurt one they would weep
They lay and they wait for this bully to fall asleep
He's the neighborhood bully

Every empire that's enslaved him is gone
Egypt and Rome, even the great Babylon
He's made a garden of paradise in the desert sand
In bed with nobody, under no one's command
He's the neighborhood bully

Now his holiest books have been trampled upon
No contract he signed was worth what it was written on
He took the crumbs of the world and he turned it into wealth
Took sickness and disease and he turned it into health
He's the neighborhood bully

What's anybody indebted to him for?
Nothin', they say. He just likes to cause war
Pride and prejudice and superstition indeed
They wait for this bully like a dog waits to feed
He's the neighborhood bully

What has he done to wear so many scars?
Does he change the course of rivers? Does he pollute the moon and stars?
Neighborhood bully, standing on the hill
Running out the clock, time standing still
Neighborhood bully

Bob Dylan (1983)

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Introduction

If history could teach us anything, it would be that private property is inextricably linked with civilization. Ludwig Von Mises (1944 [2010], 58)

The core of a free society lay in its institutions. Among these, private property and the free market are the fundamental ones. The former not only recognizes the right to own the fruits of one's labor, but also creates incentives to save, produce and exchange. The latter builds on private property and, through the millions of exchanges that private individuals make every day for mutual benefit, articulates a system of money prices that in turn operate as a series of signals. These signals transmit the knowledge implicit in the exchanges, that is, the relative valuation individuals make of each good and service.

Companies and entrepreneurs identify profit opportunities in the market through the careful analysis of prices and allocate capital to the production of such consumer wants. But the most important function of the system is that it allows economic agents, whether individuals or large corporations, to identify mistakes and correct them. Free enterprise is both a profit and loss system. It is, therefore, an information transmitting mechanism, which is one of the beauties of this system.

In the absence of private property, and the freedom required to make use and dispose of it, there can be no money prices,¹ and therefore no efficient mechanism for the transmission of knowledge. Centralization lacks the power of the market, not because the intentions of politicians are necessarily bad (although they indeed can be and often are), but because they cannot concentrate the knowledge dispersed among millions of individuals.

Therefore, a free market operates as a system where incentives are aligned in reducing costs as identified through price signals. What is, then, the bedrock of a free society? Private property. In the words of Ludwig Von Mises (1944 [2010], 48):

The essential teaching of liberalism is that social cooperation and the division of labor can be achieved only in a system of private ownership of the means of production, i.e., within a market society, or capitalism. All the other principles of liberalism—democracy, personal

¹That mean anything; they could exist, but would be arbitrary, yielding no information.

freedom of the individual, freedom of speech and of the press, religious tolerance, peace among the nations—are consequences of this basic postulate. They can be realized only within a society based on private property.

But what is the fundamental principle behind private property, and therefore, that sustaining a free society? It is Justice. The latter, in the words of Ulpian², is simply “the constant and unfailing will to give each his right.” This logically leads us to the question of what is “his right” and how does one justify it? The origin, justification, and definition of private property is a fundamental question in the context of political philosophy. The answer lay in the tradition of John Locke, Classical Liberalism, and modern libertarianism. This is the approach that will guide us throughout our book.

Let us now briefly focus on the basics of private property rights.³ The first Classical Liberal who systematically justified such rights, John Locke, explained his views in his *Second Treatise on Government* (1689). In that work, the origin and justification of private property (more specifically Ch. 5) are thoroughly presented. Locke expounds that men have natural rights because these derive from human nature, thus constituting Natural Law. These rights precede the existence of government. As a Classical Liberal, Locke believed that the institution of government is established and exists with the sole purpose of the protection of individual rights as identified in terms of life, liberty, and property. As a matter of its practical application, private property is the *essential* human right. Locke contends:

“[...] Every Man has a *Property* in his own *Person*. This no Body has any Right to but himself. The *Labour* of his Body, and the *Work* of his Hands, we may say, are properly his. Whatsoever then he removes out of the State that Nature hath provided, and left it in, he hath mixed his *Labour* with, and joyned to it something that is his own, and thereby makes it his *Property*. It being by him removed from the common state Nature placed it in, hath by this *labour* something annexed to it, that excludes the common right of other Men. For this *Labour* being the unquestionable Property of the Labourer, no man but he can have a right to what that is once joyned to, at least where there is enough, and as good left in common for others” (*Second Treatise*, Ch. 5, §§ 27).

As libertarianism⁴ makes clear, the inherent self-ownership of one’s own body is the foundation of any subsequent right to the product of one’s own actions. Thus, whenever man acts on virgin resources or produces any value by mixing his labor with the resource, the outcome should be recognized as *his* property.⁵ In other words, homesteading, production, and, subsequently, trade are the basis of

²Quoted in Powell (1989, 28).

³The impatient reader might think, “what’s any of this got to do with Israel?” Be patient. It is important that we lay the groundwork, which we will soon apply, with a vengeance, to that issue.

⁴For libertarian and classical liberal literature, see among others, Anderson and Hill (1979), Benson (1989, 1990), Block (2007c, 2011H), Chodorov (1962, 216–239), DiLorenzo (2010), Higgs (2009, 2012, 2013), Mises (1922 [1981], 1927 [2002], 1944 [2010], 1949 [1998], 1969), Murphy (2005, 2010, 2013a, b, 2014), Rothbard (1973, 1975, 1977, 1998), Spooner (1870), Stringham (2007), Tannehill and Tannehill (1970 [1984]).

⁵For classical liberal and libertarian literature on the homesteading issue, see Block (1990; 2002a, b), Block and Edelstein (2012), Block and Yeatts (1999–2000), Block vs Epstein (2005), Bylund (2005, 2012), Grotius (1625), Hoppe (1993, 2011a), Kinsella (2003b, 2006, 2009a, b), Locke

legitimate ownership. Exclusion is therefore a natural corollary of property rights, since the owner has a right to his values and therefore may dispose and use them just as he desires (as long as he does not violate other people's identical rights by so doing). The use of force and the threat of force against any individual are therefore a violation of its rights, i.e., a violation of the non-aggression principle (NAP).

How many sovereign states on this planet are legitimate? Surely every country in the world insists upon its own legitimacy, on its own right to exist as a sovereign entity, representative and protector of its own people. The vast majority of today's modern, liberal, and industrial nation states take their legitimacy for granted. There is no relentless global assault against their right to exist. Except, of course, for the State of Israel, the Jewish State.

The right of the Jewish People to inherit and develop the land of their ancestors is so deeply rooted in historical and cultural evidence that to dispute it is simply a farce. It is tantamount to denying the basic rights of private property in a broad sense. That is what the attack against Israel's legitimacy essentially is—an attack against private property rights generally, for anybody at all.

The State of Israel is far and away the most liberal nation state in the Middle East in terms of freedom of religion, freedom of speech, freedom of choice and freedom of economic activity. Even its most bitter enemies would not dare dispute this claim. Because of these freedoms, Israel is by far the most productive country in the region. It is not even remotely close. Israel's per capita GDP is more than twice its neighbors' Egypt, Jordan, Lebanon and Syria all combined.

And yet, despite, or perhaps precisely because of this massive success, the Jewish State is widely viewed as illegitimate, having no right to exist, a criminal enterprise based on mass expropriation. This view flies in the face of the very basis for all of Western Civilization—the Bible, the book of the Jewish Nation. It is a book that tells the story of the very Nation State so viciously attacked constantly on the modern international stage. To assert that the People of the Book have no right to build and develop land that their ancestors physically built and rebuilt twice in the past is to deny the very foundation of Western Civilization.

Israel is a small country, with a population of around 9 million people and a land mass of about 8600 square miles. It lays claim only to what has been properly owned by Jews historically and has always been, and nothing else. It is surrounded by more than twenty countries, with a combined population above 400 million people and a total land mass comprising five million square miles. Israel is treated in its own neighborhood anywhere from bare tolerance to active hostility. Its true friends in the rest of the world are few and far between.

Many countries reject Israel's right to exist as a State, as indicated by the votes of the UN which continually condemn it. In the 72 years of its existence as a country, and for the thousands of years Jews have existed as a nation in exile, they have been continually attacked and denounced. No other nation in the history of the

(1948, pp. 17–19, 1955, chapter 5), Paul (1987), Pufendorf (1673), Rothbard (1973, 32), Rozeff (2005a), Watner (1982).

world has been forced to put up with anything even remotely resembling this calumny, savagery, and viciousness.

However, against all of its enemies, the Zionist project and the will of the Jewish people have prevailed. Israel is a strong nation, and the Jews are free in their own land. Zionism has succeeded. Theodore Herzl and Ze'ev Jabotinsky's dreams of a vibrant Jewish State in its own historical homeland are now a reality. And it will continue to succeed, as the Jewish People always have.

The roots of all the hatred against Israel are deeply embedded in anti-Zionism. We would challenge that to be anti-Zionist is to be against the entire concept of private property and inheritance in a broad sense. It is high time that the liberty movement, the real and true classical liberals of the world, stand up and take notice. Those who attack Israel are almost always enemies of private property and free markets generally.

This book, *The Classical Liberal Case for Israel*, offers a succinct thesis. The Land of Israel was built up and developed by Jews who were unjustifiably expelled from their homeland thousands of years ago and are now back to reclaim their lost property and add to it by building and developing otherwise virgin land. It is really as simple as that.

This book wrestles with the so-called "Palestinian right of return," with what we call the "Palestinian Fiction Factory," with the ethnic cleansing of Jews in Arab countries, with charges of "expulsions" and "massacres," with the continuing failure of the "peace process," with the real motivations of Arab leaders, with the relationship between anti-Zionism and anti-Semitism, and much, much more.

It is perhaps because of the unique strength of the Jewish Nation's claim to land it has developed in the Land of Israel past and present, that so much of the world contests it. None of this is unexpected or new. Jews have dealt with rejection throughout history and have succeeded in spite of it all.

The Jews are a nation born in slavery in Egypt and brought to freedom in the Land of Israel. That is their story. The freedom of the West itself ultimately depends on the freedom of the Jews to be a nation in their own land, to thrive as a free people in the land homesteaded by their forefathers so long ago. Only by acknowledging this and internalizing it can the forces of chaos now gathering force be beaten back.

Israel is the most liberal state in the Middle East, surrounded by murderous dictatorships, autocratic regimes, and closed societies that dramatically oppress their citizens and shut down their voices. It is the only country in the area that respects the rights we identified above as the ones defining Western Civilization. Hence, the Jewish state is the only real free society in the area, respecting private property and all that follows from it. It is innovative and strong *because* it is free.

Paradoxically, this country has been under widespread attack since its creation in 1948, from practically all sides of the political spectrum. These attacks are mobilized, apart from Arab regimes, by Iran, and jihadis of all kinds, currently in the West primarily by the Boycott, Divestment, and Sanctions (BDS) movement. International forums such as the UN, human rights organizations, the media, and

university campuses throughout the West are used as a stage to demonize the only free society in the Middle East.

In this work, we adopt a minarchist limited government position and offer a classical liberal and libertarian analysis based upon homesteading and private property rights to defend the state of Israel. Thus, our goal is to provide a definitive answer to the claims against the Jewish state, and to anti-Zionists in general, from this classical liberal perspective. More importantly, we want to present this case *for* Israel.

Now that our basic premise is clear, let us begin.

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Chapter 1

Why Judea is Jewish



“This is not about that 2,000 years ago the Jews had possession over Judea, but that for 2,000 years, they were the only people that claimed it as theirs” Gustavo Perednik (2003). (Translated from the original in Spanish by one of the present authors).

The land of Israel is the historical land of the Jewish People. It is its origin, and the land to which Jewish consciousness always strived to reach. No matter where Jews were, Israel was their ideal. The State of Israel is placed in the land of Israel for a reason: because Judea is Jewish.

There are many arguments used in order to undermine Israel’s legitimacy. Although the list is certainly long, the fashionable argument these days is to deny any past Jewish connection to Israel, i.e. to Judea. Despite the fact that this endeavor is false and ahistorical,¹ we will analyze the basis for the historical connection between this land and its people. We will demonstrate how this argument is relevant in order to uncover one of the mechanisms that Palestinian propaganda uses: trying to replace the actual history of the Jews with their own fabricated narrative of the past, as a means to justify their cause.

As research institute Palestinian Media Watch has reported, Imad Hamato, professor of Quranic Studies at the University of Palestine in Gaza, claimed on Palestinian Authority Television:

“Israel has worked hard to *Judaize* the land, [but] it did not stop at that. [Israel] worked to realize something else: the *Judaization of culture*, [so that] the Arab intellectual embraces the idea of acceptance of Israel as a recognized body and as an entity that has a right to live. Israel, the invading country, the *cancerous tumor* – which we have already called a cancer-

¹ It is not at all illogical. Au contraire, the very opposite is the case. If it were only true, then, the Hebraic claim to *Eretz Yisrael* would indeed be weakened, we readily acknowledge.

This chapter is based on parts of our paper Block, Walter E., Futerman, Alan G. and Farber, Rafi. 2016. “The Legal Status of the State of Israel – A Libertarian Approach”. *Indonesian Journal of International and Comparative Law*, Vol. 3, Issue 3, June, pp. 435–553.

ous tumor in the past – many intellectuals today talk about coexistence and offering our hands in peace, and [say] Israel is part of the region. The noblest Arabs in terms of their Arabness were those who spoke up and said: ‘*Israel does not exist!*’ Those who did not say that were ostracized. Now, whoever says that Israel should exist is met with approval... They [the Jews] are *usurers*. See, the usury money and usurer banks, those who control the money in the world can be counted on one hand – a few individuals – and all of them belong to the *Jewish world*. They control the media, the money, the press, the resources, the plans” (emphasis added) Official PA TV, May 1, 2015 (Marcus and Zilberdik 2015).

In this context, two points are relevant²:

- 1) The historical connection between modern day Jews and the land of Israel is a relevant fact, both for Jews and for Palestinian Arabs.
- 2) Rewriting history is not just one propaganda point of Palestinian narrative, but one of the most important ones. They, too, recognize that without a historical connection that works as an anchor between a people and a land, no modern national case could be made.

In this respect, given the chronology of events that took place in the historical area of Israel, and the archaeological basis for modern historians’ contentions about the strong history of Jews in Judea, the present chapter may appear as redundant. However, in the light of recent events, where none other than UNESCO rejected the millennial connection between Jews and the Temple Mount, it is nevertheless quite necessary.

Are we going to make a full description of every archaeological discovery that proves our point? Of course not, we believe that listing some of the most recent major ones is sufficient. After all, to deny the Jewish connection to Judea is like denying that the Sun is the center of the solar system in the XXIst Century.

It is important to note that the ancient world already recognized this connection,³ which UNESCO-types try to ignore today. We can start with the obvious: the Hebrew Bible, the *Mishna*, both *Talmuds* (the older of which was compiled in Jerusalem and is known as the Jerusalem Talmud) and the Christian New Testament all speak of this fact. No modern day Jew would even come close to thinking that the long discussions of events that took place in Judea are millennial fabrications in an attempt to deny the existence of a Palestinian people in Palestine. Nor would a modern day Christian accept the notion that, instead of Jesus going to the Temple, he was just passing by the “Buraq Wall” (Western Wall). When today some people say that Jesus was a “Palestinian” (Mazzig 2019), they do not even recognize that this is impossible due to the simple fact that the term “Palestinian” did not even exist before 136 CE.⁴

Here is some other ancient evidence which supports the presence of Jews in their ancestral homeland. Josephus Flavius (37–100 CE), is one case in point. Hecataeus

²Ignoring for now the blatant anti-Semitism embedded in anti-Zionism.

³This claim is buttressed immediately below.

⁴It was the definition that the emperor Hadrian gave to Judea after defeating the Jewish Revolt of Bar Kochba in 135/136 CE (Bard 2012, 2).