



REJOINDER TO BIONIC MOSQUITO ON ISRAEL

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Abstract

Mosquito (2018, 2023) is a rejoinder to Block, Futerman, and Farber (2016), as well as to Futerman, Farber, and Block (2016). The latter two essays heavily support Israel, and criticize Rothbard (1967) which, in turn, is highly critical of Israel. The present publication is an attempt to refute Mosquito's two rejections of the case on behalf of Israel and thus supports the only Jewish state on the planet. The issue of contention in Mosquito's first essay has mainly to do with private property rights and homesteading. The debate concerns how far back in history it is legitimate to go in the determination of which group of people are the rightful owners of land under dispute. This is crucially important since the very existence of Israel is at stake. If the views of Mosquito and Rothbard are correct, that pretty much spells the end of Israel, since the land it claims to rule over properly belongs to Arabs, Palestinians, and other enemies of this country. Mosquito's second essay involves his rejection of Israel's conduct in the present war in the Middle East. All parties to this debate are libertarians, who predicate this philosophy on Lockean (1948) homesteading theory. This makes it all the more remarkable that we come to such widely disparate conclusions as to this matter.

Keywords: *Palestinians, Israelis, homesteading, land titles, justification, statutes of limitation.*

1 INTRODUCTION

Mosquito (2018, 2023) has written two important essays criticizing the very existence of the state of Israel. The first is based upon the homesteading theory of libertarianism; the second constitutes his criticism of Israel's activities since October 7, 2023.

What is libertarianism? Briefly, it is the view that just law is predicated upon two principles: first, non-aggression. It should be illegal to engage in the threat of actual violence against innocent people. Force is only justified in defense, not offense.¹ Secondly, legitimate property rights are initially based upon the homesteading of virgin

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¹ See on this Bergland (1986); Block (2008, 2009); Hoppe (1993); Huebert (2010); Kinsella (1995, 1996);

Narveson (1988); Nozick (1974); Rothbard (1973, 1978, 1982); Woolridge (1970).



territory,² and any voluntary interaction thereafter, such as buying, selling, trading, lending, gambling, gift giving, etc.³

In section II we refute Mosquito's (2018) in which he claims that at the very best Israel is only 7 percent legitimate. Section III is given over to a rejection of Mosquito (2023) in which this author is "not surprised" that my analysis of the Israel-Hamas war is incompatible with libertarian theory. We conclude in section IV.

2 IS ISRAEL 7 PERCENT LEGITIMATE?

Our author starts this essay of his as follows:

"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.'

"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 at the creation and/or existence of the state of Israel?"

Mr. Mosquito is absolutely correct: there is no logical contradiction in a Jew, whether libertarian or not, taking a harshly anti-Israel position. However, the three authors he upbraids for this viewpoint are all Jewish. There is no logical inconsistency, either, as Jews bemoaning Jewish opponents of the one country in the world dedicated to the preservation of this group of people. To be sure, we did not write that particular point as libertarians; we wrote it qua members of

the Hebrew community. The one does not preclude the other.

Mosquito⁴ is quite right again when he attributes the "troubling"⁵ fact that "some libertarians hold a special hatred of the Israeli state" to Rothbard (1967). This latter author is the leader of the entire libertarian movement, widely and justly known as "Mr. Libertarian." Since he was adamantly opposing the only democracy in the Middle East, it should occasion little surprise that many admirers of his should follow his lead in this matter.

This author goes further than Rothbard in condemning Israel. Whereas the latter says that this country is "uniquely pernicious" in that it was supposedly founded on massive land theft and expropriation from Arabs," the former opines that:

"Well, it wasn't 'supposedly' founded in such a manner – it was specifically founded in such a manner." Mosquito also takes us to task for our "neglect to point out the terrorism that was also present in the founding."

My claim then and now is that Israel is the rightful owner of the land under contention between the two sides, and thus that while there was indeed "massive land theft and expropriation" it was not by Jews against Palestinians, it was the other way around. As for there being terrorism at the founding of Israel in 1948, once again I applaud Mosquito's keen observatory powers in discerning this. However, it was launched not by Jews against Arabs, but, once again, the inverse. There have been pogroms against Jews from time immemorial, in many, many lands, and the Arabs have not proven themselves behindhand in following up on this tradition.

Mosquito is once again correct in maintaining that "Our thesis...is that Rothbard did not go far back enough in time in analyzing legitimate land claims...." He is to be congratulated for putting his

² First come, first served, or, first in time, first in right.

³ For literature on this matter, consult Block (1990, 2002A, 2002B); Block & Edelstein (2012); Block & Nelson (2015); Block & Yeatts (1999-2000); Block vs Epstein (2005); Bylund (2005, 2012); Gordon (2019A, 2019B); Grotius (1625); Hoppe (1993, 2011); Kinsella, (2003, 2006A, 2006B, 2007, 2009A, 2009B, 2009C); Locke (1948); McMaken (2016); Paul (1987); Pufendorf

(1673); Rothbard (1969, 1973); Rozeff (2005); Watner (1982).

⁴ This of course is the nom de plume of an accomplished libertarian scholar. I shall not be revealing his identity here or anywhere else.

⁵ To me, not to him

finger precisely on this crucially important issue in this debate. My co-authors and I did and do indeed claim that “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.’”

But this scholar strenuously objects to the fact that we look back to “Roman times” in an attempt to justify Jewish land ownership at present. Our critic agrees with us that there can be “no man-made statute of limitations in libertarianism.” Thus, our claim cannot be summarily rejected on the grounds that the clock undermines it. This is an important point. To be sure, there is a natural statute of limitations under libertarianism: the further back you go in history, the more difficult it is to prove anything, and I must acknowledge that two millennia or more stretch things quite a bit.

I do maintain however that “Jews can prove descent from the original Jewish homesteaders” and that this can be done “both culturally and genetically.” Mosquito objects quite strenuously to the former: “Culturally? What on earth does this mean? Westerners share certain cultural characteristics with ancient Greeks. What does this prove about land claims?”

We are trying to dredge up every bit of evidence we can from long, long ago. This scholar is quite right that culture in and of itself will not suffice. But, along with genetic and other evidence, a similar culture, and similar religious practices, can indeed shed light on Jews today and their forebears and thus buttress these claims.

Nor has he any use for genetic evidence. “Genetically? I am quite certain that virtually every one 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 a claim to this land?”

No, of course not. But some of them do. The perfect is the enemy of the good. What other evidence? Consider the fact that the Al Aqsa

Mosque lies above the Hebrew Second Temple, not below it. This edifice was built by the Kohanim, and there are certainly Jews in the modern day with that genetic code. It might have skipped Mosquito’s attention, but this is clear evidence, both genetically and architecturally, that the forefathers of the modern Jews were there before the Palestinians. Further evidence for this contention is that the beginning of the Islamic religion dates from the birth and life of Mohammad,⁶ which took place in the sixth century, something in the order of 1800 years ago. Jews were around, in sharp contrast, at least double that amount of time. What were the people of the book doing for all those centuries? Surely, among their studies of the Torah, they were also homesteading not only land in general but the very territory now under contention.

Mosquito’s response to this explanation? “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?”

Here, my debating partner can be shown to be in error. Consider the following. At present, in the US, the population is around 360 million. Yet the land is virtually empty. If you take a plane from Boston to Los Angeles, you will see a few lights at 30,000 feet, east of the Mississippi. But west of this river, until you reach the coast, the land is virtually empty, apart from Denver and Las Vegas.

How many Indians were there in this territory when the Europeans arrived? The best estimate is 3-10 million. If even 360 million people cannot fill up the entire country, those few could hardly fully occupy it. Thus, there is no case to be made that according to homesteading theory, whites, and blacks too, must vacate, and give all the land back to the native peoples.

If we can extrapolate from what Mosquito says in the Middle Eastern context to the American one, the Indians properly own not one single solitary square inch of the entire continent. Why not? This

⁶ According to one estimate, he was born on 29 August 570 CE. See on this: (Kadir, 1997)

is due to the fact that these tribesmen did not own the land they undoubtedly homesteaded on an individual basis. Rather, they owned it communally, collectively, or tribally. It is a highly problematic viewpoint that Mosquito takes upon himself that these people owned no property at all. I cannot believe that proper libertarian theory leads anywhere near that conclusion. And, as for “the chaos” that this author fears, that is a mere pragmatic concern, entirely apart from the doctrine of libertarianism that we both share. Nor will this necessarily ensue. If this case were adjudicated by a libertarian court, and all contending parties were civilized, no such thing would occur.⁷

Next, our author casts doubt on “‘Prodigious evidence’ from 2000 years ago. Evidence that connects specific individuals to specific land claims?” The relative placement of the Al Aqsa Mosque and the Second Temple seems very “prodigious” to me. As to matching specific people and land titles, that requirement undermines 100% of Indian land claims. I do not think that this viewpoint can be sustained.

At this juncture, our world-class scholar makes the following very important point:

“‘Original homesteaders’? Why stop at the fall of Judea? Did Joshua lead the Jews into an 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.”

No, it is not at all “never-ending.” If there are such folk out there, let them make their claim. If they can prove historical precedence over the Israelis, the latter should concede their prior rights. Mr. Mosquito seems to have lost sight of the libertarian principle of “first in time, first in right” and that there are no formal time limits. If someone can prove that he is descended from the Neanderthals and that the Jews stole land from them, their claims should be respected and acted upon. My claim is that this author does not fully understand the libertarian principle of land claims. There is no

formal statute of limitations. Yes, the process is “never-ending” in that sense. If it were “ending” there would be no statute of limitations. But, as said before, there is a natural ending to the process: the further back we go in history, the more difficult it is to prove anything. The Jews have proven prior ownership in numerous ways, the most dramatic being the placing of the Second Temple vis a vis that of the Al Aqsa Mosque. Those who preceded the Jews, including the Neanderthals, can also take up the quest. All they need to do is present evidence backing up their claims. They have not done so. Therefore the process has ended; temporarily that is. It is always open and “never-ending” in that if new evidence arises, it must be considered, weighed, and respected.

We now arrive at Mosquito’s charge of the “mass expulsion of Arabs during the 1948 War of Independence, we concede that this did indeed happen in certain isolated cases.”

Mosquito’s response: “There were 750,000 refugees. This is ‘isolated’”?

There are two responses here. First, three-quarters of a million Palestinians departed; not all of these constituted unjustified expulsions. Some of them, perhaps a goodly number of them,⁸ left as part and parcel of an attempt at genocide to be conducted by the five invading Arab armies against the Jews. The latter sent messages to these soon-to-become refugees, to leave their premises, on the ground that these armies could then better and more efficiently be able to slaughter the Jews. If the Palestinians remained, it would be more difficult to conduct this planned genocidal pogrom.

At virtually the same time, virtually the same number of Jews were expelled from Egypt, Syria, Lebanon, and the other invading armies. These people were totally innocent. They were not at all cooperating with any army intent upon mass murder of civilians. They were not traitors to their countries. One wonders why Mosquito, an otherwise splendid student of history, totally ignored this parallel mass, and in this case only,

⁷ As to which is “civilized,” Hamas or Israel, the former purposefully aims to murder civilians, the latter does what it can to preserve civilian lives.

⁸ There are no statistics available on this phenomenon

forced emigration. If there were any rough justice to come out of this situation, given that Israel would not accept the return of these turncoats, there would have been a massive switch: the departing Palestinians would have taken over the properties vacated by the fleeing Jews, and they would have been given those of the emigrating Palestinians. Israel welcomed those Jews who escaped with their lives from the Arab countries, while the latter set up refugee camps to demonstrate the heartlessness of Israel.

Second, “But the point is, did they [the Palestinians] have a right to these areas in the first place?” Yes, “Arabs lived in the land continuously for thousands of years; multiple generations can be specifically traced and identified.” But as we have demonstrated above, the Jews were there long before they arrived on this scene, so, no, they most certainly did not “have a right to these areas in the first place.”

Mosquito claims that the “Zionists of Israel no doubt cooperated fully in the Jewish expulsion from Arab lands – as they had regarding Jews throughout Europe.” This is more than passing curious. Our author offers not one shred of evidence to back up this claim. It seems highly problematic on its face that the Zionists were encouraging European nations to ban Jews. For one thing, this occurred long before Zionism was even started.⁹

States Mosquito: “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.”

Let us engage in a little bit of contrary-to-fact history on this point. Suppose that this country was set up based on only this small amount of territory. What would have then occurred? It takes no great

imagination to posit that the same five Arab armies that did attack the larger Israel would have attacked this smaller version. They opposed the state of Israel per se, even if it were limited to one square inch of territory.¹⁰ What would then have taken place? The Jews, a first-world high-technology community, would have beaten the Arabs, a low-tech third-world group of nations. Israel would have been roughly the same size that it is now. This would have been justified on libertarian grounds: when an invading army loses, and the victors occupy some of its territory, they may keep it. Rothbard, and Mosquito, would not have been exactly happy with this result. This demonstrates that there is something more than the libertarian theory that emanates from their viewpoints.

In his conclusion, Mosquito avers: “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.”

This is not at all the case. Rather, we go back to the earliest claimants. Those are the Jews, in this case. Are there yet earlier claimants? If so, we have not yet heard from them, and no evidence, none at all, however, imperfect, is forthcoming from any such quarter.

Hoppe (2024) commits the same error of thinking that only individuals can homestead, or own, property.¹¹ This Hoppe-Mosquito thesis completely trashes the idea of homeowners’ associations, cooperatives, condominiums, partnerships, corporations, and other such collectivist forms of ownership. It denies that Indian tribes can own any property at all. This constitutes a powerful *reductio ad absurdum* against this thesis.¹²

⁹ Zionism begun in 1897 (Britannica, 2024). Pogroms and mass expulsions of Jews in Europe dated long before that time.

¹⁰ The covenant of the Palestinians, which they have never renounced, calls for the murder of all Jews, not just those in the Middle East. “The Day of Judgement will not come about until Muslims fight the Jews, when the Jew will hide behind stones and trees. The stones

and trees will say O Muslims, O Abdullah, there is a Jew behind me, come and kill him.” (Cohen, 2021)

¹¹ For a refutation of Hoppe on this and many other points, see Block and Futerman (2024).

¹² There is something deeply fallacious about methodological collectivism. Only individuals, never groups, can engage in human action. However, it is invalid, as these two experts on Austro-libertarianism

3 NOT SURPRISED

Mosquito starts off this essay of his by citing the claim of my co-authors and myself that “Israel is entitled to do whatever it takes to uproot this evil, depraved culture that resides next to it.”

In his view, this is incompatible with libertarianism, which, certainly, precludes certain acts that are indeed contrary to the NAP of this philosophy. He does not read in between the lines. “Whatever it takes” written by libertarians means something quite different from when written by others. We mean, “Whatever it takes among other things that is compatible with the non-aggression principle.” The purposeful slaughter of civilians is the genocidal approach of Hamas, not Israel, and no libertarian would wish the latter country to adopt this practice of the former. Regrettably, collateral damage occurs in all wars, despite the IDF’s best efforts to preserve civilian Gazan life by showering leaflets in all directions. But this is undermined by Hamas using such folk as shields, locating armaments and rocket launchers in hospitals, schools, Mosques, etc.

States my learned friend: “Hamas needs to be destroyed, just as the Nazis were – the Walter Block libertarian campaign for carpet bombing Dresden.”

Note, he does not quote me in support of this latter activity. Instead, he puts words into my mouth, attributing to me views I do not hold. It is not proper scholarship to set up a straw man, attribute it to a rival theorist, and then demolish it. I might as well take the position, with no evidence at all, that Mosquito believes that $2+2=5$, and then castigate him as irrational for that belief. If he believes I favor “carpet bombing Dresden” he should offer evidence that I favor such a monstrous activity.

Here, Mosquito waxes eloquently: “Of course, such a war would engulf, at minimum, Iran, Syria, Egypt, Saudi Arabia, and Iraq. A few hundred million people – no big deal, not too big a price to pay. But, I wonder, once this is done, how many billion more people will feel hatred toward Israel – and the United States. This path will lead to about 7.5 billion people dead, and the rest dying. But you go for it, Walter. Whatever it takes. And it will

entirely be the fault of Hamas – all those tens-of-thousands or tens-of-millions or several billion dead. Hamas started it (they didn’t, but this is Walter’s lie), so everything that follows is on their head.”

Let us take the last assertion first. Hamas did not start this conflagration on October 7? That is a “lie” on my part to say that it did? Whatever, then, did occur on this day of infamy? If murdering some 1200 innocent Israelis, and taking over 200 more as hostages does not count as “starting” anything, one wonders what would count. Of course, Hamas would be responsible for the horrid occurrences that ensued afterward. If not for them, we would not now be in the present situation in the Middle East.

Now for the first claim. These words of his were published on November 1, 2023. Presumably, this author first wrote them a few days before that. Almost a year has passed since then. Just when is this Armageddon supposed to take place? This author vouchsafes us no answer. It would appear, then, that he has not met his intellectual burden. None of these predictions have yet come true. Nothing has come even close. Mosquito is thus rendered as a poor prognosticator. One wonders if he is now ready to take back these rather hysterical words of his.

Next in the batter’s box is this statement: “And it isn’t enough just for Israel to win. They must win so conclusively that they will never have to face another war – a war to end all wars. Where have we heard that one before? How did that work out?”

Is there something wrong, then, for wishing for complete and total peace? Just because this goal has not yet “worked out” does not mean it never can. Even if we never attain this wonderful objective, that is no justification for sneering at it. Israel has been at war with its neighbors, apart for a few months here and there, almost continuously since 1948. There is nothing amiss, Mosquito to the contrary notwithstanding, for wishing for an end to all such hostilities. Stated Prime Minister of Israel Benjamin Netanyahu: “If the Arabs put down their weapons today, there would be no more

do, to extrapolate this insight to a rejection of political collectivism.

violence. If the Jews put down their weapons today, there would be no more Israel.” (Netanyahu, n.d.) No truer words were ever said.

Mosquito now joins a list of distinguished and long-term libertarians who maintain I can no longer make this claim¹³ on my own behalf:

“Can we finally give up the pretense that Walter is a libertarian...? This may be one of the more unhinged pieces of writing I have read on this topic.”

Let us stipulate, arguendo, that Mosquito is 100% in the right on this debate we are having regarding Israel v. Hamas, and that I am totally wrong. Does my error on this one occasion logically imply I am no longer a libertarian? Of course not. Consider the fact that Murray Rothbard is pro-choice and that Ron Paul is pro-life on the issue of abortion. They are 180 degrees apart from each other on this vitally important issue. Two more prominent leaders of our philosophy can hardly be imagined. If Mosquito is correct in rejecting my libertarian credentials based on my (supposed) error regarding our present controversy, he must also maintain that either Rothbard or Paul, either one of them, is also not a libertarian. That on its face constitutes a *reductio ad absurdum* of his position.¹⁴

As for “unhinged,”¹⁵ may I remind this author that we are all scholars here. At least we are supposed to fit into this category. Part and parcel of this undertaking is that evidence, logic, not name-calling, will bring us that proverbial one-millionth of an inch closer to the Truth with a capital T. This sort of verbiage only detracts from this undertaking; it adds nothing positive.

In the view of Mosquito:

“I have been clear about my position on this conflict; it is the position that I find consistent with

libertarian political theory, but it strikes me as the most appropriate position to take for any human being with an ounce of decency in him or her: a pox on all political leaders on both sides of this conflict, as well as a pox on the political leaders of those states that support and have allowed this conflict to fester for seventy-five years and more.”

Both sides are wrong here, he avers. In this claim, Mosquito commits what Rothbard (1967) properly characterized as the “sectarian fallacy.” He urged libertarians to take a clear stand on the issues of the day, lest they become irrelevant and even more powerless to change them than now we are. If we confine ourselves to castigating all, equally, “a pox on all your houses,” we cannot affect the world. My debating partner clearly falls into this trap.

Mosquito concludes on this note:

“Walter has asked me several times to work with him on different projects, etc. I have even had people take me to task for not taking advantage of such a noble offer from Walter. First, I have always been cautious about linking my work with that of another. Second, specifically with Walter, while we agree on the ninety-five percent of minor topics, I find him completely and dangerously wrong on the five percent of important ones.”

I have two problems with these parting words of his. First, co-authors need not agree on everything under the sun, merely on the limited number of papers that bear both their names. Second, in my view, the Israeli-Hamas war is the only, single, issue upon which we disagree. I have shared many a meal with Mosquito, and to the best of my recollection, there are no other issues that divide us. Evidently, he was too busy with other important work of his to even name one of these other issues in this five percent of disagreements between the two of us.

¹³ See on this Hoppe (2024); DiLorenzo (2024); McMaken (2024); Rectenwald (2024). For refutations, respectively, see Block and Futerman (2024) (on Hoppe, 2024). Block (2024A, 2024B, 2024C) (on DiLorenzo, 2024); Block (2024D) (on McMaken, 2024); Block 2024E (on Rectenwald, 2024)

¹⁴ As it happens, again utilizing Mosquito’s “insight,” I claim that neither deserves the libertarian appellation,

since evictionism (Block 2014A, 2014B, 2018, 2021) is the only correct libertarian position on this matter. Both libertarian leaders are wrong on this one issue; therefore, neither can any longer be considered a libertarian.

¹⁵ Hoppe (2024) also employs such unscholarly language

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