

THE MIDDLE EAST

In order to understand the present situation in the Middle East, one must realize that the conflict which is often thought to be between hostile religious groups and nation-states is, in fact, a conflict between individuals over property and the exercise of personal freedom. "Choosing sides" can only come after a thorough examination of these conflicts.

One must recognize from the outset that what is important is not which government rules what land or what religion dominates what geographic area, but how individual rights fare (i.e. do individuals have the right to choose their own way of life, religion and use of their property?). It is only of secondary importance what nation-state rules as long as it guarantees the right of life, liberty and property. How do rights of the individual fare in the Middle East?

Before proceeding, several basic premises must be established:

1. Land cannot be owned by religions, ethnic groups, or nation-states. Land can only be owned by *individuals* and *voluntary associations* of individuals. The concept of "Jewish lands" or "Arab lands" is nonsense. Land does not have any religion or race.

2. Land ownership can only be morally acquired in one of two ways. The first is by claim of virgin land or of voluntarily abandoned land. Land which has been stolen or acquired through abandonment after intimidation of the owners cannot be morally claimed except by those from whom it was taken. The second moral method of acquiring land is as a result of voluntary transfer through sale or gift.

3. Morally, transfer of land can only occur voluntarily. This means through free exchange or by will to descendants. If A steals land from B and then sells that land to C, the land still morally belongs to B or to his willed descendants. (C is also owed his money back from A.) When long periods of time have elapsed since the original theft, the burden of proof rests upon B or upon his descendants to prove they have a valid claim to the land.

4. Land ownership of an entire region can clearly not be handed down over 2,000 years unless specific claims by specific individuals to specific tracts of land can be shown!

This brings us to an important starting point for discussing the Middle East situation today—the ancient state of Israel. Land ownership at that time came about in two principal ways: through conquest of the peoples living in "the promised land" and

through settlement of virgin land. With the fall of Israel, for a period of roughly two thousand years, all land claims by Jews virtually disappeared. During this time, various totalitarian empires ruled the Holy Land and vast areas of land were "given" to the nobles of the empire. Those lands for which there were moral claims of ownership were those home-steaded by Semitic merchants, farmers, and herdsmen. Israel, as a Jewish state, existed only in the minds of the scattered Jewish people.

With the rise of Zionism came Jewish immigration to the Ottoman Empire which shifted to British control after Turkey's defeat in World War I. Despite British promises to the Zionists, land in Palestine remained either virgin, owned by individual Arabs, or recognized by the British as owned by Arab lords (this mostly being virgin lands, political niceties notwithstanding). Between wars, Zionists continued returning to Palestine.

A land survey taken at the end of WWII shows 49% of the land in Palestine to be owned by individual Arabs, 6% to be owned by individual Jews, 6% to be owned by Sultans or held as village commons, and 38% to be virgin land (mostly desert with about 5% Arab pasture land used by nomads). An examination of the 6% owned by Jews shows that 9/10ths was purchased from Sultans and the rest from other Arab owners. Unfortunately, in the case of land bought from Sultans, Arab farmers were often expelled from their holding without payment. For instance, in 1922 over 40,000 acres comprising 18 villages were sold by Sultans to Zionists resulting in the eviction of 688 Arab farm families who, under virgin land theory, should have owned their homes and farms. In another case in the Gezirell Valley, 20 Arab villages were uprooted by Jewish buyers. Only an advocate of the feudal system could defend such actions.

With the end of WWII came a flood of Jews to Palestine and the question of land ownership became an issue. Jews acquired land in several ways: purchase from other Jews, purchase from individual Arabs, purchase from Sultans and eviction of Arabs from the common lands, settlement of virgin land, or seizure from the Arabs. Of these methods of land acquisition, the third and fifth ways are completely immoral.

Before long open warfare broke out between Jews, Arabs and the British. During the fighting—which led to a general war and eventual Israeli independence—even more Arab land ended up in Jewish hands. Some of this land was abandoned by Arabs

who rejected the concept of a Jewish state, but most of this land was either taken by force or was abandoned out of fear of attack by Zionist terror groups like the Irgun.

The question of land ownership is the single most important issue in the Middle East. This issue is at the heart of the current, continuing conflict. Besides the issue of land, questions of what nation owns the Golan Heights or what religion will colonize the Sinai or what state will tax Jerusalem fade into insignificance.

After 25 years of conflict, the issue of Arab land ownership is still on the minds of Palestinian Arabs and also on the minds of a few Jewish intellectuals.

In the summer of 1972, a few Jewish leaders publicly urged that Arab inhabitants of the villages of Ikrit and Berem be allowed to return to their homes after 25 years. Unfortunately, Israeli leaders and Premier Meir rejected this plea. They stated that allowing Arabs to reclaim their (stolen) land would set a "dangerous precedent."

A few Jewish leaders have had the courage to publicly comment on the morality of such policies. Rabbi R. Benjamin has written, "We (Israelis) have no right whatever to oppose the return of the Arab refugees to their land . . . We had no moral right to occupy the house of an Arab if we had not paid for it at its value. The same goes for fields, gardens, stores and workshops. We had no right to build a settlement and to realize the ideal of Zionism with other peoples' property. To do this is robbery."

The sad report is that Israel, which has refused to even deal with the issue of Arab land claims for years, has now only spoken in vague terms of a "lump sum" settlement through the UN to Palestinian groups, completely rejecting the principle of individual Arab land claims.

It should be clear that until Israel reverses this anti-individualistic, anti-freedom course, no advocate of liberty can support Israel against its Arab neighbors.

This analysis is not complete, of course, without examination of the other two political factions in the Middle East: the Arab states and the Palestinian refugees.

The nation-states surrounding Israel, with the possible exception of Lebanon, have no history of respect for individual property rights and personal liberty. These nations have long violated the rights of their own citizens, and it is hard to imagine a situation where their triumph over Israel would result in much more personal liberty or security of private

property than presently exists. In fact, the most likely result would be a massive violation of legitimate Jewish land rights by the seizure of properties acquired through voluntary means and virgin homesteading.

Finally, we have the Palestinians themselves. It is difficult to make a general statement regarding Palestinian actions since there appears to be no unified movement or position of this group. Certainly the most publicized element, the terrorists, demonstrate only anti-libertarian, pro-statist sentiments. However, a minority of Palestinians have openly stated that their goal is the return of private lands to their rightful owners regardless of political boundaries as long as rights are protected. It is this minority within the Palestinian community that true advocates of liberty and justice should support against Jews who would deny these basic rights to property and against Arabs who advocate a mirror image of the present injustice.

As with many crises and issues, both foreign and domestic, the American people have to ignore for the moment their cultural and patriotic proclivities in order to first decide which faction (if any) stands for freedom and justice. Supporting freedom and justice often conflicts with prevailing prejudices and short-sighted governmental policies, but in the long run it is the only course which can end conflict.

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