

Hamas, Analyzed

By [Marc J. Victor](#) and [Walter E. Block](#) (January 2025)



At the Entrance of the Wailing Wall in Jerusalem (Kosztko Tivdar Csontvary, 1904)

People in most civilized countries see, clearly, that Hamas is a suicidal, maniacal, genocidal death cult, and that Israel is almost perfectly the polar opposite. One purposefully aims at murdering innocent civilians, the other attempts to save them via warnings through leaflets. It does kill woman and children; this cannot be denied. But this is entirely the fault and responsibility of Hamas, which uses these innocent Gazans as shields, as it places rocket launchers in homes, schools, Mosques, hospitals, etc.

What about the fact that the UN has condemned Israel twice as often as all other nations put together. Does that not undermine the claim that civilized peoples support Israel? No, it only makes the point that for the most part, membership in this international organization is not comprised of civilized states.

October 7 was an atrocity regardless of what happened in the six thousand years prior. Barbarians raped, tortured, murdered, and took hostages of clearly innocent people. It is a no brainer to take the side of the victim of this massive crime, not the perpetrator. Evidently, although the IQs at such places as Harvard and Columbia are even off the charts, some who attend there demonstrate that a high IQ doesn't automatically come with common sense.

That those thugs intentionally do everything they can to ensure Israel kills innocents who they use as shields is their fault, not that of Israel. These religiously based terrorists who are supported by some on all too many prestigious university campuses have intentionally been murdering innocent civilians for years. They celebrate such acts.

Any rational person would conclude the same if rockets were continually launched in his direction over many years. The Palestinians [support](#) Hamas with 70-80% popularity. This is horrific for the 20-30% who oppose these terrorists and try to leave but are prevented by Hamas from doing so. (Some commentators maintain that the only truly innocent Palestinians are those aged 10 year old or younger).

It should be the fervent hope of the entire civilized world for the defeat of these zealots before they get nukes. After they've started using them it will be far too late.

Yes, Israel donated money to Hamas. This was a bad mistake from the point of view of the Monday morning quarterback. The

US has made mistakes too. Is there any country that has not?

With this introduction, we are now ready to consider several points.

1. All decent people want a quick peaceful resolution to this conflict. We all want world peace. However, we need to convince enough people that aggression is wrong. There are all too many people, regarding the Israel/Hamas conflict, who do not reject the initiation of aggression. But peace without justice is an illusion. Peace that allows Hamas to remain in power, to get ready for October 7 part II, is no peace at all.
2. We cannot defend every act of Israeli politicians. Indeed, as a coercive government that employs aggression, it would be preferable from the libertarian position, that the Israeli government, along with all other governments, disband and permit private companies to deliver necessary services. However, that isn't going to happen anytime soon. Back to reality: we should all vastly prefer the governments that coerce less to the governments that coerce more. It is clear that the Israeli government is infinitely better than one run by Hamas. There is no contest here. One of these organizations engages in massive barbaric atrocities; the other is a civilized state, albeit an imperfect one.
3. The killing and injuring of innocent people is at the center of our attention. All reasonable people oppose killing or injuring innocent people. Indeed, we must oppose aggressing against them in any way. Obviously, this is what's happening right now in Israel. (Gaza is a legitimate part of Israel as they won it in a defensive war despite the fact they voluntarily withdrew in 2005 to allow the Palestinians govern themselves –

they elected Hamas). The relevant question is, who is responsible for this killing of innocents? Hamas intentionally targets innocent people. This is exactly what they did on October 7th and openly promise to do again. Israel, like all other governments that coerce less and are therefore better, takes all reasonable efforts to avoid killing innocents as they target Hamas, which is intentionally hiding among innocents for the purpose of causing Israel to kill them. When the innocents attempt to leave pursuant to Israel's urgings, Hamas prevents them from doing so to ensure their killing. Then Hamas generates pity due to the supposed evil of the IDF.

4. Every group contains bad people. The Israeli military is no exception. When their members engage in war crimes, they are punished after receiving a fair trial. If there are cases in which they are either not afforded a fair trial or are not justly punished when factually guilty of aggressing, Israel is wrong and acting improperly. Nobody is arguing that Israel is perfect. No person or government can be justly held to a standard of perfection.
5. Israel is not simply carpet bombing the Palestinian people. Instead, unlike Hamas, they are targeting military targets, which Hamas has intentionally located under or near civilians.
6. Consider the approximately 70-80% of the Palestinians who support Hamas in general, including what they did on October 7th. Whatever percentage actually supports Hamas deserves the same consequences as Hamas deserves. This is what it means to be an accomplice to a crime. As such, we should only be concerned about that percentage, maybe 20-30%, who are actually innocent. (All children fall into this category). Indeed, it is

despicable that Hamas is preventing them from leaving the war zone pursuant to Israel's warnings. Hamas is thus entirely guilty of these acts that cause such innocent people to die.

7. There are limits to our theory of property, and we should recognize them. It doesn't resolve all issues. Many open questions remain: How much labor needs to be mixed with the land? For how long? Is labor the only way to legitimately claim property? How much land does one get for how much effort? Can it be communally owned? Who gets to inherit? Can an entire race assert rightful ownership? Under what circumstances is an owner divested from property?

However, Israel was once in peaceful possession of all the land now under contention. Possession is 9/10 of the law. As such, we must proceed from the assumption Israel is the proper owner of this land and has the right to quiet titles. However, it cannot possibly be denied that the Al Aqsa Mosque is built [above](#), not below, the Temple Mount. This indicates, unless you are upside down, standing on your head, that the Cohanim were there first. Whatever open questions about homesteading remain, there is no question but that "first come, first served": the proper owner is the one who homesteaded the land first, not afterward.

8. There is a substantial group of people motivated by religious fanaticism who expressly want to destroy Western civilization and replace it with a theocracy. They seek to acquire nuclear weapons. They will certainly use them to accomplish their goals. This debate really isn't Israel v. Hamas. Instead, it's the civilized world v. religious zealots who want to impose their way of life on us. We favor the civilized world.

[Table of Contents](#)

Marc J. Victor is the founder and owner of The [Attorneys For Freedom](#) Law Firm, which was established as a pro-freedom law firm in 1997. Marc is a Certified Criminal Law Specialist by The Arizona Board of Legal Specialization and is admitted in Arizona & Hawaii. Marc has been zealously representing clients in state and federal major felony criminal law matters for over thirty years. He often represents clients in many different state and federal courts throughout the United States.

Walter E. Block is Harold E. Wirth Endowed Chair and Professor of Economics, College of Business, Loyola University New Orleans, and senior fellow at the Mises Institute. He earned his PhD in economics at Columbia University in 1972. He has taught at Rutgers, SUNY Stony Brook, Baruch CUNY, Holy Cross and the University of Central Arkansas. He is the author of more than 600 refereed articles in professional journals, three dozen books, and thousands of op eds (including the *New York Times*, the *Wall Street Journal* and numerous others). He lectures widely on college campuses, delivers seminars around the world and appears regularly on television and radio shows. He is the Schlarbaum Laureate, Mises Institute, 2011; and has won the Loyola University Research Award (2005, 2008) and the Mises Institute's Rothbard Medal of Freedom, 2005; and the Dux Academicus award, Loyola University, 2007. Prof. Block counts among his friends Ron Paul and Murray Rothbard. He was converted to libertarianism by Ayn Rand. Block is old enough to have played chess with Friedrich Hayek and once met Ludwig von Mises, and shook his hand. Block has never washed that hand since. So, if you shake his hand (it's pretty dirty, but what the heck) you channel Mises.

Follow NER on Twitter [@NERIconoclast](https://twitter.com/NERIconoclast)