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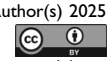
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'Sovereign Citizen Gets Roasted': On the Nomophilia of Sovereign Citizens and Their Settler-Colonial Critics

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Abstract
Sovereign Citizens have gained mainstream attention by refusing to recognise law. This attention often entails ridicule, as illustrated by viral Sovereign Citizen arrest videos. This article critically examines *both* Sovereign Citizen ideology and the voyeuristic enjoyment of their humiliation. First, I propose that although Sovereign Citizen ideology is premised on rejecting law, it nevertheless paradoxically exhibits 'nomophilia', a love of law, insofar as its rejection attempts to secure precisely what law affords Sovereign Citizens: namely, possession of expropriated lands. Next, I argue that the widespread ridicule of Sovereign Citizens also tends towards nomophilia insofar as it facilitates the enjoyment of *seeing* the law 'done' to others by subjects who, through their enjoyment, can position themselves on 'the right side' of the law. I argue that while this ridicule works to pathologise Sovereign Citizens, it also attempts to discursively counteract Indigenous sovereignty by reinforcing the putative supremacy of law.

Keywords
sovereign citizens, law, settler-colonialism, indigenous sovereignty, nomophilia

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Introduction: Enjoying the Roast

In recent years, the Sovereign Citizen movement, famous for refusing to 'consent' to the state and its law, has periodically come to mainstream attention. This has often occurred in a context of ridicule, such as via attention-grabbing news headlines and viral online videos. Typically, this content invites joyful derision of Sovereign Citizens by showing them being dramatically arrested by police during traffic stops, or humiliated in court when their attempted rejection of law has failed. Examples of this genre of 'entertainment' can be readily found on YouTube (or any other social media platform), where videos such as 'Sovereign Citizen Gets DESTROYED by Judge and Sent to Jail – Court Cam' (A&E, 2024), 'Caught On Bodycam: When Sovereign Citizens Are Taught a Lesson by Police' (Law & Crime Network, 2024), and 'Sovereign citizen gets roasted by quick-thinking cop' (newscomauhq, 2023), have been collectively viewed millions of times.[1] The gleeful voyeurism of these videos seems to entail observing the *unravelling* of Sovereign Citizen ideology, and spectating as Sovereign Citizens receive comeuppance for daring to refuse to recognise the state and its law. In internet parlance, these videos show Sovereign Citizens getting 'rekt', 'roasted' and 'destroyed', and for many, this is entertaining.

Sovereign Citizen roast videos clearly function as 'copaganda' (a blend of the words 'cop' and 'propaganda' which describes content designed to portray police in an overwhelmingly positive and heroic light by papering over systemic issues like racism and police misconduct).[2] While Sovereign Citizens are positioned as subjects worthy of derision and mockery, the law enforcement who 'humorously' rein them in are portrayed favourably. They are, for example, 'quick-thinking' judges and cops who 'destroy' Sovereign Citizens by upholding the law and doling out its 'lessons'. In this article however, I argue that although seemingly counterposed, *both* the phenomenon of Sovereign Citizenry – which is described below – and that of enjoying their ritual humiliation, occur as a function of what Maria Giannacopoulos (2011, 2020a, 2022) has called 'nomophilia': an uncritical love of Western law which works to obscure its relationship to settler-colonialism (which, as I explain, is precisely the context in which both Sovereign Citizens and Sovereign Citizen-related copaganda have thrived). I propose that this nomophilia works discursively and surreptitiously – and in the case of Sovereign Citizens, paradoxically and ironically – to reinforce law's coloniality by enshrining what Goenpul scholar Aileen Moreton-Robinson has called the 'white possessive' function of Western law and notions of its rule (2015).

To substantiate this argument and its relevance, the article will proceed in three substantive parts. First, I provide an overview of the Sovereign Citizen movement, which could more accurately be described as a series of loosely connected movements, clustered under an umbrella term (Baldino and Lucas, 2019: 248; Fiebig and Koehler, 2022: 35; Loeser, 2014: 1109). Here, I analyse materials generated by the movement, including its discourse, objectives, and bespoke legal documents in order to elucidate the core features of the movement and the structure of its ideology. As I explain, the central pillar of Sovereign Citizenry is the notion that contemporary governments and states are 'illegitimate corporations' whose law/s can be refused so that a supposedly original and radical individual sovereignty can be reclaimed. I show how Sovereign Citizens attempt to

effectuate this restoration by creating and invoking their own alternative laws – often referred to as 'pseudolaw' by law enforcement, policymakers, and scholars alike – through which their closely bound communities can first be inaugurated and can then subsist. In outlining these ideological contours, I briefly canvass the origins of the movement, including its historical and contemporary links to white supremacist militia groups like the Ku Klux Klan, anti-government conspiracy theories, and so-called 'paper terrorism'.

In the second part of the article, I argue that despite their apparent rejection of law, and their claim to be its victim, Sovereign Citizens nevertheless exhibit a paradoxical form of nomophilia. This nomophilia relates to what Robert Cover has called 'jurisgenesis', a term denoting the formation and formulation of 'tight communities' through the production of 'legal meaning', to which shared narratives and mythologies are attached (1983: 11–15). This is because while Sovereign Citizens performatively reject what they *take* to be 'official' law, their rejection does not constitute a refusal of law *tout court*. Rather, it is designed to effectuate a *conditional* refusal that makes way for a 'higher law' supposedly generated both from *within* and *for* themselves, which they take to be grounded in what they call their 'natural', 'flesh-and-blood-persons'. Accordingly, I argue that the Sovereign Citizen rejection of state law is not purely an act of negation, but rather, is nomophilic and jurisgenerative to the extent that it works to produce and sustain Sovereign Citizen communities.

While the notion Sovereign Citizen ideologies can be jurisgenerative and nomophilic already troubles common understandings of the movement – which is typically characterised as one built around a wholesale rejection of law – the purpose of my argument runs further. I argue that insofar as Sovereign Citizen movements have almost exclusively emerged in (settler-)colonial contexts, their attempts to 'reclaim' what they call their 'sovereignty' by rejecting law paradoxically amount to an attempt to secure precisely what that very law has afforded them in the first place: namely, presumed status within, and ownership over, expropriated lands. This is because Sovereign Citizens purport to reject what they imagine the law to be so that their presumed sovereignty can be grounded in their own individual bodies, *à la* white nativism. To this end, I argue Sovereign Citizens exhibit a paradoxical form of nomophilia whereby they ultimately love the law *they claim to reject* in a formation that resonates with Moreton-Robinson's articulation of 'the possessive logics of patriarchal white sovereignty' (2015: xi).

In the third part of the article, I shift to critically examine popular discourse about Sovereign Citizens. As noted above, this discourse is largely perfunctory and mocking in nature, as the popularity of copaganda content showing Sovereign Citizens getting 'rekt', 'roasted' and 'destroyed' well attests. As with the Sovereign Citizen movement itself, I also identify the workings of nomophilia and an attachment to (settler-)colonial law within this discourse. While this love of law is apparent in the 'comedy' associated with seeing Sovereign Citizens receive their supposed comeuppance, I suggest again that the contours of this glee run deeper. This is because the pathologisation of Sovereign Citizens as 'crazy' practitioners of 'pseudolaw' works to discursively mask the contingency of law itself, and its 'rule', which are merely taken for granted and counterposed as banal and necessary, and indeed, non-violent. My argument here is *not* that the phenomenon of Sovereign Citizenry is *not* problematic and worthy of sustained critique

(as I explain, its links to white supremacy and white nativism clearly demonstrate that it is). Instead, my argument is that the predominant *manner* by which Sovereign Citizens are pathologised – be it through depictions of danger, worthiness of ridicule, or both – is itself also problematic insofar as it both reifies and takes the law for granted, while simultaneously pathologising resistance towards the state, the police, and the law/s they uphold. As I explain, these features of the ridicule and pathologisation of Sovereign Citizens are especially problematic in settler-colonial contexts insofar as they take the law for granted, working to normatively conceal the slow violence, epistemicide, juricide and nomocide it facilitates (Adebisi, 2023; Benjamin, 1978; Derrida, 1986; Giannacopoulos, 2020b; Watson, 2014, 2017) through the production of law's 'nomopoly' (Giannacopoulos, 2020b, 2022, 2023).

I argue that the juxtaposition of the nomophilia of *both* Sovereign Citizen ideology *and* that of the phenomenon of ridiculing and policing them reveals an important structural affinity between the two positions: namely, that both are predicated on *their vision* of law as being 'real' and monolithic and incontestable. For Sovereign Citizens, this law is the 'natural' law they locate in their 'flesh-and-blood-persons' (as described below). By contrast, for their detractors, it is the singular 'rule of law' that can and according to them *does* apply equally to all bodies, irrespective of whether or not they explicitly consent to its rule and application therein. By revealing this affinity, I argue that the respective ideologies of the Sovereign Citizen movement and those who ridicule and police them work discursively to attempt to foreclose Indigenous claims to sovereignty by shoring up their own respective formulations of sovereignty and the alleged sanctity of law.

The Ideologies of the Sovereign Citizen Movement

Sovereign Citizen movements have come drastically to prominence in recent years. By some estimates there are between 300,000 to 500,000 people who identify as Sovereign Citizens in the United States alone, where the phenomenon first emerged (Baldino and Lucas, 2019; Loeser, 2014; Sarteschi, 2021; Southern Poverty Law Center, n.d.). Large movements have also emerged in Canada, Australia, New Zealand, Germany, and the United Kingdom (Arnold and Fletcher, 2023; Baldino and Lucas, 2019; Fiebig and Koehler, 2022). The phenomenon, which has arisen in a context of growing distrust of public institutions, worsening financial conditions, and the spread of mis- and disinformation, is predicted by many to continue to rise (Baldino and Lucas, 2019; Hodge, 2019; Loeser, 2014). Indeed, an upward trend had already been observed prior to the emergence of the COVID-19 pandemic (Baldino and Lucas, 2019; Hodge, 2019; Loeser, 2014), the countermeasures for which were quickly incorporated into Sovereign Citizen ideologies as an example of the corrupt and freedom-inhibiting nature of the state and its law (Anonymised 1; Anonymised 2).

Despite the apparent growth of the phenomenon, the term 'Sovereign Citizen' does not refer to a homogenous movement (Sarteschi, 2021: 8). Rather, it is an umbrella term that encompasses a wide variety of seemingly contradictory actors who can nevertheless be grouped together by significant beliefs and objectives, alongside their self-identification as Sovereign Citizens (Baldino and Lucas, 2019: 248; Fiebig and Koehler, 2022: 35; Loeser, 2014: 1109). As Fiebig and Koehler explain:

> Given the influences from different anti-government extremist movements and far-right groups, sovereign citizens today are very heterogeneous regarding ideology, narratives, behavior, and visions of the future. Nevertheless, remarkable and significant commonalities between all of these movements are clearly visible. (2022: 35)

The defining feature of Sovereign Citizen groups, individuals, and ideologies is an unwavering belief in an ideal and radical form of individualism: namely, that of being a 'Sovereign Citizen'. In Sovereign Citizen ideology, authority and power reside solely and naturally in the individual body, which they call their 'flesh-and-blood-persons' (Griffin, 2023). Consequently, individuals cannot be 'bound by statute law unless they contractually agree to be so bound' (Baldino and Lucas, 2019: 247). As Calum Matheson elaborates, 'Individualism is taken to an extreme in [Sovereign Citizen] discourse. Even the supposed consent of the social contract is disavowed in favor of an absolute sovereign subject' (2018: 198).

While their specific conceptualisations of law differ – as explained in more detail below – the practices of Sovereign Citizens largely relate to their attempts to reject law's hold on the body, and to then demonstrate and celebrate that rejection. One of the most well-known aspects of Sovereign Citizen ideology is 'severance' or 'redemption theory', which maintains that one can 'severe' one's relationship to the state by ritually separating one's 'true self', often referred to as the 'flesh-and-blood-person', from one's 'strawman', or 'fictitious' legal person (Hodge, 2019: 3). In Sovereign Citizen ideology, it is only *through* the severance and redemption of one's flesh-and-blood-person that immunity to the state and its law can be established (Berger, 2016).

While each of these terms – severance, redemption, flesh-and-blood-person, and strawman – have strong links to white supremacist ideology and militia, as outlined below, these connections are not often made explicit by contemporary Sovereign Citizen movements. Instead, they are typically deployed more 'benignly' to refer only to the means through which Sovereign Citizens can achieve the ultimate Sovereign Citizen 'prize' of 'perfect and unfettered property rights' (Hodge, 2019: 6). Prominent Australian Sovereign Citizen, Dick Yardley, provides a representative articulation of this in his manifesto, 'Australia: Timeline of Treason' (2012). Here, Yardley contends that the Australian government has engaged in a systematic but covert process of 'treason' over a period of decades whereby a constellation of state and federal legislation has been implemented with the deliberate intention of 'removing all rights to own anything, including our land, our own bodies' (Yardley, 2012: 7). According to Yardley, it is only by engaging in the Sovereign Citizen movement – in the manner he elucidates – that one can resist this dispossession by restoring and redeeming 'Sovereign ownership' of one's body and land (which in Sovereign Citizen ideology, ultimately amount to one and the same thing).

To effectuate severance or redemption, Sovereign Citizens maintain that individuals should perform specific Sovereign Citizen rituals – often described as 'quasi-legal' steps – to (re)assert their individual sovereignty (Arnold and Fletcher, 2023; Baldino and Lucas, 2019; Hodge, 2019: 6; Griffin, 2023). As Hodge elaborates: 'Sovereign Citizens' activities and protests are rooted in a belief that by enacting specific patterns of speech and behaviour, an individual may formally withdraw their consent to be

governed by traditional state authority' (2019: 2). These patterns entail utilising a bespoke system of language, including a system of 'hyphens, decrees, codes and symbols' (Baldino and Lucas, 2019: 248) through which Sovereign Citizens can achieve 'severance'. Many Sovereign Citizen activities, practices, and behaviours relate to this system of language, which can be understood as being jurisgenerative. Examples of this include the dissemination of instruction manuals and scripts for learning and utilising the Sovereign Citizen language system, which is designed not only to help individuals achieve severance or redemption, but to navigate subsequent encounters with law enforcement as well.

The following excerpts provide examples as to how this special language is characteristically deployed:

> I, Geofrey J Schneider, am the living man. As such, I am not, at any time performing on behalf of, or contracting with the government. I am always in the Private unless I issue a statement otherwise. Therefore, all government statutes, acts and codes do not apply to me. As a man of The Creator I follow inherent jurisdiction which states that I am free to do whatever I see fit as long as I DO NO HARM. (Arnold and Fletcher, 2023: 116)

> My straw man is an artificial person created by law at my birth on September 1, 1948 via the inscription of an ALL-CAPITAL LETTERS NAME on my birth certificate/document, which is a document of title and a negotiable instrument. My lawful, Christian name of birthright was replaced with a legal, corporate name of deceit and fraud. I, Thomas-Joseph: Kennedy have been answering when the legal person, KENNEDY, THOMAS JOSEPH, is addressed, and therefore the two have been recognized as being one and the same. When, I, Thomas-Joseph: Kennedy, the lawful being distinguish myself as another party than the legal person, the two will be separated. (Hodge, 2019: 3)

> My BRADLEY person (conjoined with the BRADLEY 'spiritual' family bodypolitic) is my own "body politic" by succession, at Law. It is my natural body incorporated at the supreme Christian Law and is my own jurisdiction. (Arnold and Fletcher, 2023: 117)[3]

In these representative passages, self-identified Sovereign Citizens 'Geofrey J Schneider', 'Thomas-Joseph: Kennedy', and 'BRADLEY' articulate the quintessential Sovereign Citizen belief: that what they imagine the law to be neither applies to, nor overrides, the natural sovereignty qua 'inherent jurisdiction' they possess in their own bodies – at least unless they explicitly consent to it.

In conjunction with their unique language practices and modes of speech, Sovereign Citizens typically furnish their own self-created 'legal' documents. These include bespoke birth certificates, passports, licence plates, driver's licences, land patents and titles, and special ways of signing their names (Baldino and Lucas, 2019: 248; Loeser, 2014: 1125). Such documents are thought to be central to achieving 'severance' and the 'redemption' of one's land and flesh-and-blood-person. For example, Sovereign Citizen passports allegedly grant the freedom to travel without restriction, while Sovereign Citizen land patents restore pure and unmediated land ownership by providing exemptions to all forms of land taxation, such as land tax, council rates, capital gains tax,

and so on (Baldino and Lucas, 2019; Berger, 2016; Loeser, 2014). As one example of this, the Australian Sovereign Citizen group 'My Place' provides members with a bespoke letter they can sign (in the correct way) and send to their local planning minister to ensure they retain 'complete' ownership over their title. This letter reads as follows:

> As a property owner, I strongly object to any third party holding my title without express consent. Under no circumstances, DO I consent to the registrar (or a third party) having control of my title now or into the future. […] All Victorian property owners who hold an unencumbered title, should be able to retain a paper title and not be forced to have a third party (Registrar or other) control same. (My Place, 2022)

While the Sovereign Citizen system of language and documentation can appear more or less nonsensical to the uninitiated, this incomprehensibility arguably serves several purposes. First, since the claimed powers of Sovereign Citizens allegedly exceed those of the legal system, 'there is no need for them to make sense within its confines' (Griffin, 2023). Second, the incomprehensibility of the Sovereign Citizen language system to outsiders serves a jurisgenerative function that reifies the sense of connection and community among those 'in the know'. Tellingly, it is the incomprehensibility of pseudolaw that most frequently attracts mainstream attention and mockery – a point to which I will soon return.

While ideas about law's illegitimacy, and the subject's capacity to choose to consent to it, are common to all iterations of Sovereign Citizenry, how this illegitimacy is articulated differs across movements, sometimes wildly.[4] One common explanation relates to the white supremacist and white nationalist origins of Sovereign Citizen ideology, which leads Berger to caution that although 'it is tempting to dismiss sovereign ideas as gibberish or nonsense', it is also important to recognise that 'its framework is based on a legacy of specific theories regarding … the role of race in America and abroad, including both white supremacy generally and anti-Semitism in particular' (2016: 12). The first-known Sovereign Citizen movements emerged in the United States, where they had close links to white supremacist, anti-tax militia such as the Ku Klux Klan and Posse Comitatus (Baldino and Lucas, 2019: 248; Hodge, 2019: 2; Loeser, 2014: 1109; Sullivan, 1999).[5] Consequently, many contemporary Sovereign Citizen groups remain associated with white nationalism, white supremacy, antisemitism, and the far right (Berger, 2016: 7; Loeser, 2014: 1111; Sarteschi, 2021: 1). For such groups, Sovereign Citizenry arose to combat the devaluation of white citizenship following the 13th, 14th, and 15th amendments to the Constitution of the United States, which abolished slavery and extended citizenship and voting rights to formerly enslaved Black people (Berger, 2016: 3). For white supremacist militia like the Ku Klux Klan and Posse Comitatus, and the Sovereign Citizen movements that later evolved from them, these amendments were unlawful and 'unconstitutional' because they undermined the racial purity of the nation, effectively rendering white subjects second class citizens in their own country (Goldstein, 2018; Loeser, 2014: 1111). As Goldstein explains:

> The Klan has long been devoted to the belief that the United States is fundamentally a white nation, that the nation's founders were dedicated to white rule, and that the Constitution should be understood as the source of white power. (2018: 289)

According to this narrative, the above constitutional amendments had two crucial flow-on effects, which are related. First, the value of citizenship (understood as white citizenship) was diminished. And second, both the law and those who uphold it – including state, government, the courts and law enforcement – came to be seen as corrupt and illegitimate entities. Consequently, many white supremacist organisations now believe they need to work towards either restoring these institutions (as seen in the Klan's attempts to restore the Constitution to antebellum status), or otherwise, to sever themselves from those institutions entirely.

While some Sovereign Citizens today explicitly identify as white supremacists, this is by no means the case for all. As the movement has developed and spread to different geographies and contexts, so too Sovereign Citizen ideology has continued to evolve and morph in various, and often contradictory, ways. In some cases, this has entailed strategic moves away from overt white supremacy in order to expand membership (Baldino and Lucas, 2019: 247). Nevertheless, it is important to understand how the white supremacist origins of the Sovereign Citizen movement continue to refract via prominent Sovereign Citizen ideas today – even if sometimes unbeknownst to present-day members. For example, contemporary Sovereign Citizen ideas of 'redemption', which entail disavowing one's 'strawman' and restoring the 'flesh-and-blood-person' can all be traced directly to the ideas of American white supremacist militia leader Roger Elvick, who was active in the 1980s (Matheson, 2018: 188). Similarly, 'severance' theory can be traced to the beliefs and activities of the Posse Comitatus, a white supremacist militia group that advocated for 'severing' one's connection to the state by destroying state-provided documents, such as driver's licences and birth certificates (Loeser, 2014: 1112). Such ideas find their instantiation in Sovereign Citizen ideology and practice today, including most obviously the emphasis on severing and thereby redeeming one's flesh-and-blood-person by rejecting state-sanctioned legal documentation in the place of bespoke 'pseudo-legal' documents.

Another vector through which the racial animus of Sovereign Citizen ideology has evolved is through the uptake of racialised conspiracy theories, including especially those which are antisemitic, and harken back to the ideology of the Klan (Anonymised 1; Anonymised 2; Berger, 2016; Goldstein, 2018; Hodge, 2019; Loeser, 2014). As Hodge elaborates:

> As the movement evolved throughout the first decade of the twenty-first century its rhetoric became increasingly conspiratorial; the American government was no longer merely corrupt, it was also controlled by foreign—often Jewish—banking interests or cabals of shadowy forces intent on creating a New World Order under a single world government. (2019: 3)

For contemporary Sovereign Citizen movements, these conspiracy theories account for the state's corruption and the illegitimacy of law by positing racialised forces that operate behind the scenes (Berger, 2016; Hodge, 2019; Loeser, 2014). Like the Sovereign Citizen language system, such conspiracy theories have often become the target of ridicule.

While research and popular commentary about Sovereign Citizens tends to depict them as being laughable and worthy of derision, these same discourses simultaneously

depict them as dangerous. Crucially however, Sovereign Citizens are typically depicted as dangerous *not* due to their links to white supremacy, but instead due to their rejection of the rule of law. Here, Sarteschi provides a representative example:

> [Sovereign Citizens] pose a unique and significant threat to law enforcement during traffic stops because of their reluctance to follow basic traffic and motor vehicle laws. Upon being stopped for a traffic infraction, sovereigns can become argumentative, combative and noncooperative. They will often engage in conflict-oriented tactics such as demanding that officers prove jurisdiction, refusing to answer questions or insisting that they 'do not consent' to the actions of law enforcement. (2021: 1)

I will later return to examine the discursive effects produced by framing Sovereign Citizens as dangerous in this way. Before doing so however, I will first examine Sovereign Citizen ideology more closely in order to reveal its resonance with both settler-colonialism and the very law it purports to reject.

The Nomophilia of Rejecting the Law

In this section, I critically examine the status of law in Sovereign Citizen ideology. I argue that although it ostensibly rejects *what it takes to be law*, the Sovereign Citizen movement nevertheless subsists in, and is productive of, nomophilia, which Giannacopoulos describes as 'an uncritical love of law' (2020a: 1085). At first blush, this is a seemingly counterintuitive proposition. How can Sovereign Citizens be said to love law if their movement is built around its rejection? And how can this love be *uncritical* if the basis of Sovereign Citizen ideology appears to be grounded in, and sustained by, the questioning of law's legitimacy?

I propose this seeming paradox can be resolved by examining what Sovereign Citizen ideology conceals within itself through its performative refusal of law: namely, a passionate attachment to the *coloniality of law* (as described below), the spoils of which Sovereign Citizens attempt to locate and secure with/in their own individual bodies, as opposed to within the broader legal architecture of the colony itself. Put differently, I will be arguing that nomophilia occurs surreptitiously and paradoxically within Sovereign Citizen ideology via its very (alleged) rejection of law. This is because, I will claim, in Sovereign Citizen ideology, law is only rejected *in name* so that its affordances, including the aforementioned access to 'unfettered property rights' (Hodge, 2019: 6), can be secured via their ontologisation within the so-called 'flesh-and-blood-person' (a concept which is itself colonial and juridical, insofar as it taps into Western notions of the legal person). To elucidate this argument, this section will first discuss the concept of nomophilia, before moving to examine its subterranean presence in Sovereign Citizen ideology.

Giannacopoulos writes that nomophilia is a 'blind love of law' that 'persists' in settler-colonial contexts (2022: 46). Insofar as law is often taken for granted in everyday life, this love persists, and indeed *insists*, in many forms and many guises, refracting via the self-proclaimed 'neutrality and objectivity' of law (Giannacopoulos, 2020a: 1085). To resist law's monolithic acceptance, Giannacopoulos proposes that 'a new lexicon is

needed to make visible and to challenge the exploitative coloniality of [Western] law' (2022: 46). As she elaborates, in a passage worth citing at length:

> The machinery of the law is a critical dispossessing machinery but does not always appear as such. Law is more often loved than critiqued because it is read as being synonymous with objectivity and neutrality and as being above and outside of practices of colonialism rather than as instrumental in its production. In Australia, as in many other settler-colonial countries globally, it is law that imposes colonial ordering over stolen territories while disguising the inherent violence of these practices by deeming them lawful. The inability to read law as a vehicle for colonial violence but instead to love law for the neutrality and objectivity it claims to bring is nomophilia (Giannacopoulos, 2011). The prevalence and persistence of nomophilia require critical attention to bring into view and to disrupt law's empire of violence. (Giannacopoulos, 2020a: 1085–1086)

As presaged above, my argument is that Sovereign Citizen ideology is one of the many places that nomophilia both persists and insists, albeit covertly and somewhat paradoxically. This is because while Sovereign Citizen's claim to reject law – rather performatively – they do so with the explicit intention of maintaining its colonial function *for themselves* by grounding their relationship to stolen lands inalienably and inviolably within the 'inherent jurisdiction' of their 'flesh-and-blood-persons'. As I will elaborate, such ideas of possession and the individual subject are themselves fundamental hallmarks of Western colonialism.

My thesis that Sovereign Citizens exhibit a nomophilic attachment to law, despite claiming to reject it, can be unpacked in relation to Moreton-Robinson's concept of 'the white possessive' (2015). Although not exclusively about law, Moreton-Robinson emphasises law's role in dispossessing Indigenous peoples of their lands and waters through the construction of the latter as the property of the coloniser. As Moreton-Robinson elaborates:

> It takes a great deal of work to maintain Canada, the United States, Hawai'i', New Zealand, and Australia as white possessions. The regulatory mechanisms of these nation-states are extremely busy reaffirming and reproducing this possessiveness through a process of perpetual Indigenous dispossession, ranging from the refusal of Indigenous sovereignty to overregulated piecemeal concessions. (2015: xi)

Drawing on Cheryl Harris's notion of 'whiteness as property' (1993), Moreton-Robinson elucidates how proprietary-ness is central to the onto-epistemology of Western society, including Western law, which is organised around 'logics of possession' (2015: xxi). These logics work by converting and demarcating land into discrete units, such as allotments, properties, and territories, which can be bought, sold, and owned (Moreton-Robinson, 2015: 1–61). For Moreton-Robinson, this ontologising function is colonial insofar as it works to justify the dispossession of Indigenous lands by allowing them to be 'owned' through a series of ontological manoeuvres that are incommensurate with, and antithetical to, Indigenous ways of knowing and being in relation to land (2015: 11; see also Alfred, 2005; Barker, 2005; Moreton-Robinson, 2020; Watson, 2014, 2017). These ontological manoeuvres ultimately reflect and reproduce the

'possessive logics of patriarchal white sovereignty', which Moreton-Robinson encapsulates via the notion of 'the white possessive' (2015: xi).

Elaborating on law's ontologising coloniality, Foluke Adebisi elaborates that, 'In the colonial encounter, the first thing to go and the first thing to arrive in the making of the colony is Euro-modern law' (2023: 46). This is because, she continues, 'Successful invasion … requires the legitimation and introduction of the coloniser's law as well as concurrent delegitimation of the law of the colonised' (Adebisi, 2023: 46). When settlers arrive as colonisers, they effectively '*become* the law' (Tuck and Yang, 2012: 6; my emphasis), staying 'not as immigrants, but as sole recognised authorities' in the territories they now understand themselves as possessing (Adebisi, 2023: 25). Accordingly, expropriated territories are typically renamed, and new modes of governance are installed, such that 'The settlers' epistemologies and ontologies of life take pre-eminence' within the colony (Adebisi, 2023: 25). Insofar as law is central to land expropriation, possession, renaming, and re-conceptualisation, it can be understood as 'complicit in the establishment and continuation of a settler state' (Adebisi, 2023: 25). However, Western law actively disavows these onto-epistemological functions by treating as 'natural' that which it produces and by which it is produced – including individuals, citizens, rights bearers, nations, territories, and states (for extended discussion, see Adebisi, 2023: 38–64). This disavowal, I claim, is a function of nomophilia.

On my reading, insofar as it reflects an uncritical love of Western law, inclusive of its racial-colonial function, nomophilia can be understood as a mode of 'normative white supremacy', which, rather than conceptualising white supremacy reductively as an 'exceptional', 'irrational' or 'hateful' phenomenon, instead:

> encompasses the deeply historical, normalized relations of gendered anti-Blackness and racial-colonial violence, evisceration, and denigration that have characterised the emergence of Civilisation and its coercive iterations of global modernity in the long post-conquest epoch. (Rodriguez, 2021: 7)

This understanding allows us to *de*-exceptionalise white supremacy while also identifying, in the same manoeuvre, the role law has played in the production and maintenance of the 'deeply historical, normalised relations' of white supremacy that sustain settler-colonial societies. Crucially, it also helps us to connect the non- and extra-legal dimensions of law's coloniality, whose logics of white possession are not confined to law, but rather denote a much more expansive 'mode of rationalisation' which is 'operationalized within discourse to circulate sets of meanings about ownership of the nation, as part of commonsense knowledge, decision making, and socially produced conventions' (Moreton-Robinson, 2015: xii). Through this circulation, Moreton-Robinson explains, subjects come to '*embody* white possessive logics' (2015: xii; my emphasis).

My claim here is that the Sovereign Citizen 'rejection' of the legitimacy of law is paradoxically one of the socio-cultural forms that the embodiment of white possessive logics can assume. This is because although Sovereign Citizens purportedly reject the law – which is implicated in the dispossession of Indigenous lands and waters – they nevertheless do so with the explicit intention of asserting *their own* possession of precisely those same lands and waters. Moreover, by seeking to ground this ownership within their own

(supposedly) radically 'sovereign' bodies – their 'flesh-and-blood-persons' – they seek to make their claim to possession incontestable and inviolable. To this end, while Sovereign Citizens purport to disavow (colonial) law, they nevertheless continue to express its logics, of which they themselves can be understood as epiphenomenal. We thus might say that Sovereign Citizens reject colonial law *in name* in order to strengthen colonial bonds *in body*.[6] It is by producing this imagined relationship that Sovereign Citizen ideologies attempt to secure 'perfect and unfettered property rights' (Hodge, 2019: 6) and unimpeded movement over, and access to, stolen lands.[7] In this sense, Sovereign Citizens paradoxically embody the 'possessive logics of patriarchal white sovereignty' (Moreton-Robinson, 2015: xi) *through the very means by which they claim to reject white law*.

While the Sovereign Citizen version of nomophilia I have articulated above departs from Giannacopoulos's original formulation, it ultimately only differs superficially. While Sovereign Citizen ideology purports to reject the 'legitimacy' of law, it does so only to secure that so-called legitimacy under another guise – one grounded and ontologised *inalienably* within the Sovereign Citizen body, and in reference only to self-created law.[8] With this in mind, far from being anti-law activists, Sovereign Citizens could be more accurately described as law 'purists' who aim to assert and adhere to a higher, *purer* law which articulates with and refracts the white supremacist origins of the movement. In this sense, while Sovereign Citizen nomophilia differs from Giannacopoulos's general formulation, it nevertheless continues to (re)produce precisely the same 'white settler society' she identifies: that is, one 'structured by a racial hierarchy' through which 'white settlers "become" the original inhabitants' of the colony (2011: 1). This structure is evident in the representative examples of Sovereign Citizen discourse outlined above, including those of Geofrey J Schneider, Thomas-Joseph: Kennedy, and BRADLEY, each of whom speaks the language of white nativism, recognising no authority capable of impinging the freedom of the (white) body and its relationship to land. As Geofrey J Schneider declares, 'I am always in the Private unless I issue a statement otherwise' (Arnold and Fletcher, 2023: 116), while BRADLEY asserts, 'My BRADLEY person … is my own "body politic" … It is my natural body … and is my own jurisdiction' (Arnold and Fletcher, 2023: 117). Via such articulations, Sovereign Citizens work to render themselves, and their bodies, autochthonous.

With the presence of nomophilia within Sovereign Citizen ideology thus established, in the following section I pivot to examine its role in the predominant discourses through which the movement is critiqued. I will later double back to highlight the structural affinity between both the nomophilia of Sovereign Citizens and their detractors.

The Nomophilia of Rejecting *Pseudolaw*

As discussed above, much of the existing commentary and research on Sovereign Citizens works to pathologise the movement as one consisting of fringe figures whose rejection of law is not only laughable, but is even inherently dangerous. Recall, for example, previously discussed copaganda videos which depict Sovereign Citizens being arrested and 'roasted' (humiliated), alongside claims regarding the danger they pose to police. In this section, I move to critique such depictions of Sovereign

Citizenry by revealing the means through which their critique discursively reinforces the perceived legitimacy and singularity of law (which is itself implicated in the reproduction of normative white supremacy). I maintain that Sovereign Citizen 'roast' videos, which centre on the enjoyment of seeing the law '*done*' to an-other, simultaneously position the subject who enjoys as one who is 'on the right side of the law'. That is, they position viewers as being both in good 'standing' with the law, *and* as being on the right side of the law's 'screen' as spectators of its violence. Far from being a discrete phenomenon, such videos provide an index for the way the dominant mode of conceptualising and critiquing Sovereign Citizens discursively positions subjects in relation to the law.

To explicate this argument, I draw not only from Giannacopoulos's concept of nomophilia, but so too from her notion of law's 'nomopoly', which describes the monopoly of authority law seeks to establish for itself (2020b, 2022, 2023). This concept will be useful because the dominant mode of critiquing Sovereign Citizen ideology is to reassert the presumed singularity of Western law (the nomopoly). This is evident, for example, in the mocking claim that Sovereign Citizens foolishly cling to 'pseudolaw', a term that implies the singularity and legitimacy of 'real law' qua *Western* law. Later, I will discuss the implications of reasserting the nomopoly, which include the pathologisation of resistance to the police and the attempted negation of the sovereignty of First Nations. Before doing this however, I will first explicate the concept of nomopoly and its relationship to nomophilia.

Giannacopoulos writes that 'colonial law acts as though it possesses singular and incontestable sovereignty' (2020a: 1085). This is what she calls the nomopoly: a term '[denoting] a monopoly in the creation of nomos/law' (Giannacopoulos, 2022: 46), which has resonance with both Cover's conceptualisation of 'jurispathy' (the mechanisms through which law attempts to kill, quell, and repress competition for law (1983)), as well as Walter Benjamin's articulation of 'law-preserving violence' (1978: 45–60). On my reading, in settler-colonial contexts, the nomopoly jurispathically preserves the settler-colony by 'structurally foreclosing the operations of the first laws of Aboriginal peoples by subjecting all to its monolithic rule' (Giannacopoulos, 2022: 46–47). Writing in a similar vein, Adebisi observes that: 'In the colonial encounter … the laws of those colonised (indigenous laws) are re-written as culture and myth', while simultaneously, 'the laws of the colonisers are imposed and expanded as The Law, The Only Law, and Nothing but the Law' (2023: 46). Such articulations of Western law and sovereignty as singular and supreme – that is, as a nomopoly – inherently serve a racial-colonial function by working to continually disavow Indigenous sovereignty, imposing 'incommensurable ontologies' (Moreton-Robinson, 2020: 258). Of this, Giannacopoulos cites the Australian Constitution as 'a key exemplar of the colonial nomopoly' (2022: 47) insofar as it 'seeks to eliminate competition for law' by asserting itself as a 'singular legal authority' (2022: 46). This manoeuvre is 'foundationally violent' (Giannacopoulos, 2022: 46) and 'usurpatory' because it attempts to deny the existence of the laws of First Nations by '[naturalising] and then retrospectively [legitimising] the theft of Aboriginal land' (Giannacopoulos, 2023: 256).

For Giannacopoulos, nomophilia and the nomopoly are mutually reinforcing. Nomophilia obscures the violence of the nomopoly through its celebration of law as neutral and objective, and as 'legitimate, singular and without rival' (Giannacopoulos, 2022: 56).

In turn, law's imagined neutrality, objectivity, legitimacy, and singularity bolster nomophilic attachments. This reciprocity can be seen 'through a series of legal events that are presented (and often understood) as an antidote to the coloniality of law' (Giannacopoulos, 2022: 56). This is perverse because the coloniality of law is affirmed and recuperated through the very means by which it is supposedly addressed: namely, via recourse to the law.[9] Settler attempts to eliminate Indigenous law through inclusion are inherently nomophilic (and jurispathic) because they attempt to salvage and recuperate law by purportedly 'cleansing' it of its colonial origins while valourising and celebrating the equality and inclusivity it supposedly engenders. However, this merely works to preserve the nomopoly and its colonial function by pre-emptively and discursively neutralising threats to its alleged singularity and incontestability.

It is here that we can return to the phenomenon of ridiculing and policing Sovereign Citizens, which typically proceeds by depicting them as pathological figures who do not believe in the rule of law, and consequently, need to be 'roasted' and taught law's 'lesson'. This phenomenon, I claim, occurs as a symptom of the same nomophilic impulse that both subscribes to and attempts to secure Western law's alleged singularity and incontestability. This is because the lesson Sovereign Citizens need to learn, according to the dominant understanding, *is that of law's nomopoly* (i.e., its purported monolithic supremacy and incontestability). This structure can be seen in the language through which Sovereign Citizens are typically ridiculed. Here, the concept of 'pseudolaw' is again rather informative. As a signifier, 'pseudolaw' explicitly *insists* that Sovereign Citizen laws are neither 'real' nor legitimate, but instead, are the stuff of fantasy, and worthy only of derision. Indicatively, Arnold and Fletcher suggest that Sovereign Citizens can 'be understood as practitioners of law as a form of magic, a legal "abracadabra" whose incantation both reflects incomprehension about the contemporary justice system and an unsuccessful attempt at time travel to an imagined past' (2023: 111). As they somewhat mockingly conclude: 'If law is a matter of spells, ritual and spectacle, the spells used by sovereign citizens are distinctly ineffective' (Arnold and Fletcher, 2023: 111). Problematically however, this conceptualisation of pseudolaw discursively (re)asserts law's colonial nomopoly by implying the existence of a '*real*' and therefore legitimate law to which pseudolaw is counterposed. Indeed effectively, pseudolaw is constructed only so that it can be negated; and through this negation of its other, Western-colonial law reasserts and rearticulates the privileged status it creates for itself: that of being 'The Law, The Only Law, and Nothing but the Law' (Adebisi, 2023: 46; my emphasis).

To negate pseudolaw, Western law, and those who subscribe to it, seek to performatively remind Sovereign Citizens of law's singular and incontestable status. This re-absorption of Sovereign Citizens *into* law's fold occurs not only juridically, such as when Sovereign Citizens are arrested or sentenced, but *culturally* as well, such as when those arrests are recorded and then voyeuristically celebrated and enjoyed (as copaganda). Ironically then, the theatrical 'welcoming' of Sovereign Citizens back into law's fold amounts to the law's rejection of the Sovereign Citizen rejection of law: that is, it amounts to a rejection of a rejection – which is precisely what Sovereign Citizen-related copaganda celebrates. *Through such videos*, proof of law's reign over the body – indeed, *over all bodies* – is tendered. This reign has both ideological and

material effects, which like incarceration and police detainment, 'arrest' the subject not only corporeally, but symbolically and psychologically as well.

The negation of Sovereign Citizen claims to sovereignty, which largely proceeds through humour, derision, and where 'necessary', the meting out of law's violence, effectively work by eliminating those claims through inclusion: that is, by demonstrating that Sovereign Citizens remain included in law, as evidenced by their enduring capacity to be arrested, detained, or fined. This manoeuvre not only mirrors the (attempted) elimination through inclusion of First Nation's claims to sovereignty, but also discursively and surreptitiously reproduces it via the reproduction of nomophilic attachments to law's nomopoly which read Western law as singular, totalising, and incontestable. The notion that videos of Sovereign Citizens being 'roasted' and arrested function as copaganda thus needs to be significantly expanded. Such videos, and the broader dispositions they represent, provide not only propaganda for police, but so too an alibi for the racial-colonial function of law itself.

Conclusion: Arresting Nomophilia

In this article, I have attempted to reveal a structural affinity between Sovereign Citizen ideology and the predominate means through which it is critiqued. Both the Sovereign Citizen rejection of law, and the dominant mode of critiquing this rejection – which include ridicule, and depictions of danger – are symptoms of nomophilia: an uncritical love of the law that operates in the service of law's coloniality. Sovereign Citizens purport to reject the law to maintain and assert their 'inherent jurisdiction', which they associate with unbound(ed) freedom and land ownership without mediation by the state. However, the law Sovereign Citizens claim to reject is precisely that which has establishes their possessive connection to the territories they inhabit and seek to inalienably possess. Thus, while Sovereign Citizens claim to be *victims of law*, although they are sometimes arrested, fined, and even imprisoned, they are nevertheless also its beneficiaries, as it is law that gives them access to expropriated lands to which they then seek to establish an autochthonous relation. Sovereign Citizens can thus be understood to paradoxically reject law to secure that which it affords them, and to this end, Sovereign Citizen ideology both contains and conceals a nomophilia that is characteristically expressed via a form of white nativism that disavows its own predicates: namely, those of colonialism. On the other hand, I have argued that the widespread ridicule of Sovereign Citizenry also occurs largely as a symptom of nomophilia. This nomophilia relates to the re-affirmation of law's nomopoly and entails the enjoyment of seeing the law '*done*' to the other. Through this enjoyment, the subject who enjoys is positioned as a subject on the 'right' side of the law. None of this, of course, is to say that Sovereign Citizens should not be critiqued. On the contrary, the white supremacist and white nativist origins of the movement make critique urgent. It is however to insist that the manner by which Sovereign Citizens are critiqued should also be subjected to rigorous analysis – and especially so if they rest upon nomophilic foundations and logics of white possession. When such attachments and logics remain intact, Sovereign Citizens only appear dangerous and worthy of ridicule in relation to their purported rejection of law and its allegedly monolithic rule. It is perhaps this impulse itself – which

mobilises to protect and preserve the law – that, in the broadest sense of the term, is in need of arrest.

Authors' Note

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Notes

1. I have here provided only a small but indicative selection of examples. At the time of writing, a popular video series called 'Sovereign Citizen Fails', by YouTube user 'Law Talk With Mike', is up to episode 54. These videos have been collectively viewed millions of times. Many highly curated 'compilation' videos of Sovereign Citizen arrests and 'fails' have also been shared widely across a variety of social media platforms, with titles such as 'Top 10 Sovereign Citizen Fails', 'Best Sovereign Citizen Moments MEGA-compilation', and so on.
2. For discussion of the term, see Wood and McGovern (2021).
3. For further examples and excerpts of Sovereign Citizen speech, and analyses of them, see Griffin (2023), Matheson (2018), Hodge (2019), and Arnold and Fletcher (2023).
4. Note that in problematising these Sovereign Citizen articulations of law's illegitimacy, I am by no means intending to imply that law itself is therefore actually legitimate, incontestable, or fundamentally real.
5. As I discuss below, there are many other additional parallels, including the appeal to a 'higher' or 'purer' law, as well as to the sanctity of the 'pure', 'natural' body *qua* the white body or 'flesh-and-blood-person'. For further discussion, see Berger (2016), Sullivan (1999), Loeser (2014) and Goldstein (2018).
6. Noting again that here, the body is understood in terms of Western ontology: namely, as that which *belongs* to the individual subject (of law, rights, and so on).
7. For further discussion of the importance Sovereign Citizens place on 'freedom of movement', including in the context of the COVID-19 pandemic, Truckers Freedom Convoy, and Convoy to Canberra, see: Anonymised 1 and Anonymised 2. For the importance settlers place on freedom of movement in settler-colonial contexts more generally, see: Fujikane (2000) and Mei-Singh and McGregor (2024).
8. While Sovereign Citizens sometimes attempt to legitimise their claim to an 'inherent jurisdiction' grounded in the 'flesh-and-blood-person' by appropriating Indigenous discourses of

sovereignty, such claims are disingenuous *at best* insofar as they remain oriented in Western ontologies and epistemologies of law and land ownership. For discussion of Indigenous rejections of Western law, see Coulthard (2014), Kanahele (2002), and Sai (2008). For discussion of the incommensurability between Western claims to land ownership and Indigenous ways of knowing and being in relation to land, see: Alfred (2005), Barker (2005), Moreton-Robinson (2015: 11, 2020), and Watson (2014, 2017).

9. One of the most commented upon of such 'restorative' legal gestures is *Mabo and Others v The State of Queensland [No. 2]* – often referred to simply as 'Mabo' or 'the Mabo decision' – whose landmark ruling (both *in* and *by* Australian law) putatively overturned the doctrine of *terra nullius* upon which Australian law was founded and remains predicated. Through the Mabo decision, the existence of Aboriginal laws and customs prior to and after settlement came to be acknowledged. This meant that Native Title claims could be established. While the ruling was – and is – heavily celebrated, for Giannacopoulos (and many others, some of whom are discussed below), the common narrative about the Mabo decision and its rejection of *terra nullius* works to discursively bolster the nomopoly of the Australian Constitution, albeit in a covert way. This is because while Mabo allowed Native Title claims to be lodged, in order for them to be facilitated, a connection to land had to be established *within* Australian (colonial) law, and via the restrictive terms Australian law both established and decided it was capable of recognising. Through this manoeuvre, colonial law created *the fiction* that 'Australia's legal system has since 1992 been humanely redressing its racial history' (Giannacopoulos, 2022: 54). In reality however, it instead came to '[operate] to eliminate through inclusion' (Giannacopoulos, 2022: 56), a view supported by Tanganekald, Meintangk and Boandik woman Irene Watson, who writes:

   > Terra nullius has life post-Mabo … There was no glitch or pause; the only change was the assimilation of some 'successful native title' applicants into the Australian law of property. Our capacity to care for country remains a struggle. Native title does little to alter that struggle; it only enables some of us to participate in the un-lawfull activity of wheeling and dealing and selling the land, or to assimilate into the colonial game of recognition (2017: 472).

   While the Mabo decision is specific to the Australian context, it is exemplary of the phenomenon of 'elimination through inclusion' (into colonial law). Similar instances have occurred in most settler-colonial contexts, including New Zealand, the United States, Hawai'i and Canada (for discussion, see: Adebisi, 2023; Coulthard, 2014).

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