Sovereign Citizen Movement

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The "sovereign citizen" movement is a loosely organized collection of groups and individuals who have adopted a right-wing anarchist ideology originating in the theories of a group called the Posse Comitatus in the 1970s. Its adherents believe that virtually all existing government in the United States is illegitimate and they seek to "restore" an idealized, minimalist government that never actually existed. To this end, sovereign citizens wage war against the government and other forms of authority using "paper terrorism" harassment and intimidation tactics, and occasionally resorting to violence.

- **Origins**: Circa 1970; fully developed by early 1980s
- **Ideology**: Anti-government, some white supremacist elements
- **Outreach**: Vigilante courts, seminars, shortwave radio, the Internet, "schools of common law"
- **Notable Episodes**: 1996 Montana Freeman standoff; 1997 Republic of Texas standoff Tactics "Paper terrorism," including frivolous lawsuits, frivolous liens, fictitious financial instruments, fictitious automobile-related documents, and misuse of genuine documents such as IRS forms; various frauds and scams
- **Hot Tactic**: "Redemption" (see below)
Introduction: A Letter from Michigan

In April 1992, an angry resident of Sanilac County, Michigan, wrote a letter to the Michigan Department of Natural Resources stating he was no longer a "citizen of the corrupt political corporate State of Michigan and the United States of America" and was answerable only to the "Common Laws." He therefore expressly revoked his signature on any hunting or fishing licenses, which he viewed as contracts that fraudulently bound him to the illegitimate government of Michigan.

That obscure Michigan hunter would, three years later, become known to the entire world. He was Terry Nichols, friend and accomplice of Oklahoma City Federal Building bomber Timothy McVeigh. Nichols subscribed to an unusual right-wing anti-government ideology whose adherents have in recent years increasingly plagued public officials, law enforcement officers and private citizens with a variety of tactics designed to attack the government and other forms of authority. Its members call themselves, variously, constitutionals, freemen, preamble citizens, common law citizens and non-foreign/non-resident aliens (Nichols used several of these), but most commonly refer to themselves as "sovereign citizens."

Members of the sovereign citizen movement engage in a variety of seemingly bizarre activities. Nichols, for instance, several times repudiated his allegiance to federal and state governments. He tried to pay a credit card debt with a fictitious financial instrument called a "certified fractional reserve check." Brought into court in Michigan in 1993, he refused to walk to the front of the courtroom and denied the court's jurisdiction over him. Even when he wrote addresses on letters, Nichols made sure to use the abbreviation "TDC" to indicate that he was using the federal zip code under "threat, duress and coercion." These exhibitions of behavior might seem odd or even humorous, but the same ideology that led to those activities also helped lead Terry Nichols to assist Timothy McVeigh in building a bomb that would kill 168 people and injure hundreds more. By then the sovereign citizen movement to which Nichols subscribed had embarked upon a nationwide...
resurgence that would last into the 21st century; its anti-government activities would cause problems in every region of the country.

**Origins: The Posse Rides Again**

The key distinguishing characteristic of the sovereign citizen movement is its extreme anti-government ideology, couched in conspiratorial, pseudohistorical, pseudolegal and sometimes racist language. Many extremist movements in the 20th century have been anti-government in the sense that they opposed governmental policies, but few have been so purely anti-government that they challenged its very legitimacy. In fact, a number of extremist movements, from the Ku Klux Klan of the 1920s to the anticommunist groups of the 1950s and 1960s, attempted with some success to ally themselves with government.

However, beginning in the late 1960s, a number of right-wing fringe groups formed that questioned the authority and nature of the federal government. Most grew out of a recently emergent right-wing tax-protest movement: arguments about the illegitimacy of income tax laws were easily expanded or altered to challenge the legitimacy of the government itself. The most important of these groups was the Posse Comitatus, which originated in Oregon and California around 1970.

Members of the Posse Comitatus believed that the county was the true seat of government in the United States. They did not deny the legal existence of federal or state governments, but rather claimed that the county level was the "highest authority of government in our Republic as it is closest to the people." The basic Posse manual stated that there had been "subtle subversion" of the Constitution by various arms and levels of government, especially the judiciary. There was, in fact, a "criminal conspiracy to obstruct justice, disfranchise citizens and liquidate the Constitutional Republic of these United States."

The Posse wanted to reverse this subversion and "restore" the Republic through (1) unilateral actions by the people (i.e., the Posse) and (2) actions by the county sheriff. The sheriff, they argued, was the only constitutional law enforcement officer. Moreover, his most important role was to protect the people from the
unlawful acts of officials of governments like judges and government agents. Should a sheriff refuse to carry out such duties, the people (i.e., the Posse) had the right to hang him. In fact, the two most prominent Posse symbols became a sheriff’s badge and a hangman's noose.

The Posse reached its peak in the early 1980s when a farm crisis in the Midwest allowed Posse leaders to recruit among angry and desperate farmers. By this time Posse ideology had developed into an elaborate theory involving an original, utopian form of government based upon "common law" (the "de jure" government) that had been subverted and replaced with an illegitimate, tyrannical government (the "de facto" government). Americans obeyed the de facto government, because they had been tricked into believing it was legitimate.

Although the basic Posse philosophy was anti-government in nature rather than hate-filled, many leaders of Posse groups were virulent racists. The Posse’s revisionist ideas about government and conspiracy were especially attractive to Christian Identity believers; as a result, many Identity adherents, including William Potter Gale, James Wickstrom, Gordon Kahl, Bob Hallstrom and Thomas Stockheimer, among others, became involved in the Posse or similar groups. The result was that Posse ideology was often, though by no means always, imbued with racist and anti-Semitic as well as anti-government language, reflecting the movement's increasing violence and criminal activity. In the early 1980s, Posse members and sympathizers became involved in a number of shootings, standoffs, fraud schemes and other criminal activities. The most notorious incident involved Gordon Kahl, a North Dakota Posse leader, Christian Identity adherent and activist in the "township" movement (which advocated forming civil bodies independent of outside control, a tactic the Montana Freemen would resurrect in 1996). When United States marshals attempted to arrest Kahl in 1983 for violating his probation, he opened fire, killing two officers and wounding others before escaping. Four months later, he was tracked to an Arkansas farmhouse, where he died in a second shootout that also took the life of a sheriff.
By the end of the 1980s, however, the Posse had largely died away. In addition to adherents like Kahl, who died violently, other Posse leaders, including William Potter Gale and Henry "Mike" Beach died naturally. Still others were jailed or simply dropped out of the movement. The Posse lived on in isolated pockets but had largely lost its force (in the 1990s, Wickstrom and August Kreis would recreate the group, but this time solely as a white supremacist organization with little interest in anti-government theories). Still, the ideology underlying the Posse lived on, waiting for new leaders and organizations to emerge.

**Ideology: The Pernicious 14th Amendment**

The ideology of the sovereign citizen movement had matured and crystallized by the 1980s as an unusual form of right-wing anarchism that focuses, on the one hand on the importance of local control and, on the other hand, on the avoidance of virtually all forms of authority and obligation.

Sovereign citizen ideology justifies these goals by claiming that at one time there was an American utopia governed by English "common law," a utopia in which every citizen was a "sovereign," and there were no oppressive laws, taxes, regulations or court orders. However, a conspiracy gradually subverted this system, replacing it with an illegitimate successor. Different sovereign citizen theorists have varying versions of this progression, but most include the following elements: the alleged suppression of a "missing" 13th Amendment that would have disallowed citizenship for attorneys; the Reconstruction amendments; the 16th Amendment (allowing an income tax); the 17th Amendment (allowing popular election of senators); the Federal Reserve Act and the 1933 removal of United States currency from the gold standard. By that time, many sovereign citizen theorists agree, the United States government was completely illegitimate, using emergency war powers and other unlawful measures to rule unconstitutionally.

Among the various subjects of energetic sovereign citizen revisionism, perhaps none is more important than the 14th Amendment. Ratified in 1868, the Amendment had several aims, including the guaranteeing of United States citizenship for the ex-slaves. But to sovereign citizens it did much more; they
claim that before its ratification, virtually no one was a "citizen of the United States." One would previously have been a citizen of the republic of Ohio or of some other state; only residents of Washington, D.C., or federal territories were citizens of the United States. The 14th Amendment created an entirely new class of citizens, they argue, one that anybody, theoretically, could voluntarily join.

But to become a citizen of the United States was to willingly subject oneself to the complete authority of the federal and state governments; clearly, no one would want to do this. The government, therefore, tricked people into entering into its jurisdiction and that of the "corporate" state government by having them sign contracts with it. The trick was that people did not even realize they were signing contracts: these included items like Social Security cards, drivers' licenses, car registrations, wedding licenses or even, as Terry Nichols noted, hunting licenses and zip codes.

The sovereign citizen solution to this problem is the one that Nichols used. Since these contracts were made without people's knowledge, they could be declared invalid and torn up. Social Security numbers, licenses and permits, even birth certificates could be revoked, allowing people thereby to become "sovereign citizens," freed from the jurisdiction of the "de facto" government and courts. They were once more subject only to the "common law."

The development of this theory resulted in a movement whose members believe not only that virtually all levels of government have no jurisdiction over them whatsoever, but also that acceptance of any government regulation or permit means entering into a "contract" with the government that results in the loss of liberty and freedom. Consequently, committed sovereign citizens resist, sometimes with violence, nearly every form of governmental authority, from police enforcing traffic regulations to inspectors enforcing building codes. Unsurprisingly, they end up in constant conflict with the law.

**Tactics: Terrorism and "Paper Terrorism"**
In the early 1990s, particularly after the deadly standoffs at Ruby Ridge, Idaho, in 1992 and Waco, Texas, in 1993, the extreme right experienced a considerable resurgence. Many older groups like the National Alliance increased in number, while entirely new movements like the militias developed. Moribund since the decline of the Posse, the sovereign citizen movement enjoyed a significant rise in numbers and activity.

This activity included acts of violence, usually against representatives of the government that sovereign citizens so hated. In October 1993, extremist fugitives Linda Lyon Block and George Sibley murdered an Opelika, Alabama, police officer in a shootout in a shopping center parking lot. In early 1994, a band of extremists associated with the group Juris Christian Assembly viciously assaulted Karen Mathews, the Stanislaus County, California, recorder, outside her home. In May 1998, sovereign citizen and Christian Identity adherent George Wolf shot two volunteer firefighters in Ashtabula County, Ohio, because their vehicle blocked him. Occasionally, sovereign citizen groups even engaged in high-profile standoffs with authorities. In the spring of 1996, the Montana Freemen held off federal authorities attempting to arrest them (on a variety of charges) for 81 days near Jordan, Montana. The following spring, members of Richard McLaren's faction of the so-called "Republic of Texas" initiated another armed confrontation in far-West Texas when they kidnapped a local couple in response to the arrest of one of their members. One member was killed during the standoff.

Yet despite a pattern of violent activity, the preferred weapon of members of the sovereign citizen movement is what has come to be called "paper terrorism." Paper terrorism involves the use of fraudulent legal documents and filings, as well as the misuse of legitimate documents and filings, in order to intimidate, harass and coerce public officials, law enforcement officers and private citizens. Many paper terrorism tactics originated during the days of the Posse Comitatus, but were refined and popularized in the 1990s and distributed in books, during seminars and through the Internet.
One of the first tactics of the resurgent sovereign citizen movement was the formation of vigilante "common law courts." Members of these courts used them as a forum for grievances against the "de facto" government or for assistance in attempts to harass their enemies. A number of common law courts issued threats of various kinds against public officials. One of the earliest and most visible such courts was established in Tampa, Florida, in 1993 by Emilio Ippolito and various followers. Calling itself the "Constitutional Court of We the People," the court moved in short order from granting divorces to issuing arrest warrants against judges. Eventually Ippolito and six followers were convicted in 1997 for interfering with trials in Florida and California and for sending letters threatening to kidnap and arrest judges and jury members. Other common law courts were equally defiant; in the Midwest, two leaders of a central Ohio common law court became involved in violent confrontations during traffic stops, resulting in one death. Common law courts were especially active from 1994 through 1997, but because of their relatively high visibility, they were more vulnerable to concerted action by law enforcement officers. In Missouri and Illinois, for instance, dozens of common law court members were arrested in 1996 on harassment-related charges related to their use of bogus liens. This vigilance on the part of law enforcement helped shut down the common law courts in those states. More generally, such vigilance caused sovereign citizens to abandon common law courts as a preferred tactic.

The filing of frivolous lawsuits and liens against public officials, law enforcement officers and private citizens, on the other hand, has remained a favorite harassing strategy. These paper "attacks" intimidate their targets and have the beneficial side effect of clogging up a court system that sovereign citizens believe is illegitimate. Frivolous liens became such a problem in the 1990s that a majority of states were forced to pass new laws to make filing them illegal, their removal easier, or both. Today, eager sovereign citizens can use the Internet to download a variety of boilerplate forms and documents to wield against the government. More adventurous types can matriculate at "schools" such as the Erwin Rommel School of Law; additionally, a number of activists, ranging from David Wynn Miller to The
Aware Group, hold seminars around the country to teach people -- for a price -- about the latest tactics and weapons.

Sovereign citizens also widely use fictitious financial instruments such as phony money orders, sight drafts and comptrollers' warrants. Believing paper money to be invalid, the movement easily justifies the creation of entirely new forms of "money." From "Public Office Money Certificates" in the early 1980s to the money orders and warrants of the 1990s, this has been a particularly popular tactic because it potentially allows the sovereign citizen to get something for nothing whenever a government agency, bank, business or private citizen mistakenly accepts one of the bogus instruments. Groups like the Montana Freemen, Family Farm Preservation and the Republic of Texas put out billions of dollars (face value) of such instruments before finally being shut down.

The most recent surge in the use of fictitious financial instruments began in 1999 with the development of a tactic called "Redemption" (sometimes known as "Accept for Value"), based on the theories of Roger Elvick, a sovereign citizen and white supremacist convicted on fraud charges in the 1980s. Redemptionists argue that by using a complicated process known as "regaining one's straw man" they can establish special Treasury Department accounts and issue bogus instruments they call "sight drafts" to pay off debts or make purchases. Should law enforcement officials or others interfere with this activity, redemptionists are told to file falsified I.R.S. Form 8300s against them, alleging that such officials engaged in a suspicious currency transaction. By the end of 1999, Redemption had swept across the country. Sovereign citizen organizations like The Aware Group, Rightway L.A.W. and the Republic of Texas, among others, regularly hold Redemption seminars to teach the tactic to eager audience members. A number of practitioners have been arrested since 1999 in Idaho, Ohio, Oregon, West Virginia and other states for attempting to pass the fictitious sight drafts or for harassing public officials attempting to halt the practice. In 2001, it is probably the single most popular sovereign citizen tactic.
However, sovereign citizens have a number of other weapons at their disposal. Many have engaged in a variety of frauds and scams, often targeting people with similar ideological beliefs in what might be called affinity fraud. A few of these schemes, most notably those perpetrated by the Colorado-based We the People and the Florida-based Greater Ministries International in the 1990s, took in millions of dollars. Other sovereign citizen groups, like the Embassy of Heaven and the Washitaw Nation, have specialized in the creation of fictitious car-related documents ranging from drivers’ licenses to license plates.

Still others, including the Civil Rights Task Force and the Constitution Rangers, have created fictitious law enforcement agencies, complete with fake identification cards, badges and even raid jackets. People associated with the Civil Rights Task Force have advocated what they term "reverse intimidation": interrogating the spouses of law enforcement officers who have had dealings with members.

Even when jailed, sovereign citizens often continue their activities. They teach other prisoners their tactics; as a result, a number of non-extremist prisoners have engaged in such sovereign citizen stratagems as filing bogus liens. Convicted drug dealer and prisoner Kenneth E. Speight, for instance, filed more than $12 billion in liens against federal judges and prosecutors in Connecticut. According to federal officials, a fellow prisoner associated with the Montana Freemen taught Speight how to harass people with liens.

Prominent Groups and Individuals: A Rogue's Gallery

Sovereign citizens constitute a large and energetic extremist movement. Activity can be found in virtually every state, from pirate radio stations in Florida to secessionist groups in Hawaii. Well over a hundred sovereign citizen Web sites have been identified. This list includes some -- but by no means all -- of the movement’s notable groups and leaders:

- Alfred Adask. Former publisher of Anti-Shyster magazine (now published via the Web) and aggressive practitioner of "guerrilla lawfare," the Dallas, Texas-
based Adask was especially active in the 1990s in promoting the use of bogus liens. In addition to his Web site, Adask also hosts a satellite radio show.

- **The American's Bulletin.** Published from Central Point, Oregon, by Robert Kelly, it is the leading publication promoting sovereign citizen tactics and activities, especially Redemption.

- **The Aware Group.** A Greenville, South Carolina, sovereign citizen group led by John Howard Alexander that is active in marketing "common law" trusts and Redemption over the Internet and at seminars across the country.

- **The Embassy of Heaven.** A small group led by Paul Revere (formerly Craig Fleshman) and based in Stayton, Oregon, the Embassy markets bogus license plates and other automobile documents to followers nationwide. It was evicted from its former location for nonpayment of local taxes. Followers -- called "Ambassadors of the Kingdom of Heaven" -- disdain obedience to any earthly authority.

- **George Gordon.** From Isabella, Missouri, Gordon runs a "School of Common Law," which he also promotes on his radio show, "The American Law Hour."

- **Brent Johnson.** Host of the "American Sovereign" radio show and, with Lee Parker, director of Freedom Bound International, a "common law service center," Johnson holds seminars nationwide to promote his books, trusts and other products.

- **David Wynn Miller.** This Milwaukee, Wisconsin-based sovereign citizen is one of the most unusual of the "common law gurus" who travel the country holding seminars and offering legal advice. Miller has created his own unique version of English grammar, one that even many sovereign citizens find hard to understand or accept. He has also been active in Canada.

- **Republic of Texas.** The original “Republic of Texas,” formed in late 1995, soon split into several competing factions, which later re-unified in 2002. Daniel Miller, the leader of one of the factions, is the “President” of this sovereign citizen group, which pretends that Texas is an independent country.
- **Rightway L.A.W.** With headquarters in Akron, Ohio, this group is one of the most active sovereign citizen groups in the country, with 15 chapters in at least 10 states. Led by Rick Schramm, Jack Smith, Jeanne Collins and Mary Keane, it is one of the major promoters of Redemption. Some chapters also reach out to prison inmates.

- **Charles Weisman.** Based in Burnsville, Minnesota, Weisman is a prolific author on "common law" topics like martial law, the right to travel (unfettered by traffic laws or automobile regulations) and so forth. A Christian Identity adherent, he is also currently one of the most visible white supremacists promoting sovereign citizen doctrines.

- **Moorish groups.** The resurgence of sovereign citizen activity in the 1990s led to an unexpected development: the appropriation of sovereign citizen ideology and tactics by a variety of African American groups. These groups, generally identifying themselves as "Moors," combine standard sovereign citizen theories with many new twists and additions of their own. Some groups are, to varying degrees, Islamic in nature, while others adhere to various New Age philosophies. Examples include the Moorish Nation, the United Mawshakh Nation of Nuurs and the Washitaw Nation. A number of such groups have ties to "traditional" sovereign citizen groups. Many of their tactics are the same, too, from bogus automobile documents to Redemption.

### 2010 UPDATE

On May 20, 2010, two West Memphis, Arkansas, police officers were killed and two Crittenden County sheriff’s officers wounded in two linked shootouts involving an anti-government sovereign citizen with ties to Ohio and Florida.

The sovereign citizen, Jerry Kane, was a “guru” in the movement who traveled around the country, often with his teenaged son Joseph, holding seminars in which he would teach his anti-government conspiracies and pseudo-legal “solutions.” Kane specialized in a set of sovereign citizen theories called “Redemption;” he told audiences that his theories could get them out of their mortgages.
Kane and his son were apparently returning from a seminar he advertised for mid-May in Las Vegas when their vehicle was pulled over by West Memphis Police Department Sergeant Brandon Paudert and Officer Bill Evans, who were engaged in a drug interdiction exercise along the interstate. The Kanes allegedly got out of the vehicle with firearms and opened fire on the two officers, killing them both. They drove off.

An hour and a half later, an extensive manhunt located the vehicle at a Wal-Mart parking lot. As police closed in on the vehicle, a second shootout occurred. During this shootout, Crittenden County Sheriff Dick Busby was shot in the arm and Deputy W. A. Wren received a serious wound to the abdomen. Jerry and Joseph Kane were killed in the return fire.

The tragic incident occurred during a rise of sovereign citizen activity nationwide in 2009-2010. In two incidents in April and May, a Tennessee sovereign citizen, Walter Fitzpatrick III, and a Georgia sovereign citizen, Darren Huff, were arrested in connection with attempts to make "citizens" arrests of various local officials in Monroe County. In April 2010, a sovereign citizen group calling itself Guardians of the Free Republics issued ultimatums to all 50 governors to vacate their offices within 72 hours.

1Posse Comitatus is a Latin term for "power [or force] of the county." It originally referred, in English legal traditions, to the power of local authorities to call upon the body of the people to enforce the law in a time of crisis. The American idea of the "posse," as in the Old West, is a descendant of these traditions.